

From: [Support](#)
To: [L & P Enquiries](#)
Subject: [Enquiry Subject] Complaint: Manurewa Marae
Date: Wednesday, 4 October 2023 7:45:05 am
Attachments: [IMG-20231003-WA0013.jpg](#)

Electoral Commission Cyber Security Warning: This email originated from outside of the Commission. Please take extra care when clicking links or opening attachments. When in doubt, contact the IT Service Desk.

Hi Legal Team,

Here is an enquiry from [REDACTED]

It was CC'd to: Angel Vargas [REDACTED]

From: [REDACTED]

Date: Tue, Oct 3, 2023 at 5:02 pm

Kia ora Angel,

Please see attached. The Manurewa marae voting booth is offering the first 300 voters a free hangi - each day.

Can you please address this issue urgently and ensure that there is no treating taking place at this booth.

I would appreciate being kept updated on what action has been taken.

Note, this is our second complaint regarding this booth.

Kind regards,

[REDACTED]

[REDACTED]

From: [Jenny Marshall](#)
To: [Natalie \[REDACTED\]](#) [Police Compliance](#); [Kristina Temel](#); [Dean \[REDACTED\]](#)
Subject: Formal Complaint
Date: Wednesday, 11 October 2023 4:02:35 pm
Attachments: [Colour logo-01-6 copy-2 copy.jpg](#)
[PastedGraphic-2.tiff](#)

Electoral Commission Cyber Security Warning: This email originated from outside of the Commission. Please take extra care when clicking links or opening attachments. When in doubt, contact the IT Service Desk.

Dear Electoral Commission

We would like to raise a formal complaint against the Electoral Commission for the undemocratic manner in which you are conducting this general election.

We would also like to raise charges through the Police against Te Pāti Māori.

Our objection is to the fact when voters are raising genuine concerns with the Electoral Commission about political parties treating and campaigning in proximity to polling booths, the Electoral Commission is not taking sufficient steps to prosecute the party concerned.

Freedoms NZ is aware of multiple complaints from members of the public raised with the Electoral Commission against Te Pāti Māori since advance voting opened. Is the EC scared of Māori or something as to why no action is being taken? This is undemocratic, especially when many others campaigning are also Māori.

Treating:

Multiple complaints have been raised about Te Pāti Māori treating voters at the polling booth located at the Manurewa Marae, where they clearly state that once voters have voted for 'Te Pāti Māori' they can walk a few metres to receive a free hangi, free ice cream, free donuts, free potae, and enjoy free Karaoke and a DJ. See this promotional post here: https://www.tiktok.com/@kalinapapalii436/video/7286255335092899090?_r=1&_t=8gIxTM4yQgK



Polling Booth - Manukau Mall

Today, the Te Pāti Māori candidate for Tāmaki Makaurau has posted a live Facebook video showing Te Pāti Māori singing waiata next to the polling booth located in the food court at Manukau's Westfield Mall. See here: <https://www.facebook.com/takutaikemp/videos/251564444115170/?mibextid=zDhOQc>

We have had reports from voters saying they felt incredibly intimidated and pressured when trying to cast their vote. They also felt like they were being 'watched over from above' as they tried to cast an anonymous vote. This surely can not be legal, and why have the EC and Police not already shut this down?

Encouraging Māori voters to vote with Kaupapa Māori polling booths and the like, can not be in favour of any one Māori-aligned party, nor can it be at the expense of true democracy.

Census Data Violation:

Previous employees of Manurewa Marae have reported illegal actions by Manurewa

Marae who were commissioned to collect data for the Census. When collecting census data, Te Pāti Māori supporters took a copy of the census form data for their political party database. They also signed up non-voters and retained this data as well. They encouraged all Māori they engaged with for the purposes of the census, to vote Te Pāti Māori. Te Pāti Māori also directed Census funding towards their political parties' promotional activities. The EC have failed to act on any of these reports from the general public and they've now raised these concerns with us.

I expect a response from EC and the Police before the close of business today please to ensure that this type of illegal activity is shut down today, and I also expect Te Pāti Māori's activity to date to be heavily prosecuted. We would also like to see Takutai Trash Kemp disqualified from this election.

Inaction by EC and the Police in a strong and immediate manner will leave us with no choice but to take this matter public on Freedoms NZ and Brian Tamaki's social media channels and also to mainstream media.

Kind Regards

Jenny Marshall

Party Secretary

Freedoms New Zealand

Mobile: [REDACTED]



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From: [REDACTED]
To: [Kristina Temel](#)
Cc: [Natalie](#) [REDACTED] [Dean](#) [REDACTED] [REDACTED]
Subject: Complaint: Manurewa marae
Date: Wednesday, 1 November 2023 10:42:48 am

Electoral Commission Cyber Security Warning: This email originated from outside of the Commission. Please take extra care when clicking links or opening attachments. When in doubt, contact the IT Service Desk.

Kia ora Kristina,

I write to complain about activity that took place near the polling place at the Manurewa Marae during the advance vote period. Specifically, I am concerned that the actions of some marae staff were inappropriately partisan while hosting and promoting a non-partisan polling place, while other actions by those staff amount to treating, which is a corrupt practice under the Electoral Act. The possibility of treating is especially serious.

I understand the marae's staff are employed by Tarsh Kemp, who is both the CEO of the Manurewa marae and the Te Pāti Māori candidate for Tamaki Makaurau. Ms Kemp's two positions create a very difficult conflict of interest between her role hosting a non-partisan booth location on the one hand, and her role seeking votes in the election on the other. I don't think that conflict was appropriately managed.

I have seen evidence of inappropriate behaviour in several Facebook Live videos that were broadcast by the Manurewa Marae during the advance voting period. Those videos remain publicly available on [the marae's Facebook page](#), but if the links become inactive for some reason I have retained copies that I can send to the Commission.

I submit that the information outlined below shows:

- a clear and unsolvable conflict of interest by the Manurewa Marae hosting a polling place, at the same time as its CEO and staff electioneer for a particular candidate and party while promoting that polling place;
- a case of an advertisement being published without a promotor statement (contrary to s204F of the Electoral Act);
- cases of treating (contrary to s217 of the Electoral Act).

Evidence of inappropriate behaviour is contained in the following videos, among others:

[Facebook live 2 October, 10:35am](#)

Within the first 1:30 of this video, the marae:

- Shares non-incident footage of Tarsh Kemp's campaign vehicle, branded in Te Pāti Māori livery;
- Says the marae is holding an event that day that involves free hangi, free ice cream, free donuts, and free coffee among other things; and

Also invites people to vote at the marae's polling booth that day.

This promotional video is problematic because (1) it displays an election advertisement for Tarsh Kent and Te Pāti Māori without ever displaying an authorisation statement, (2) it includes partisan material while purportedly promoting a non-partisan polling booth the marae is hosting, and (3) it gives viewers the impression that if they vote in the election at the marae they'll be rewarded with free food and drink, which is treating.

More generally, we note that the marae appears to have held a series of community events featuring free goods and services that are specifically timed to coincide with the days when the polling place was open. Scanning the marae's Facebook page indicates no such pattern of events either before or after the voting period. This is further contextual evidence that the events and their associated free activities are designed to induce people to vote.

[Facebook live 2 October, 12:04pm](#)

This video further advertises the free items people can receive when they come and vote, which is treating.

In addition, at around 6:25 the host interviews the Te Pāti Māori candidate during a purportedly non-partisan video promoting voting in the election. Tarsh Kent must have known she had a deep conflict of interest between her role as the CEO of an organisation hosting a non-partisan polling booth, and her role as a candidate in that same election. Yet she allowed herself to be interviewed anyway. That's deeply inappropriate.

[Facebook live October 3, 11:11am](#)

At around 2:15, the host encourages people to vote for Te Pāti Māori while promoting a polling booth location. The conversation is:

Person 1: "Patai. Someone asked 'We should vote for who?'"

Person 2: "Whanau, it's all up to you. It's not our job to tell you who to vote for. But... there's only one party that will look after us Māori people. Anyway, it's not about who you vote for, whanau. It's just about having your say, and voting. Just don't vote for National or ACT."

Then, at around 2:55 in this video, a marae staff member describes exactly how getting free stuff at the marae is conditional on people having voted in the election. The conversation is:

Person 2: "Wow - look at this, whanau. Free activations, sir. What does that mean?"

Person 3: "With a free activation we have a voting station down at the pond. I believe you've already shown that. After that they'll be given a ticket to collect their hangi right here. And there's activation going on down here. You've got the donut waka. You've got the hot chocolate, hot coffee.

Person 2: "What else is here?"

Person 3: "You've got Lucy's ice cream. We've even got karaoke and performances, kapa haka apparently. And smoothies. Smoothies! Hidden

treasures!"

Under the ticketing system set up by the marae, people only receive the free things on offer at the marae if they provide a ticket that proves they voted in the election. This last video is, in my view, very clear evidence of treating on the part of the marae.

I submit that the actions of marae staff satisfy the requirements of s217(a) of the Electoral Act by those staff corruptly, during an election, providing food and drink for the purpose of corruptly influencing people to vote.

There are two instances of the word 'corruptly' in the offence. The first is in 217(2) related to the actions of the staff, and the second in subsection 217(2)(a) relating to the influence on the voter.

While 'corruptly' isn't defined within the Electoral Act, I believe using the general definitions of the word, the staff are acting corruptly by dishonestly by using their position to gain an advantage, and that it is clear from the 'ticketing system' that electors are being corruptly influenced to vote by the marae staff by being bribed with food and drink – which is advertised that they can only receive if they can prove they have voted.

I further believe that the exception in s217(5) cannot apply in this case.

Worse, this video and others also make it clear that the marae staff believe people should vote for Te Pāti Māori (in their view, the "one party that will look after us Māori people") and not for alternative parties (specifically National and Act), and implies people will be even more welcome to vote at the marae if they agree with that belief.

I also submit that s217(2)(b) has also been breached. I believe the elements of this are satisfied by:

- <!--[if !supportLists]-->• <!--[endif]-->the treating mechanism as outlined above;
- <!--[if !supportLists]-->• <!--[endif]-->the food, drink and entertainment being funded by the marae, of which Ms Kemp is the CEO (and therefore has financial authority of);
- <!--[if !supportLists]-->• <!--[endif]-->that the Ms Kemp and marae staff promoted Te Pāti Māori and Ms Kemp as its Tāmaki Makaurau candidate (even if not explicitly, via clear inference); and
- <!--[if !supportLists]-->• <!--[endif]-->that these actions were taken for the purpose of procuring Ms Kemp's election.

In [a later Facebook post](#), marae staff celebrate the "thousands who showed up to our 12 Activations", which indicates there was actual treating that took place.

Given this pattern of behaviour, it is likely that there are likely other instances of inappropriate and/or unlawful behaviour in the remaining Facebook live videos the marae posted during the advance vote period.

My submission is that the information outlined shows clear, and potentially criminal, breaches of the Electoral Act. Because these inducements to vote appear to have been paid for by the Manurewa marae, my belief is that the breaches was committed by whoever has overall authority over the marae's finances.

I therefore request that the Electoral Commission investigate these serious potential offences.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

From: [Karl Le Quesne](#)
To: [REDACTED]
Cc: [Kristina Temel](#); [Natalie \[REDACTED\]](#); [Dean \[REDACTED\]](#)
Subject: RE: Further information, and a request, regarding Tamaki Makaurau
Date: Wednesday, 8 November 2023 2:50:34 pm
Attachments: [image001.jpg](#)
[image002.png](#)

Kia ora [REDACTED]

We will include this additional information into our inquiries into the matters you have raised.

Ngā mihi

Karl Le Quesne

From: [REDACTED]
Sent: Wednesday, November 8, 2023 2:47 PM
To: Karl Le Quesne <[REDACTED]@elections.govt.nz>
Cc: Kristina Temel <[REDACTED]@elections.govt.nz>; Natalie [REDACTED]
<[REDACTED]@elections.govt.nz>; Dean [REDACTED] <[REDACTED]@elections.govt.nz>
Subject: Further information, and a request, regarding Tamaki Makaurau

You don't often get email from [REDACTED] [Learn why this is important](#)

Electoral Commission Cyber Security Warning: This email originated from outside of the Commission. Please take extra care when clicking links or opening attachments. When in doubt, contact the IT Service Desk.

Kia ora Karl,

I'm writing regarding the complaint I made on 1 November regarding treating at the Manurewa marae. I wish to provide further information to the Commission in its consideration of that complaint; bring your attention to an additional irregularity we'd like the Commission to consider; and make a request as to the timing of the Commission's decision on whether or not to pass these complaints to the police.

Additional information

1. I note some of the Manurewa marae's Facebook live videos appear to have been removed from their Facebook page as at today. I don't know why that might have happened. I understand the Commission may already have downloaded copies of those videos, but we also have copies if needed.

2. Some of the marae's Facebook content, however, has not been deleted as yet. I'd like to bring the Commission's attention to further evidence suggesting the purpose of Manurewa marae's activity was to treat voters:

[In a Facebook Live video on 13 October](#), the marae said:

- It was up to "Activation 11" in a programme of 12 activations (the last one to take place on 14 October, which included a free concert and 1,000 free hangi among other things at the marae)
 - In our view, the fact that this programme was titled as "activations" indicates clearly the purpose of the programme, namely to "activate" people who might not otherwise be active into voting, using the lure of free things to encourage them. Indeed, in this video the free offerings are collectively referred to as the "activations" which even more clearly indicates their purpose. This is important because the marae's intent is an important element of the treating offence.
 - The number and timing of the activations also closely coincide with the period where voting was open with the election, which is a further indication of the programme's intent.
 - The advertising of "activation 12" on election day, which involves 1,000 free hangi and a free concert at a polling booth location, alongside an encouragement to vote at that polling booth, is also treating.

[In a Facebook post on 2 October](#), the marae says:

Come on down to the Marae apōpō (tomorrow) for our RANGATAHI ACTIVATION. A packed full day of Magic and greatness.

We have HIP HOP CLASSES, KARAOKE and much more. Our VOTING station is also open for our whānau over 18 who need to VOTE.

Happening tomorrow Tuesday 3 October from 10AM till 4PM at our Marae.

!!!!!! HANGI, COFFEE, ICE CREAM, HOT DONUTS AND HAIRCUTS.

Share with your whānau and come on down!!!

#ManurewaMarae #Rangatahi #Voting

- This post shows that the hours when free things are available at the marae during the 3 October "Activation" are timed to precisely coincide with the hours when the polling booth at the marae was open. Further, the post contains a clear link between casting a ballot and obtaining free hip hop classes, karaoke, hangi, coffee, ice cream, donuts, and haircuts, which is treating.
 - This link between voting and freebies is, of course, made even more explicit in the

Facebook Live video the following morning - which I shared with the Commission previously - that outlined a ticketing system the marae used to provide free items specifically for people who cast a ballot at the polling booth located at the marae.

3. Now that the final results have been declared, it is clear that the scale of the potential treating (which the marae itself says runs to thousands of people) is significant enough to affect the election result, where the final margin is four votes. This scale, relative to the margin in the election, makes it even more imperative that this treating is investigated by police.

[REDACTED]

[REDACTED]

[REDACTED]





[Redacted text block]

- [Redacted list item]
- [Redacted list item]

- [Redacted list item]
- [Redacted list item]

- o [REDACTED]

[REDACTED]

Timing of Electoral Commission decisions

As you know, [REDACTED] faces a deadline of 1 December to file any electoral petition in relation to Tamaki Makaurau. It would be deeply unjust if that deadline were to pass without all parties knowing the Commission's decision on whether or not to forward these complaints to the police, as that decision may be relevant to any electoral petition.

Our firm view is that it is the responsibility of state agencies, rather than other parties, to pursue potentially corrupt practices in elections, and we ask that the Commission address that responsibility in a timely fashion. We therefore request that the Commission expedite its decision on these matters, and release that decision well in advance of the legal deadline of 1 December for filing any electoral petitions. I also request an update on the Commission's intentions about when it will make a decision, so I can pass that information on to decision-makers within [REDACTED]

Best regards,

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [Support](#)
To: [L & P Enquiries](#)
Subject: [Enquiry Subject] Voting enquiry from [REDACTED]
Date: Thursday, 9 November 2023 3:03:42 pm

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Hi Legal Team,

Here is an enquiry from [REDACTED] [REDACTED]

It was CC'd to:

From: [REDACTED]
Date: Thu, Nov 9, 2023 at 2:57 pm

Name: [REDACTED]

Email: [REDACTED]

From site: elections.nz

Subject: Voting

Type: Complaint

Message:

Kia ora, After reading the NZ Herald article today "Electoral Commission polling place decisions under fire amidst recount and voting irregularities at Manurewa Marae" I wish to add a complaint to this kāupapa. My wife and I chose to fulfil our democratic duty by voting (early) at Manurewa Marae, Manurewa. We arrived on Saturday 7th October mid-morning and were welcomed with music, free food, free Te Pāti Māori beanie's and a number of Te Pāti Māori flags and banners. We were then told once we voted, we would be given a ticket to then present and receive ONE free hot hangi. I thought to myself, is this bias or what! I did not feel it was pono to the neutral and unbiased environment which should exist at an authorised Polling Booth. While it was an early vote which meant there were many political banners still visible, my wife and I saw nothing but 'Māori Party' insignia around the Marae. I knew Kemp was the CEO of Manurewa Marae, and the candidate for Tāmaki Makaurau. This is not right. I would not normally make a complaint, but this is too important not to. Ngā mihi

From: [REDACTED]
To: [OIA Enquiries](#)
Subject: Manurewa Marae voting booth. OIA Request
Date: Saturday, 11 November 2023 2:11:41 pm

You don't often get email from [REDACTED]. [Learn why this is important](#)

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I request answers to the following questions under the OIA.

1. Was Takutai Moana Kemp at the Manurewa Marae at any time during Election day? If so, how long was she there and was she mixing and talking with people who had come there to cast their votes or partake in the free food and drinks?
- 2.
2. Were any te Party Maori officials employed or involved in any way in the running of this booth other than as an official scrutineers and if so who were they and what role did they play?

My name is [REDACTED]
[REDACTED]

Regards [REDACTED]

Sent from [Mail](#) for Windows

From: [Karl Le Quesne](#)
To: [Jenny Marshall](#)
Cc: [REDACTED]
Subject: RE: Formal Complaint
Date: Friday, 10 November 2023 4:46:21 pm
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.png](#)

Greetings Jenny

We have received a number of complaints, including your complaint, that we have already responded to confirming that we had contacted the Marae to seek clarification and had concluded that we would be taking no further action.

My response to Lance Norman reflects that we are not currently enquiring into any complaints in relation to Te Pāti Māori activity at Manurewa Marae.

I hope that clarifies my response.

Regards

Karl Le Quesne

Karl Le Quesne (He/Him) | Chief Electoral Officer
Electoral Commission | Te Kaitiaki Take Kōwhiri
PO Box 3220 | 34-42 Manners Street | Wellington
[vote.nz](#) | [elections.nz](#)



From: Jenny Marshall <[REDACTED]@freedomsnz.org.nz>
Sent: Friday, November 10, 2023 12:36 PM
To: Karl Le Quesne <[REDACTED]@elections.govt.nz>; [REDACTED] <[REDACTED]@nzme.co.nz>
Cc: Brian Tamaki <[REDACTED]@freedomsnz.org.nz>; Natalie [REDACTED] <[REDACTED]@elections.govt.nz>; Police Compliance <[REDACTED]@elections.govt.nz>; Kristina Temel <[REDACTED]@elections.govt.nz>; Dean [REDACTED] <[REDACTED]@elections.govt.nz>; Sue Grey <[REDACTED]@gmail.com>
Subject: Fwd: Formal Complaint

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Hi Karl & [REDACTED]

I have just read this NZ Herald article written.

<https://www.nzherald.co.nz/kahu/te-pati-maori-not-under-investigation-over-manurewa-marae-polling-booth/F2QDXEKVXBFW5EJY5EFRAGGYL4/>

This is an absolute fabrication on behalf of the Electoral Commission to say "Kia Ora Lance. We have not had any complaints about Te Pāti Māori in relation to the marae. Ngā mihi. Karl Le Quesne."

There have been multiple complaints raised with the Electoral Commission about the conduct of Te Pāti Māori at the Manurewa Marae, including my complaint below.

I would like to see a formal apology publicly released by Karl Le Quesne along with an admittance that the truth was not told.

All of this is causing me to have no faith in the Electoral Commission.

Kind Regards

Jenny Marshall

Party Secretary

Freedoms New Zealand

Mobile: [REDACTED]



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Begin forwarded message:

From: Jenny Marshall <[REDACTED]@freedomsnz.org.nz>

Subject: Formal Complaint

Date: 11 October 2023 at 4:02:15 PM NZDT

To: Natalie [REDACTED] <[REDACTED]@elections.govt.nz>, [REDACTED] Kristina Temel [REDACTED] <[REDACTED]@elections.govt.nz>, Dean [REDACTED] <[REDACTED]@elections.govt.nz>

Dear Electoral Commission

We would like to raise a formal complaint against the Electoral Commission for the undemocratic manner in which you are conducting this general election.

We would also like to raise charges through the Police against Te Pāti Māori.

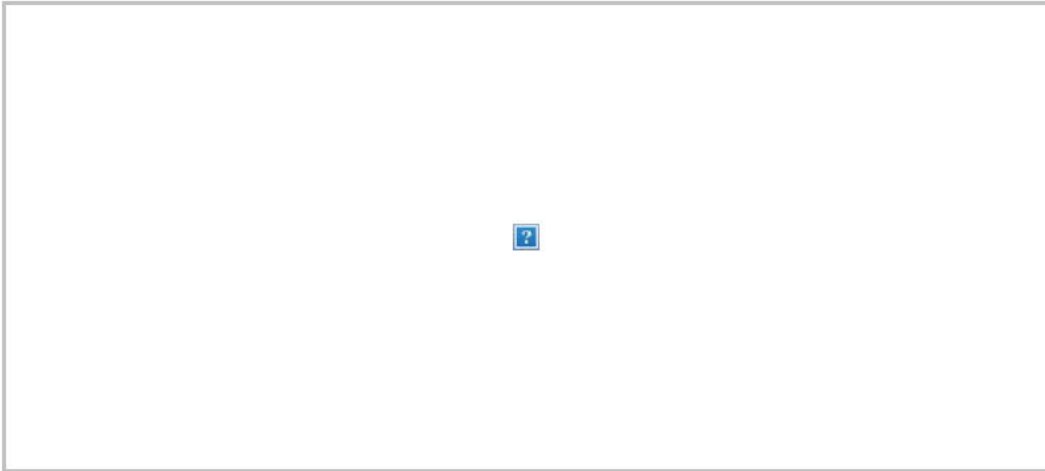
Our objection is to the fact when voters are raising genuine concerns with the Electoral Commission about political parties treating and campaigning in proximity to polling booths, the Electoral Commission is not taking sufficient steps to prosecute the party concerned.

Freedoms NZ is aware of multiple complaints from members of the public raised with the Electoral Commission against Te Pāti Māori since advance voting opened. Is the EC scared of Māori or something as to why no action is being taken? This is undemocratic, especially when many others campaigning are also Māori.

Treating:

Multiple complaints have been raised about Te Pāti Māori treating voters at the polling booth located at the Manurewa Marae, where they clearly state that once voters have voted for 'Te Pāti Māori' they can walk a few metres to receive a free hangi, free ice cream, free donuts, free potae, and enjoy free Karaoke and a DJ. See this promotional post

here: https://www.tiktok.com/@kalinapapalii436/video/7286255335092899090?_r=1&_t=8glxTM4yQgK



Polling Booth - Manukau Mall

Today, the Te Pāti Māori candidate for Tāmaki Makaurau has posted a live Facebook video showing Te Pāti Māori singing waiata next to the polling booth located in the food court at Manukau’s Westfield Mall. See here: <https://www.facebook.com/takutaikemp/videos/251564444115170/?mibextid=zDhQQc>

We have had reports from voters saying they felt incredibly intimidated and pressured when trying to cast their vote. They also felt like they were being ‘watched over from above’ as they tried to cast an anonymous vote. This surely can not be legal, and why have the EC and Police not already shut this down?

Encouraging Māori voters to vote with Kaupapa Māori polling booths and the like, can not be in favour of any one Māori-aligned party, nor can it be at the expense of true democracy.

Census Data Violation:

Previous employees of Manurewa Marae have reported illegal actions by Manurewa Marae who were commissioned to collect data for the Census. When collecting census data, Te Pāti Māori supporters took a copy of the census form data for their political party database. They also signed up non-voters and retained this data as well. They encouraged all Māori they engaged with for the purposes of the census, to vote Te Pāti Māori. Te Pāti Māori also directed Census funding towards their political parties' promotional activities. The EC have failed to act on any of these reports from the general public and they’ve now raised these concerns with us.

I expect a response from EC and the Police before the close of business today please to ensure that this type of illegal activity is shut down today, and I also expect Te Pāti Māori’s activity to date to be heavily prosecuted. We would also like to see Takutai Trash Kemp disqualified from this election.

Inaction by EC and the Police in a strong and immediate manner will leave us with no choice but to take this matter public on Freedoms NZ and Brian Tamaki's social media channels and also to mainstream media.

Kind Regards

Jenny Marshall
Party Secretary
Freedoms New Zealand
Mobile: [REDACTED]



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From: [Support](#)
To: [L & P Enquiries](#)
Subject: [Enquiry Subject] Parties and candidates enquiry from [REDACTED]
Date: Tuesday, 21 November 2023 2:00:18 pm

Electoral Commission Cyber Security Warning: This email originated from outside of the Commission. Please take extra care when clicking links or opening attachments. When in doubt, contact the IT Service Desk.

Hi Legal Team,

Here is an enquiry from [REDACTED] ([REDACTED]).

It was CC'd to:

From: Toni [REDACTED]
Date: Tue, Nov 21, 2023 at 1:59 pm
assigned to L&P - Tim

From: [REDACTED]
Date: Tue, Nov 21, 2023 at 1:40 pm

Name: [REDACTED]
Email: [REDACTED]
From site: vote.nz
Subject: Parties and candidates
Type: Complaint

Message:

Dear Sir/Madam Dodgy goings-on in connection with Te Pati Mokomai candidate in connection with pork barrel politicking at the Manurewa Marae. 1. Be CEO of marae. 2. Play Te Pati Mokomai campaign song. 3. Offer Kai to voters. 4. Win electorate. A clear breach of electoral rules. Not to mention the new taxpayer-funded roof on the main building and another building recently completed. The election bribery started two weeks before election day "Manurewa Marae .. it's all there on the 'Manurewa Marae' FB page .. 4 October · KAPA HAKA EXTRAVAGANZA Happening tomorrow from 10am - 7pm! Bring your entire whānau down for a fun day of Karaoke, Kapa Haka, Māori games and much more. Our Manaakitanga team are also on-site ready to serve you up, Coffee , Donuts , Ice Cream and smoothies . Also, our amazing nurses are on-site doing whānau health checks and immunisations. Lastly, our VOTING STATION is open for you and your whānau over 18 to cast your VOTE!" then on election day it ramped up with 1000 hangi meals given out .. "Manurewa Marae 13 October · Manurewa Marae are PROUD to present "PROUD TO BE REWA" "PROUD TO BE MĀORI" WHĀNAU DAY!!!!!! Happening tomorrow from 9am - 6pm at Manurewa Marae. Come on down for a day of amazing entertainment, FREE Donuts, Coffee, Ice Cream, Smoothies and 1000 HANGI. This is a day dedicated to you our amazing and POWERFUL whānau of MANUREWA. Celebrating the importance of Whānau, Hapori and Manaaki. It's also the LAST DAY for you and your whānau 18+ to have your say and cast your VOTE at our VOTING STATION. So don't miss out e te whānau, come down and celebrate "PROUD TO BE REWA" & "PROUD TO BE MĀORI" WHĀNAU DAY." Please investigate and report back. Regards [REDACTED]

--

Toni | Customer Services | Electoral Commission | Te Kaitiaki Take Kōwhiri | PO Box 190 | Wellington
| 6140 | Phone 0800 36 76 56

From: [L & P Enquiries](#)
To: [REDACTED]@vision.org.nz
Subject: Manurewa Marae
Date: Thursday, 23 November 2023 4:20:00 pm
Attachments: [image002.jpg](#)
[image003.png](#)

Kia ora [REDACTED]

Thank you for your email of 13 November 2023.

The Manurewa Marae was identified along with other local marae including Papakura, Ruapōtaka, and Ōrākei Marae as a potential venue that members of the surrounding community would readily vote in. It was noted that it had recently offered COVID-19 vaccinations and opportunities to participate in the Census. It is used by the Ministry of Social Development to promote employment opportunities. It is also used as a community hub by virtue of its medical services and food bank.

The marae was advertised as a voting place issuing votes for the Manurewa general electorate and the Tāmaki Makaurau Māori electorate and like all voting places, it also issued special votes for all general and Māori electorates across the country.

We were aware of the candidate's involvement at the marae. Prior to agreeing to use the venue we agreed that the candidate would not enter the voting place other than to vote herself. We were provided an alternative designated contact person that we made the arrangements with. We also ensured that the marae personnel were aware of the rules regarding election advertising. Electoral Commission staff made sure that the 10 metre advance voting place buffer zone and the election day rules were strictly being observed with respect to the voting place.

The Electoral Commission was responsible for appointing and training the voting place staff. We set clear expectations that they must work in a way that supports a free and fair election. We have a code of conduct that sets that out, including being politically neutral.

On 3 October, we were first made aware of a social media post by the Manurewa Marae promoting a free hangi after people voted. The Electorate Manager contacted the marae contact person, on 4 October, to make it clear that the hangi (or any other incentive) cannot be tied to having voted but should be available to everyone whether they have voted or not. They were asked to amend their posts to reflect this. We received confirmation from our contact at the marae that they were providing kai to anyone who came to the voting place, and this was not conditional on whether or not they had voted. When the Electoral Commission's Acting Chair and Deputy Chief Executive Operations visited the marae on 5 October 2023, this is what they also observed.

On 9 October, we received your complaint, that was also copied to Police, regarding a social media post by an individual which linked voting for Te Pāti Māori to receiving kai at the Manurewa Marae. The Electorate Manager contacted the marae again to check. The marae confirmed again that they were providing kai to anyone who came to the marae, and this was not conditional on whether they had voted or not and not linked to voting for any particular party.

Under [section 217](#) of the Electoral Act, anyone who gives or provides food, drink, entertainment or provision is liable for prosecution for the corrupt practice of treating, if done "for the purpose of corruptly" influencing that person to, generally put, alter their voting behaviour or procure the defendant's election.

Although the ambit is broad, the threshold for establishing treating is also high - a corrupt intention is required. The Courts have previously held that the offence of "treating" requires an intention on the part of the person treating to influence the votes of the persons treated.

In this case, it appears that the marae was publicly offering kai and entertainment alongside a whole range of organised marae activities including whanau day, kapa haka day, health checks, employment expo, and the Electoral Commission's voting place.

It appears that food was being made generally available without reference to voting or voting for Te Pāti Māori or its candidate. Nor was it being accompanied by the giving out of campaign material. There did not appear to be any overt campaigning associated with the manaakitanga.

Based on the information we have, we do not consider that this would meet the high test for treating and would not refer the matter to Police.

Thank you for your further follow-up.

Ngā mihi

Kristina Temel
Electoral Commission

From: [REDACTED] <[REDACTED]@vision.org.nz>
Sent: Monday, November 13, 2023 6:30 PM
To: Dean [REDACTED] <[REDACTED]@elections.govt.nz>
Cc: Karl Le Quesne <[REDACTED]@elections.govt.nz>; Kristina Temel [REDACTED] <[REDACTED]@elections.govt.nz>
Subject: Re: [Enquiry Subject] Election advertising enquiry from [REDACTED]

Electoral Commission Cyber Security Warning: This email originated from outside of the Commission. Please take extra care when clicking links or opening attachments. When in doubt, contact the IT Service Desk.

Hi Dean,

Thank you for getting back to me, I understand you have been very busy.

However, on behalf of the Management of Vision NZ;

- I don't understand how the choice of Manurewa Marae as a voting place for this election can be justified when the CEO of the Marae was to be a candidate for the Maori Party. Would Destiny Church be able to do that? I think not.
- If the evidence submitted to the Commission does not constitute Treating, then what does?
- What is the point of having rules if threshold for breaching those rules is so high that they are rendered superfluous, and make a mockery of our democratic system.

There is ample proof that the Maori Party have used some unscrupulous methods to contest this election.

Therefore, we are depending on the Commission to uphold the integrity of our electoral system by conducting a vigorous investigation into their conduct.

Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]



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From: Dean [REDACTED] <[REDACTED]@elections.govt.nz>

Sent: Monday, 13 November 2023 12:28 pm

To: [REDACTED] <[REDACTED]@vision.org.nz>

Cc: Karl Le Quesne <[REDACTED]@elections.govt.nz>; Kristina Temel [REDACTED]@elections.govt.nz>

Subject: RE: [Enquiry Subject] Election advertising enquiry from [REDACTED]

Kia ora [REDACTED]

Further to your telephone conversation with Karl today, I would like to apologise for not advising you of the outcome of your complaint – this was an administrative oversight by me. The email that should have sent to you is copied below.

Ngā mihi

Dean [REDACTED] | Senior Advisor Legal | Electoral Commission | Te Kaitiaki Take Kōwhiri

PO Box 3220 | Level 10, 34-42 Manners Street | Wellington

Phone +[REDACTED] |



Treating – Manurewa Marae

The Electoral Commission works to make voting accessible to all communities and to increasing participation within communities that have lower rates of engagement in the electoral process. In selecting voting places, it engages with people in different locations, particularly where voter turnout is low, to understand which potential venues will work for different communities. Following this, a formal assessment is done of each site to ensure it meets the Commission's requirements.

The Manurewa Marae was identified as a potential venue that members of the surrounding community would readily vote in. It was noted that it had recently offered COVID-19 vaccinations, food support and opportunities to participate in the Census. In our discussions with the marae, it was mentioned that they might provide kai and or activities to create a family friendly environment around the voting place. We were clear that the opportunity to receive kai or participate in the activities must be available to anyone coming to the marae and cannot be dependent on people voting. It is not uncommon for a schools or other community organisations to host activities around voting places on this basis.

On 3 October, we were first made aware that the Manurewa Marae was making an association, via a social media post, between voting at the marae and receiving a free hangi. The Electorate Manager contacted the marae management, on the same day, to make it clear that the hangi (or any other incentive) cannot be tied to having voted but should be available to everyone whether they have voted or not. They were asked to amend their posts to reflect this. We received confirmation from our contact at the marae that they are providing kai to anyone who comes to the voting place, and this is not conditional on whether they have voted or not.

On 9 October, the Commission received Vision New Zealand's complaint regarding a social media post by an individual which linked voting for Te Pati Māori to receiving kai at the Manurewa Marae. The Electorate Manager contacted the Marae again. The Marae confirmed again that they are providing kai to anyone who comes to the voting place, and this is not conditional on whether they have voted or not and not linked to voting for any particular party.

Based on the information we have gathered and the assurances from the Manurewa Marae, we will not be taking the matter further.

From: [REDACTED] <[REDACTED]@vision.org.nz>
Sent: Tuesday, October 10, 2023 10:19 AM
To: L & P Enquiries <[REDACTED]>
Subject: RE: [Enquiry Subject] Election advertising enquiry from [REDACTED]

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Thanks Dean, we really appreciated that.

Cheers

[REDACTED]

Sent from my Galaxy

----- Original message -----

From: L & P Enquiries [REDACTED]
Date: 10/10/23 9:56 am (GMT+12:00)
To: [REDACTED] <[REDACTED]@vision.org.nz>
Subject: RE: [Enquiry Subject] Election advertising enquiry from [REDACTED]

Kia ora [REDACTED]

We are looking in the matter and will be liaising with our Voting Services Team and the Manurewa electorate manager.

Ngā mihi

Dean [REDACTED] | Senior Advisor Legal | Electoral Commission | Te Kaitiaki Take Kōwhiri

PO Box 3220 | Level 10, 34-42 Manners Street | Wellington

Phone [REDACTED]

[REDACTED]@vision.org.nz ([REDACTED]@vision.org.nz).

It was CC'd to:

From: [REDACTED]@vision.org.nz

Date: Mon, Oct 9, 2023 at 9:32 pm

Name: [REDACTED]

Email: [REDACTED]@vision.org.nz

From site: elections.nz

Subject: Election advertising

Type: Complaint

Message:

I would like to make a complaint about the Te Parti Maori offering treats to those voters who go to Manurewa Marae to cast their vote this week. There is also a Tik Tok advertisement promising hangi for those who vote, with a photo of Takutai Moana Natasha Kemp, the Te Parti Maori candidate for Tamaki Makaurau. Please see the evidence below. I look forward to hearing from you.

From: [Benjamin](#) [REDACTED]
To: [Natalie](#) [REDACTED]
Subject: FW: [Enquiry Subject] Voting enquiry from [REDACTED]
Date: Monday, 4 March 2024 10:50:00 am
Attachments: [image001.jpg](#)

Ngā mihi

Benjamin [REDACTED] ([he/him](#)) | Senior Policy Advisor | Legal and Policy
Electoral Commission | Te Kaitiaki Take Kōwhiri
PO Box 3220 | Level 4, 34-42 Manners Street | Wellington
Work + [REDACTED] | [vote.nz](#) | [elections.nz](#)



From: L & P Enquiries
Sent: Monday, February 12, 2024 3:28 PM
To: [REDACTED]
Subject: RE: [Enquiry Subject] Voting enquiry from [REDACTED]

Kia ora [REDACTED]

Thank you for your email.

Treating requires the intention of corruptly influencing their vote and is a criminal offence under section 217 of the Electoral Act 1993. In our view, the Courts have held that this a high threshold. The question of intention is an inference of fact which the Court has to draw.

In the case of this marae, to avoid any perception this activity could amount to treating we were in touch with those involved to advise the hangi should be available to everyone, whether or not they had voted. After the initial suggestion it was linked to voting, we were satisfied this was rectified and attended the venue to confirm this. The wider marae venue had other events on at the same time, and we are advised the 10 metre 'buffer zone' around the voting place was observed.

Ngā mihi

Benjamin [REDACTED] ([he/him](#)) | Senior Policy Advisor | Legal and Policy
Electoral Commission | Te Kaitiaki Take Kōwhiri
PO Box 3220 | Level 4, 34-42 Manners Street | Wellington
Work + [REDACTED] | [vote.nz](#) | [elections.nz](#)



From: [REDACTED]
Date: Mon, Feb 12, 2024 at 2:59 am

Name: [REDACTED]

Email: [REDACTED]

From site: elections.nz

Subject: Voting

Type: Complaint

Message:

Why is this not sealed with more seriously? [https://www.thepost.co.nz/politics/350170085/deleted-social-media-posts-raise-further-questions-about-treating-marae-polling?](https://www.thepost.co.nz/politics/350170085/deleted-social-media-posts-raise-further-questions-about-treating-marae-polling?fbclid=IwAR10VpplnaOM5qaicWvUe18fOgtwbBA0m4hfpdMxMrRxHXKHnMuOZX8Tm-k)

Deleted social media videos raise fresh questions about allegations of 'treating' voters to free food at a marae polling booth linked to a Te Pāti Māori MP. Late last year, it emerged concerns were raised about the use of Manurewa Marae as a polling booth during October's general election. New Tāmaki Makaurau MP Takutai Tarsh Kemp, who beat incumbent Labour MP Peeni Henare by just 42 votes, was the marae's chief executive. It was the tightest race in the country and the surprise upset led to a recount. Shortly after election day, complaints about 'treating' — where food, goods or other services are offered to influence voters — emerged. Treating is an offence under electoral law. The Electoral Commission chose not to refer the matter to police. The agency says the threshold for prosecution is high, and would require proving an intention to influence voting. Now, the Sunday Star-Times can reveal that during the period where advance votes could be cast, the marae's social media accounts promoted a ticketing system where voters could collect free hāngī, doughnuts, hot chocolate and coffee on providing proof of voting. The first 300 voters on a given day would get freebies.

From: [Support](#)
To: [EC Legal](#)
Subject: [Enquiry Subject] Other enquiry from [REDACTED]
Date: Wednesday, 5 June 2024 9:18:04 am

Hi Legal Team,

Here is an enquiry from [REDACTED] ([REDACTED]).

It was CC'd to:

From: [REDACTED]
Date: Wed, Jun 5, 2024 at 12:07 am
Name: [REDACTED]
Email: [REDACTED]
From site: elections.nz
Subject: Other
Type: Complaint

Message:

I would like to know if the Electoral Commission is investigating the conduct of Te Pati Maori for the inducements it was giving out at the Manurewa Marae? I know it is OK to give to give out a snack while electioneering but giving \$100 vouchers goes far beyond that! It is mischievous of John Tamahere to try to re-label it as maanaaki. Inducing people to change to the Maori roll was trying to screw the scrum for the election as there would have been Te Pati advertising (explicit or implicit) plus getting a Te Pati Maori vote in the Maori electorates gave the possibility of overhang seats - as indeed happened. What if a National candidate got associates to organise for people to change from the Maori roll to the General roll in a venue with a few National party logos around and was giving \$100 vouchers - I bet that would be investigated! Bryce Edwards has summed what has been in the media to date:
<https://democracyproject.substack.com/p/te-pati-maoris-integrity-under-scrutiny>

From: [Support](#)
To: [EC Legal](#)
Subject: REQUEST TO INVESTIGATE POTENTIAL BREACHES OF ELECTORAL ACT 1993
Date: Tuesday, 4 June 2024 3:47:35 pm
Attachments: [4 June 2024 Letter to Electoral Commission.pdf](#)

Hi Legal Team,

Here is an enquiry from [REDACTED] ([REDACTED]).

From: [REDACTED]
Date: Tue, Jun 4, 2024 at 3:41 pm

Refer to the attached letter. I look forward to hearing from you.

[REDACTED]

--

Bindi | Operations Support | Electoral Commission | Te Kaitiaki Take Kōwhiri

PO Box 3220, Wellington 6140

4 June 2024

Karl Le Quesne
Chief Electoral Officer and Chief Executive
Electoral Commission

By email: enquiries@elections.govt.nz

REQUEST TO INVESTIGATE POTENTIAL BREACHES OF ELECTORAL ACT 1993

Tēnā koe Karl,

- 1 I write in relation to the recent reporting in the media about the potential misuse of census data centred around a contract held by the Whānau Ora Commissioning Agency and Manurewa Marae.¹ As you will know, Stats NZ have already announced they are investigating the matter and a complaint has been made to the police.
- 2 There are allegations in the article concerning the offering of food, drink and vouchers by Manurewa Marae to induce electors to switch from the General electoral roll to the Māori electoral roll:

Visitors to the marae last year were also given \$100 supermarket vouchers when they completed the forms to switch rolls.

...

Throughout the year, staff say were repeatedly drilled to get marae visitors and clients to switch rolls. “The directive was continuous. Every time we had morning debriefs, it would come up.”

...

The marae staffed a dedicated desk for visitors to fill out the enrolment form, the ex-employee said. “The vocab they were told to use was basically: ‘Sign this, or you can’t get that.’

“They would say: ‘Tick that box ... to change rolls, and then we can give you your voucher’.

“To me they were using a community that was already in poverty, using the food and that so they will come in. They knew that they’d come in because they’d get vouchers and free coffee and ice-cream.

“A lot of people came. We were overrun.”

¹ <https://www.thepost.co.nz/politics/350293431/stats-nz-investigating-potential-misuse-maori-census-data>

3 John Tamihere, on behalf of the Whānau Ora Commissioning Agency responded to the allegations, per the article:

“It would be pretty stupid not to put both together, wouldn't it? Well, that's what occurred,” Tamihere said. “Our civic duty to our people is to alert them to both.

“When we do relationships with our people and they come to our maraes, we either provide kai or kai manaaki packaging. You call it an inducement, we call it maanaaki.

4 And also:

Tamihere also denied Te Pāti Māori leaflets were included in support packages. “Free kai, coffee and ice creams for babies were provided by the marae to maanaaki our whānau as a form of ‘treating’.

5 I am concerned by Mr Tamihere’s admission of ‘treating’.

6 I am writing to ask you to investigate this matter further in your role as chief electoral officer to ascertain if any corrupt or illegal practices have been committed under the Electoral Act 1993 (the **Act**) in the lead up to the 2023 General Election, especially either bribery or treating.

7 We note these matters are new and additional to the previous issues raised with the Commission in relation to Manurewa Marae.²

Tāmaki Makaurau Māori electorate - 2023 General Election

8 This is especially important given the events described, centred around Manurewa Marae, took place in the Tāmaki Makaurau Māori electorate.

9 Takutai Tarsh Kemp was the chief executive of Manurewa Marae at the time the alleged inducements occurred and only stood down from this role after winning the Tāmaki Makaurau Māori electorate in the 2023 General Election post 3 November 2023 when the official results were declared. She announced her candidacy for the election in February 2023, before the census took place.

10 In the 2023 General Election, Takutai Tarsh Kemp for Te Pati Māori won the Tāmaki Makaurau Māori electorate, over Peeni Henare of Labour by a very slim margin of 42 votes.

11 This was the closest result in any Māori electorate in the 2023 General Election and if the matters set out above did breach the Act they may very likely have also influenced the result in that electorate.

Potential Breaches of the Electoral Act 1993

12 An elector changing their registration between the General and Māori electoral districts became possible through the exercise of the “Māori option” introduced into the Act by the Electoral (Māori Electoral Option) Legislation Act 2022 which came into force on 31 March 2023.

² The previous allegations of breach of the Electoral Act 1993 by providing food during advance voting which the Electoral Commission chose not to refer to the police, as referred to in the article, and the separate matter of deleted social media videos promoting free food at the marae on providing proof of voting as report on here - <https://www.thepost.co.nz/politics/350170085/deleted-social-media-posts-raise-further-questions-about-treating-marae-polling>

- 13 It appears from the article that certain persons, on behalf of Manurewa Marae, run by one of the candidates in the election, gave incentives to electors in the form of food, drink and vouchers of monetary value to induce them to switch from the general electorate roll to the Māori electorate roll.
- 14 The Chief Executive of the Marae was standing in the relevant *Māori* electorate and so this switching of rolls effectively made them into electors eligible to vote for her.
- 15 It appears these actions constitute bribery under s 216 of the Act or treating under s 217 of the Act.
- 16 Both bribery and treating involve inducing of voters to vote or refrain from voting. The effect of switching between electorates effectively means that person will no longer be able to vote for the relevant general electorate but only be eligible to vote in the Māori electorate.
- 17 I look forward to hearing from you.



From: [Public Enquiries](#)
To: [L & P Enquiries](#)
Subject: [Enquiry Subject] Voting enquiry from Anon
Date: Friday, 10 November 2023 8:08:18 am

Electoral Commission Cyber Security Warning: This email originated from outside of the Commission. Please take extra care when clicking links or opening attachments. When in doubt, contact the IT Service Desk.

Hi Legal Team,

Here is an enquiry from Anon ([REDACTED]).

It was CC'd to:

From: Anon

Date: Fri, Nov 10, 2023 at 7:54 am

Name: Anon

Email: [REDACTED]

From site: elections.nz

Subject: Voting

Type: Complaint

Message:

Good morning, I've recently seen the story on RNZ about being given free food on voting at a Marae. The Marae at Ihumatao, Auckland, was also doing this practice. Apologies that I cannot provide any additional information, but I value my safety as the area around the Marae has a sizeable gang presence and with the recent comments from some politicians.

From: "Noreply" [REDACTED]

Reply-to: [REDACTED]

To: "Enquiries" [REDACTED]

Subject: Voting enquiry from [REDACTED]

HTML

Text

Source

[REDACTED]
[REDACTED]
From site: vote.nz

Subject: Voting

Type: Complaint

Message:

I would like to let you know that I felt disadvantaged while voting this year. I undertook an early special vote . firstly i voted at a voting station That was not advertised as a voting place (Kirikiriroa Marae based in Hamilton East which I feel is wrong. Secondly I had to have a handwritten voting paper which took some time to prepare was in red pen were words all ran into each other and the parties were hand written rather than logos. If the voting booth cannot have proper voting papers maybe a better way to do it would be to print them as required. I feel if you don't get told about the issue it cannot be fixed.