

# Canada is already a world leader in online voting. With some careful design, MPs could vote securely and remotely during the COVID-19 crisis

**Nicole J. Goodman**

*Assistant professor*

*Brock University*

[nicole.goodman@brocku.ca](mailto:nicole.goodman@brocku.ca)

**Aleksander Essex**

*Associate professor*

*Western University*

[aessex@westernu.ca](mailto:aessex@westernu.ca)

The international COVID-19 pandemic has forced many sectors to explore online tools to ensure operational continuity during this time of crisis. Provincial governments in Canada have begun releasing online learning platforms to continue to provide students with learning resources (Ontario's [Learn at Home program](#), for example). In the United States, the New York Stock Exchange has temporarily closed its trading floor in favour of fully electronic trading. In such unprecedented times, even institutions steeped in tradition must consider technology. Under the current circumstances, it could also be the answer for Parliament.

The Trudeau government suspended Parliament until April 20 in response to the COVID-19 outbreak, but [recalled parliamentarians this week](#) to pass emergency measures to support Canada's response. Only 20 MPs (including the Speaker) must be present for a vote according to [Commons procedure](#), though approximately 32 attended the emergency debate on March 23. Likewise, Australia's federal parliament has been suspended until August 11. In the UK, there has been considerable debate regarding the potential closure of parliament, which did not shut down during the Second World War or the Spanish Flu pandemic of 1918. The presence of the coronavirus, however, has parliamentarians reconsidering whether this could be such a historic time.

Our government now faces two seemingly competing options: continue to pass necessary legislation or maintain vital social distancing. The time has come to consider a third option: adopt an online solution allowing MPs to continue to vote remotely on bills and motions.

This approach can allow MPs to continue voting on key pieces of legislation in times of crisis or during unforeseen circumstances while enabling greater legislative voice by not limiting the number of MPs that could be present. It would involve having MPs cast their vote remotely via a secure device using a secure internet connection and a dedicated application.

## **Online voting in Canada and technology in Parliament**

Canada is already one of the leading adopters of online voting. It has been used in hundreds of municipal elections since 2003, and by Indigenous communities across the country since 2011. In addition, federal and provincial political parties of all stripes regularly use online ballots for votes on leadership, policy, and internal party matters. Sub-nationally, it was deployed in PEI for a 2016 plebiscite on electoral reform and was recently an option for absentee voters in the 2019 Northwest Territories general election. Despite this, online voting for general elections is

seen as controversial by cybersecurity experts and poses significant unsolved technical challenges.

Parliamentary voting, on the other hand, is entirely workable from a cybersecurity perspective because it differs from general elections in three crucial ways.

First, an MP's vote is a matter of public record, which makes it possible to verify it was correctly recorded and counted. Second, the federal government has the resources to provide MPs with the necessary cybersecurity infrastructure to ensure the protection of electronic information. Third, the government has the capacity to provide MPs training on procedures necessary to ensure votes are successfully entered into the record. We explore these features below.

### **How could online voting work in Canada's House of Commons?**

A secure, remote online solution for parliamentary voting is viable. However, care must be taken in the design. For example, the EU parliament's recent decision to use email as a voting platform does not provide adequate security protection. We advocate for an online voting system that is premised on people (MPs verifying their vote selections have been recorded correctly and have not been tampered with); process (parliamentary procedures that allow the House to continue to function even if technology has issues); and technology (secure infrastructure that includes a government secured device, application and network connection).

The open nature of MPs' votes means that every member and their selection is public knowledge and can be looked up by anyone. To ensure the vote cast and received accurately reflects the choice of the MP would require training to ensure detection and reporting of any errors or tampering with their vote.

One study by Matthew Bernhard and colleagues at the University of Michigan examining ballot-marking devices (BMDs) in the US finds that very few voters actually check their printed ballot after voting to confirm their vote choice was indeed recorded as cast. Instead, voters were more likely to do so when given certain prompts. In addition, when faults (errors in what is recorded or tampering/hacking, for example) are detected, voters are likely to attribute it to their own mistake and not report it. These natural cognitive biases can be addressed through proper procedures and training for MPs, such as directing them to visit an online record of preliminary votes to ensure their selections are accurately recorded.

While it is never possible to completely eliminate the possibility of hacking, having MPs follow a clear set of procedures can make hacking detectable and ballots recoverable. There is an important distinction between vote capture errors being detectable and actually detecting them. In order to ensure both, we recommend that:

- MPs be provided with a properly configured, secure device on which their voting preference can be recorded and transmitted;
- MPs receive proper training about the voting application and how to use it to accurately capture their voting preferences;
- MPs be given training on procedures to ensure they can confirm their voting preferences are correctly recorded, and can reliably identify and

report any unexpected modifications (software/human errors, fraud, hacking, for example); and,

- A clear set of parliamentary procedures be developed that can account for, and recover from, cyber incidents and voter errors.

### **Moving forward**

Times of crisis and change often reveal new opportunities to improve existing systems. The implementation of online voting in Canada's House of Commons would not only enable the continuation of voting without sacrificing social distancing, but it would also establish a model for legislatures around the world that are struggling to decide whether to suspend operations, and for how long. This same model could also provide a solution for Canada's provincial and territorial legislatures and municipal councils, which must continue to serve constituents during this time.

The proposed solution is more comprehensive and systematic than the EU's decision to move to email voting and can provide elected representatives and residents with greater confidence in the continued operation of legislative business. Legislative democracy need not stop in the face of a crisis; we can rise to the challenge through our own evolution. The COVID-19 pandemic has presented such an opportunity.

*This article originally appeared in IRRP Policy Options on March 25, 2020*

<https://policyoptions.irpp.org/magazines/march-2020/online-voting-entirely-possible-for-mps-during-times-of-crisis/>