



RESPONSE TO PETITION

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PETITION No.: **421-01221**

BY: **MR. CULLEN (SKEENA—BULKLEY VALLEY)**

DATE: **MARCH 23, 2017**

PRINT NAME OF SIGNATORY: **THE HONOURABLE KARINA GOULD**

Response by the Minister of Democratic Institutions

SIGNATURE

Minister or Parliamentary Secretary

SUBJECT

Electoral system

ORIGINAL TEXT

REPLY

The Government of Canada is pleased to respond to this petition.

The Government of Canada is committed to improving and strengthening our democracy. Our electoral system (i.e., the fundamental rules determining how votes are translated into seats in the House of Commons) is the most foundational piece of our democracy – at its core is a question of how we, as Canadians, govern ourselves. The Government's view has been clear: major reforms to the electoral system should not be made if they lack the broad support of Canadians. Before proceeding with electoral system changes, the Government took time and took steps to engage Canadians in a national conversation about electoral reform.

The Government worked with Opposition parties to establish an all-party Special Committee of the House of Commons. The Committee conducted an extensive study and on December 1, 2016 produced a thorough report that documents the many complexities of electoral reform. The Government of Canada thanks the Special Committee for its thoughtful, diligent report, and all those Canadians who participated in the Committee's activities.

Members of Parliament were encouraged to hold town halls to listen to the views of their constituents. The Special Committee's Report includes information on town halls held by Members of Parliament from every political party represented in the House of Commons.

The Government of Canada also led a National Electoral Reform Tour that travelled throughout the country, visiting every province and territory. Led by the Minister of Democratic Institutions and the Parliamentary Secretary to the Minister of Democratic Institutions, the tour offered Canadians an opportunity to discuss and debate a wide range of issues related to electoral reform.

From December 5, 2016 to January 15, 2017, more than 360,000 individuals within Canada participated in MyDemocracy.ca to provide their insight into our democratic values. MyDemocracy.ca was an innovative initiative designed to engage as many people as possible in this important conversation. Postcards were mailed to every Canadian household asking Canadians to call or go online to share their thoughts about Canada's democratic values.

The Government of Canada would like to thank all Canadians who took part in these consultations. The Government listened to Canadians carefully and gained valuable insights into Canadian democracy. Canadians cherish their democracy and value the direct connection they have with their Member of Parliament (MP). Canadians want their parliamentarians to work with each other and to cooperate on policy. They want their government to be accountable. They want their MPs to act in the interests of their constituents. The Government agrees.

Following all of these consultations, it has become evident that the broad support needed among Canadians for a change of this magnitude does not exist. Therefore, the Minister of Democratic Institutions' mandate letter states: "A clear preference for a new electoral system, let alone a consensus, has not emerged. Furthermore, without a clear preference or a clear question, a referendum would not be in Canada's interest." Changing the electoral system is not in the Minister's mandate.

The Government of Canada will continue to work to strengthen and protect our democratic institutions and ensure they represent the values of Canadians. The Government looks forward to the important work ahead.

The Government has introduced Bill C-33, which proposes amendments to the *Canada Elections Act* to repeal elements of the previous government's *Fair Elections Act*, among other measures. The bill contains seven measures which would make it easier for Canadians to vote and enhance public trust in the integrity of the electoral process. The seven measures are as follows:

- **Bill C-33 would repeal the *Fair Elections Act* provision excluding the Voter Information Card (VIC) from the list of acceptable identification.** The VIC is the most current and accurate form of government-issued proof of residence during an election. Of electors who have difficulty with identification requirements, the difficulty is typically with proof of residence. Of the few forms of official identification featuring residence information, the most common is a driver's licence which is often not carried by youth, disabled Canadians, seniors, Indigenous peoples, urban dwellers in major city centres, and homeless electors. Elections Canada conducted pilot projects during by-elections in 2010 and in the 2011 general election that demonstrated the VIC could help many of these groups to vote. During the 2011 general election, approximately 900,000 Canadians at 5,608 polling stations were eligible to use the VIC as identification and a significant percentage of these did so. If passed, Bill C-33 would make it easier for people to vote by allowing the Chief Electoral Officer to authorize the VIC as an approved form of identification.
- **Bill C-33 would repeal the attestation mechanism introduced by the *Fair Elections Act* and restore the vouching system for electors voting without adequate identification.** Currently, only electors with two pieces of proof of identity may make use of the attestation mechanism to establish their residence. The vouching

process would allow electors without proof of identity to vote. A February 2016 survey by Statistics Canada found that an estimated 172,000 non-voters stated that a lack of identification was a reason for not voting in the 2015 election. Indigenous people in particular were impacted by this. Restoring vouching will make it easier for people to vote.

- **Expanding the Chief Electoral Officer's mandate to undertake broad public education campaigns.** The *Fair Elections Act* restricted the kind of public education campaigns the Chief Electoral Officer could undertake. Currently, the Chief Electoral Officer may only conduct educational programs with primary and high school age children. The Chief Electoral Officer recommended his mandate be extended to allow Elections Canada to deliver non-partisan public education and information programs to all Canadians. Lack of information about voting can be a barrier to voting. If Bill C-33 is passed, this measure would lift existing limits and allow the Chief Electoral Officer to communicate with Canadians without restrictions.
- **Creating a National Register of Future Electors, so Elections Canada can pre-register Canadian youth aged 14-17.** The Chief Electoral Officer recommended that one way of preparing young people to vote would be by introducing youth pre-registration. If passed, the bill would allow Elections Canada to work with young people in schools and other settings. Pre-registration of youth with Elections Canada would allow Elections Canada to contact youth and engage them in an ongoing basis in civic education initiatives and to register them in the National Register of Electors on their 18th birthday so as to provide a VIC at election time.
- **Providing the Chief Electoral Officer with tools to continually improve Elections Canada's National Register of Electors,** on which it is estimated there is a very small proportion of people who are not eligible to vote because of their citizenship status. Elections Canada will be able to identify and contact individuals who may not be eligible to vote and verify their status, before removing them from the National Register, if necessary. A bill was introduced in the previous Parliament by the Government of Canada to address this issue, but it did not become law.
- **Bill C-33 would increase public confidence in the independence of the Commissioner of Canada Elections and to foster effective cooperation with Elections Canada.** From 1974 to 2014, the Chief Electoral Officer appointed the Commissioner, who reported to the Chief Electoral Officer within Elections Canada while maintaining a rigorously independent investigation function. The *Fair Elections Act* transferred the Commissioner to the Office of the Director of Public Prosecutions. The Director reports through the Attorney General to Parliament, unlike the Chief Electoral Officer who reports directly to Parliament. The Government heard from Canadians during the Electoral Reform Dialogue that there were concerns the Commissioner could be subject to less independence. If passed, Bill C-33 would enhance the integrity of the election system by clarifying this situation.
- **Expanding the right to vote to over 1 million Canadians living abroad.** Today, Canadians living abroad may only vote within five years of leaving Canada and must have an intention to return. These restrictions are currently

being challenged before the Supreme Court of Canada. If passed, Bill C-33 would remove these barriers to voting and will extend voting rights to these Canadians living abroad. The *Canada Elections Act* will continue to require Canadian citizens to have lived in Canada at one time if they wish to vote.

The Chief Electoral Officer released a report on September 27, 2016 following the 2015 federal election. The report contains over 130 recommendations to improve the administration of elections in the future. That report is being studied by the Standing Committee on Procedure and House Affairs, and the Government awaits its final recommendations.

The Government of Canada will also introduce legislation to meet its mandate commitment to significantly enhance openness and transparency in the political fundraising system. As stated in the Minister of Democratic Institutions' mandate letter, the legislation is intended to, "...significantly enhance transparency for the public at large and media in the political fundraising system for Cabinet members, party leaders and leadership candidates. Fundraisers should be conducted in publicly-available spaces, advertised in advance and reported on in a timely manner after the fact. Other measures may follow after discussion with other political parties."

Further, the Government intends to take action to protect the integrity of Canada's democracy by defending the Canadian electoral process from hacking and cyber threats. The Government will ask the Communications Security Establishment (CSE) to analyze and make public an assessment of the current risk of cyber hacking to Canada's political parties. CSE will also reach out to political parties to share best practices on how to guard against hacking. If political parties were hacked or compromised, it could put our democratic system itself at risk. Political parties are vital democratic infrastructure. This will better protect Canadian democracy by assisting political parties to safeguard their information.

The Government also remains committed to reviewing proper limits on how much political parties and third parties can spend between and during election campaigns.

The Government also intends to bring forward options to create a new independent commission to organize leaders' debates during elections.

The Government of Canada values the input of all Canadians who take the time to engage. Civic engagement is a cornerstone of our democracy and the Government will continue to listen to Canadians as it takes action to further strengthen our democratic institutions. The Government of Canada encourages Canadians to continue to work with Members of Parliament and the Minister of Democratic Institutions to pursue meaningful opportunities to strengthen and safeguard Canada's democratic institutions.

Thank you for sharing your thoughts about electoral reform.