



## **Submission to the Justice Committee on the Electoral Amendment Bill**

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## **1. Key points and recommendations**

IHC is concerned that the Electoral Amendment Bill will create additional barriers to democratic participation for people with intellectual disability and other developmental disabilities.

1. Earlier enrolment deadlines will disadvantage those who need more time or support to register.
2. A shift away from postal communication to digital-only services will exclude many, as internet access rates are significantly lower among people with intellectual disability.
3. The ongoing disenfranchisement of prisoners will disproportionately and unjustly impact people with intellectual disability, who are overrepresented in the justice system.
4. We welcome the proposed removal of disqualification for people detained under the Intellectual Disability (Compulsory Care and Rehabilitation) Act for more than three years.
5. The proposed ban on food, drink, and entertainment near polling places removes supports that can positively motivate people with intellectual disability to vote.

## **2. About IHC**

IHC advocates for the rights, inclusion, and welfare of all people with intellectual disabilities and supports them to live satisfying lives in the community.

IHC was founded in 1949 by a group of parents who wanted equal treatment from the education, health, and social service systems for their children with intellectual disability. Today IHC is still striving for these same outcomes and is committed to advocating for the rights, welfare, and inclusion of all people with an intellectual disability throughout their lives.

We believe that people with an intellectual disability have the right to be to be part of a family, to be treated with respect and dignity, to have a say in their own lives, to live, learn, work and enjoy life as part of the community, and to have support that meets their goals and aspirations.

IHC is New Zealand's largest provider of services to people with intellectual disabilities and their families. IHC supports 1500 families with children who have an intellectual disability, provides support and training for 4000 adults in workplaces and helps more than 3500 people with disabilities to live in IHC houses and flats. We also provide specialist services such as behaviour support and training.

IHC advocates for the rights of all people in New Zealand with an intellectual disability an estimated population of 47,000.

### **3. Introduction**

IHC welcomes the opportunity to comment on the Electoral Amendment Bill. Our submission highlights serious concerns about the impact of the Bill on people with intellectual disability and other developmental disabilities.

#### **3.1 Human Rights Framework**

We preface our comments by noting Article 29 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), Participation in political and public life. In signing the UNCRPD, Aotearoa New Zealand has committed to the full realisation of human rights and fundamental freedoms for disabled people, without discrimination and on an equal basis with others. This includes ensuring that voting procedures, facilities, and materials are appropriate, accessible, and easy to understand and use.

We consider several aspects of the Bill to be inconsistent with Article 29 and to risk further excluding people with intellectual disability from exercising their democratic rights.

#### **3.2 Earlier Deadline for Enrolment**

The proposal to close the electoral roll earlier than polling day creates an unnecessary barrier for people with intellectual disability. Many in this community face challenges with executive functioning, delays in accessing support, or other barriers that make earlier enrolment more difficult. Maintaining the current deadline of polling day provides a reasonable accommodation that helps to ensure equal participation.

Electoral Commission data indicates that around 231,000 voters may have been disenfranchised had the proposed changes been in effect before the 2023 General Election. These voters were disproportionately from Māori, Asian, and Pasifika communities (Collins, 2025). Given that Māori and Pasifika people have higher rates of intellectual disability, the proposed changes will have a disproportionate and discriminatory effect on this population.

#### **3.3 Shift from Postal to Digital Communication**

Minister Goldsmith has noted that enrolment services should become “more efficient and digital” (Goldsmith, 2025). However, moving away from postal communication

can create inequities. Internet access among people with intellectual disability is significantly lower than in the general population - only 69% have internet access, compared to 91% of non-disabled people (Beltran-Castillon & McLeod 2023). Among intellectually disabled people aged 55 and over, fewer than 50% have access (Beltran-Castillon & McLeod 2023).

Digital-only communication will therefore disadvantage this group and reduce their ability to participate in elections. We urge that postal communication remain an option, as a necessary reasonable accommodation.

### **3.4 Disenfranchisement of Prisoners**

The Bill maintains a blanket disqualification for all prisoners from enrolling and voting while incarcerated. This has a disproportionate effect on people with intellectual disability, who are overrepresented in the criminal justice system. They are 1.5 times more likely to be convicted and 3.3 times more likely to be incarcerated compared to the general population (Beltran-Castillon & McLeod 2023).

We welcome the proposed removal of disqualification for people detained under the Mental Health (Compulsory Assessment and Treatment) Act or the Intellectual Disability (Compulsory Care and Rehabilitation) Act for more than three years. However, extending disqualification to all prisoners continues to unjustly impact people with intellectual disability and undermines New Zealand's obligations under the UNCRPD.

### **3.5 Ban on Food, Drink, and Entertainment Around Polling Places**

The Bill proposes to prohibit the provision of free food, drink, or entertainment within 50 metres of polling places. For people with intellectual disability and developmental disabilities, such provisions can be positive motivators to engage with the community and participate in civic processes, including voting. Removing these supports risks further reducing voter turnout among this group.

## **4. Conclusion**

The Electoral Amendment Bill, in its current form, risks creating greater barriers to political participation for people with intellectual disability. To uphold New Zealand's commitments under the UNCRPD and to ensure a fair and inclusive electoral system, we recommend that:

1. The deadline for enrolment remain on polling day.
2. Postal communication remain available as an option alongside digital communication.
3. The blanket disqualification of prisoners from voting be removed.

4. The ban on food, drink, and entertainment around polling places be reconsidered, recognising the role these supports can play in enabling participation.

IHC urges the Committee to amend the Bill to ensure that people with intellectual disability can participate in elections on an equal basis with others.

We wish you well with this important work.

## 5. References

- Beltran-Castillon, L., & McLeod, K. (2023). *From Data to Dignity: Health and Wellbeing Indicators for New Zealanders with Intellectual Disability*. IHC  
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- Collins, J. (2025). *Report of the Attorney General under the New Zealand Bill of Rights Act 1990 on the Electoral Matters Legislation Amendment Bill [PCO 26217/72]*.  
<https://selectcommittees.parliament.nz/v/BillOfRightsReport/1327becb-998d-4600-14df-08dddaf4938b>
- Goldsmith, P. (2025, July 29). Electoral Amendment Bill: First Reading. *New Zealand Parliamentary Debates*, 786. [https://www.parliament.nz/en/pb/hansard-debates/rhr/combined/HansDeb\\_20250729\\_20250729\\_28](https://www.parliament.nz/en/pb/hansard-debates/rhr/combined/HansDeb_20250729_20250729_28)