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# **Standing Committee on Procedure and House Affairs**

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**EVIDENCE**

**Thursday, February 13, 2014**

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**Chair**

**Mr. Joe Preston**



## Standing Committee on Procedure and House Affairs

Thursday, February 13, 2014

•(1100)

[English]

**The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)):** We'll call the meeting to order.

This is the 16th meeting of the Standing Committee on Procedure and House Affairs.

We're here today pursuant to an order of reference of Monday, February 10 to study Bill C-23, an act to amend the Canada Elections Act and other acts and to make consequential amendments to certain acts.

We're fortunate to have the minister with us today. We will be having an hour of questions and answers with the minister.

The committee will then have some committee business to do.

Mr. Christopherson will have the floor on his motion, in public, after we finish with the minister, for the start of the second hour.

Mr. Lamoureux.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Chair, I want to get a better understanding and I look for your thoughts on this.

My understanding of process is that typically you have a steering committee. The steering committee comes up with a number of thoughts concerning the days and times we would meet, the invitation list, and when the whole process would get under way. I think that is really important.

We need to recognize that we're doing something somewhat different here—

**The Chair:** Mr. Lamoureux, we have the minister here for an hour, and there will be speaking spots in that hour.

The second hour is committee business on the steering committee, so I'm going to ask you to hold your thoughts and come to us in the committee business part.

We know that during this study we'll need to speak to the minister. We have him here today and I know there are many people here who would like to hear him.

**Mr. Kevin Lamoureux:** Mr. Chair, with all due respect, I would love to hear from the minister too. I welcome the opportunity. I have a lot of problems with what the minister has done here; there is no doubt about that. We have a number of questions regarding the legislation. We want to see a lot of amendments brought to the legislation.

My concern is strictly about process. We could have asked the minister to come on Tuesday. There was no agreement among the three political parties that the minister should even be appearing here today or about whether there might have been an alternative date. We were led to believe, or at least one party was led to believe, that we would be canvassing outside of Ottawa. We hear in the news reports that this is not going to be taking place.

**The Chair:** Mr. Lamoureux, when we last met, there was consensus. It may not have been a unanimous consensus but there certainly was consensus to proceed in the way we are proceeding, to have the minister here today. There was even thought of having a second witness. We are not able to provide one today.

In the method that this committee has always used in moving forward, we will in the second hour spend our time talking, as a steering committee of the whole, about how we'll move forward. If you'd like to use your time during the questioning of the minister to talk about that, I can't stop you from doing it, but right now, we have a speakers list and we have the minister present.

I'm going to recognize Mr. Butt as the first questioner of the minister.

**Mr. Kevin Lamoureux:** Let me just conclude in 30 seconds, Mr. Chair.

**The Chair:** It's not that I disbelieve you can do it in 30 seconds, but you've never proven to me that you could.

**Mr. Kevin Lamoureux:** Mr. Chair, just so that we are under the same understanding, we will hear the minister and then, after we hear the minister, the objective would be that we would go back to the normal process and set the future parameters for when this committee will in fact be—

•(1105)

**The Chair:** We will start that by... Mr. Christopherson has a motion on the floor. It has been moved. He will get to speak to his motion, and we'll start the steering process with that.

**Mr. Kevin Lamoureux:** Will there be no more meetings with other presenters until that issue has been resolved?

**The Chair:** That will be up to this committee. This chair doesn't make those decisions independently.

Minister, it's great to have you here today. I suppose you have an opening statement. You have some guests with you that I'd like you to introduce. If you'd like to do that, please carry on, and then we'll go to Mr. Butt as our first questioner.

**Hon. Pierre Poilievre (Minister of State (Democratic Reform)):** We have here Matthew Lynch and Isabelle Mondou. They are two officials from the Privy Council Office. They will be helping with any technical matters with which the committee may need assistance.

As for an opening statement, I'd rather maximize time and accountability for questioning, so I have no opener.

**The Chair:** Super. Thank you, Minister. It's always helpful to the committee to give them more time to talk, to some at least.

Mr. Butt, you may take seven minutes, please.

**Mr. Brad Butt (Mississauga—Streetsville, CPC):** Welcome, Minister. It's excellent to have you here today. I'm glad that we're going to have lots of time for questions and answers on both sides of the table today.

Minister, you may be aware that prior to my getting elected to Parliament, I was for 12 years the president and chief executive officer of the Greater Toronto Apartment Association. The members of that association were owners and operators of multi-family apartment buildings throughout the greater Toronto area.

I certainly heard anecdotally from members about voter information cards that are mailed into apartment buildings. Residents will go to the mailroom, open their mailbox, and pull out whatever is there. Often a lot of it is flyers, but there's also the voter ID card, or the voter notification card, as I prefer to call it. It really isn't identification; it is a notification card. This card is often discarded in the mailroom, in a garbage can or a blue box, as the case may be. I have heard anecdotally that other individuals have subsequently gone into those mailrooms, have grabbed those voter notification cards, presumably for a reason, and I assume it's to use those cards to vouch for an individual to vote in place of the real voter, the tenant in that unit.

Therefore, I am very concerned about the vouching system. I think it needs to be cleaned up, because I think these kinds of abuses do take place.

By changing the system as you have proposed in the bill, Minister, do you agree that this is one of those things that will be rectified? The voter notification card will have to be accompanied by a proper piece of identification in order for that individual to exercise their vote.

**Hon. Pierre Poilievre:** You've touched on two issues. One is vouching and one is the use of the voter information card as a form of ID. Let me address the latter first and the former second.

The voter information card draws its information from the national register of electors, on which one in six names has false information. It follows that one in six cards then is false. That allows for people to vote either more than once, or in places where they do not live. We saw an example of this in the Quebec television show *Infoman*, where two Montrealers received two voter information cards each. They each voted twice, and they called it the Elections Canada two-for-one special.

Canadians voted for many years without using the voter information card as a form of ID. It has been piloted in recent elections by Elections Canada. Due to the inaccuracy in the lists on

which the card is based, we are ending the use of that card as ID. The card will still be available to inform electors of where they vote; they just won't be able to use it as ID. There will continue to be 39 pieces of acceptable identification that Canadians can use to identify their person and their address.

On vouching, I've regularly cited the statistic that in four ridings audited by the Neufeld review, there was a 25% rate of irregularities when vouching was used. If you look nationally, the same report found that there were irregularities in 42% of cases where vouching was used. Some 120,000 vouching incidents occurred in the last election, and there were 50,000 irregularities. It has been suggested more recently that these were small matters, a failure to dot the *i*'s and cross the *t*'s.

That in fact is absolutely false, and if you'll permit me, Chair, I'll quote directly from Elections Canada's own compliance review:

Errors that involve a failure to properly administer these procedures are serious. The courts refer to such serious errors as "irregularities" which can result in votes being declared invalid.

It goes on:

Too frequently, the errors are so serious that the courts would judge them to be "irregularities" that violate the legal provisions that establish an elector's entitlement to vote.

On page 10 it says:

Nonetheless, the case found that election officers made many serious errors in their duties on Election Day in the 2011 Etobicoke Centre election, and the Supreme Court made it clear that such errors in other circumstances could contribute to a court overturning an election.

I'll quote right from the Supreme Court:

In recognizing that mistakes are inevitable, this Court does not condone any relaxation of training and procedures. The Commissioner of Canada Elections appointed by the CEO has an obligation to ensure, as far as reasonably possible, that procedures are followed. Failure to live up to this mandate would shake the public's confidence in the election system as a whole and render it vulnerable to abuse and manipulation.

Those are very serious words from our Supreme Court directed at the CEO of Elections Canada in the aftermath of mass irregularities. We are going to end these irregularities by ending the use of vouching and voter identification cards to ID voters.

• (1110)

**The Chair:** You have under a minute, Mr. Butt.

**Mr. Brad Butt:** Minister, could you give us a couple of examples of some of the 38 pieces of identification? You don't have to list them all, obviously, but perhaps you could mention some standard ones that most Canadians probably would have that they could bring on voting day to vouch for who they are.

**Hon. Pierre Poilievre:** Yes, there are student ID cards, provincial and territorial identification cards, liquor identification cards, credit and debit cards, public transportation cards, the CNIB ID card for the blind, firearms possession and acquisitions, status cards for first nations, attestation of residence issued by the responsible authority of a first nations band or reserve—the list goes on and on—one of the following, issued by the responsible authority of a shelter, soup kitchen, student or senior residence, or long-term care facility.... These are just a few of the many examples of acceptable ID that will continue to be allowed under the fair elections act.

**The Chair:** Thank you very much.

We'll switch now to seven minutes.

Mr. Christopherson, I think you're going to share, but we'll start with you.

**Mr. David Christopherson (Hamilton Centre, NDP):** Thank you, Minister, for being here today.

Minister, you'll appreciate that in the making of laws there are two main components. One is the actual substance of the law being proposed and the implications of the changes. The second one in a parliamentary democracy is the process that we use to amend our laws. There's the substance of the law and then there's the process.

I have to say, Minister, that on process, you already have a democratic deficit. You did not consult with the Chief Electoral Officer beforehand, notwithstanding your little "Welcome. Nice to meet you. How are you doing?" meeting. To the best of my knowledge, I'm not aware that you had any kind of consultation, private or public, with groups across Canada. This was all done from within the Conservative world, and then sprung upon the people, rammed through the House, and then said, in justifying ramming it through the House, that the reason it's okay to do that is that we do all the real hard work here at committee.

We have asked, given the importance of this bill, for some cross-country hearings to get outside the political safety of the Ottawa bubble and let people have their say about their election.

Minister, and Chair, this is a substantive piece of legislation. It has significant implications for our democracy. We have serious concern that there may be around 120,000 Canadians who could lose their right to vote as a result of these changes. We're very concerned that these changes will bring big money back into Canadian elections. We're concerned, seriously concerned, about the apparent muzzling of the Chief Electoral Officer, among other concerns.

You call it the fair elections act. We're looking for a fair process. It looked like we might have some sunlight on this subject. Negotiations started, but they abruptly ended and the government said, no, they're not interested.

Given the fact that this Parliament felt that it was important enough, and we agree it was, in 2012 for the foreign affairs committee to go all the way to Ukraine to study their democracy, it's equally important here in Canada that we take the time and the money to study our own democracy. Not only that, in terms of arguing that it's too much money, the committee just approved the other day, notwithstanding our refusal to allow it to go through the

House, travel for the trade committee to go to 10 cities across Canada and the U.S.

Minister, my question for you is a very simple one. Why are you refusing to consider hearings outside the safety of the Ottawa bubble? Why are you denying Canadians an opportunity to have a say about their election process in the communities where they live?

• (1115)

**Hon. Pierre Poilievre:** Well, I'm not. The committee is the master of its own destiny. It can hear any witness that it wants. I would encourage you to put forward a full list that is representative of the entire country as you consider the viewpoints of Canadians from across the land before this committee. I will leave it to you as the assembled members of the committee to determine where you hold those hearings.

That being said, you did make some comments about the consultations with the CEO. You weren't at the meeting, but it was not just a "Hi, how are you" meeting. I listened for about an hour to the CEO's suggestions, until, in fact, he ran out of things to say. I told him if he thought of anything else he should give me a call and that we could talk further. I also read his many testimonies before this committee, and reports, which are publicly available, and took them into consideration in adding 38 of his recommendations to the substance of the fair elections act. That is, I think, a very comprehensive consultation.

Furthermore, we'll look forward to hearing input from the many witnesses that you'll bring before you.

**Mr. David Christopherson:** Well, Minister, first of all, I'd like to correct my own record, it was the transport committee, not the trade committee, just to be accurate.

I agree it's the committee's purview to decide whether we should go outside Ottawa. Let me ask you directly, then, in your opinion, would it be a more democratic and healthier process for Canadians if we took these committee hearings outside of Ottawa? Your opinion....

**Hon. Pierre Poilievre:** That really is a matter for the committee to decide.

**Mr. David Christopherson:** You're dodging, Minister. I have to tell you, this is consistent with what we've seen so far.

We are definitely concerned that a serial cheating government is trying to pre-cheat the next election before we even get to it.

All we're seeking at this stage is an opportunity for Canadians to have their say. The minister can be as cute as he wants by saying it's the purview of this committee, but we all know who's calling the shots. If the minister and the Prime Minister said there will be public hearings outside of Ottawa, there would be. They're shutting this down, and it's not a process we're willing to accept here.

Let me say that we want to get off the process issue. This is not where we want to fight. These are serious issues. We want to get out into the communities and talk about the bill, but we need a fair process. Ramming electoral changes through the House and then through this committee is un-Canadian and unacceptable.

**The Chair:** You have a minute left.

Did you want to give it to Mr. Scott?

**Mr. David Christopherson:** The whole minute.

**The Chair:** Okay, Mr. Scott.

**Mr. Craig Scott (Toronto—Danforth, NDP):** Thank you, Minister, for being here.

I was wondering if I could go straight to an issue that's caused some concern, which is current section 18 of the act, which you want to replace with a new version that's very tight, and in its own language excludes any public education activities other than what's listed.

You've suggested some openness. My question is, why would you not be open to retaining current section 18, which has all of the public education functions that have led to things like Democracy Day and the student vote program, and then layer on top of it your specific informational duties that you want the Chief Electoral Officer to undertake? What's wrong with having the two side by side?

• (1120)

**Hon. Pierre Poilievre:** Clearly, the public advertising and outreach campaigns of Elections Canada have not worked. Since they came into effect, voter turnout has actually plummeted. The problem is even more persistent among the groups that the campaigns purport to help.

I did some research into some of the practical obstacles to voting that exist in Canada and found that many of them are very practical. Of non-voters, 60% say that everyday issues got in the way of their casting a ballot. Those include everything from being out of town on election day to being too busy to cast a ballot. Those are two problems that can easily be solved with advance voting.

The problem is that half of young people are not aware that they can vote in advance of election day. This number rises to three-quarters when you talk about aboriginal youth. As a result, we need to advertise those basics of voting, where, when, and what ID to bring, and what special tools are available to help the disabled cast a ballot.

**The Chair:** Thank you, Minister.

I gave some extra time to answer the question. Be careful on asking those compound questions with two seconds left and not expect me to cut the witness off.

**Mr. Craig Scott:** I understand, Mr. Chair, that that was the problem.

**The Chair:** We're going next to Mr. Simms, for seven minutes.

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** First of all, Minister, I'm going to start with a compliment. How's that? When the debate started, you were there and you stayed throughout the whole thing. Not every minister does that. I wanted to

say thank you for doing that. You put up your argument as best you could.

I want to go directly to the point of what the commissioner as well as the Chief Electoral Officer asked for prior to this bill, which is the ability to apply to a judge to compel testimony. We know that this exists in section 11 of the Competition Act, so it exists on paper. It also exists in New Brunswick, Nova Scotia, Quebec, Ontario, Manitoba, Alberta, and Yukon, for their election officials to be able to compel their testimony. To me that seems to be the one key tool they were looking for.

You keep talking about independence. You wanted the independence for the commissioner to do his job, but if he doesn't have the very tool that he asked for, it can't be done. Even though you're taking that person from Elections Canada and putting him into the public prosecutions office, without that key tool, this is an exercise not in independence, but an exercise in isolation. At least when he was with Elections Canada, he could go down the hall and talk to the auditors, he could talk to deputy returning officers all across the country. That was the only way, really, he could find out what's going on. Then they could raise flags, but when the flags were raised, he was within that building, that construct of Elections Canada.

Now, if you want to take that person and put him over into public prosecutions with the very tool to be able to do this, I think that would have been probably the best thing to do. It's not a question of ordering the referee off the ice—you certainly took his whistle from him, which made him ineffective, or you never really gave him a whistle in the first place—but now he is off the ice. Don't you think this is more isolation than anything else?

**Hon. Pierre Poilievre:** Not at all. In fact, the fair elections act will continue to permit the commissioner to ask information from Elections Canada or any of its officials. None of those powers are removed by the fair elections act, nor does the new legislation prevent Elections Canada from providing information to the commissioner. They can have a free line of communication, one to the other.

The independence we provide is to allow the commissioner—

**Mr. Scott Simms:** But, Minister, if I may—

• (1125)

**Hon. Pierre Poilievre:** Perhaps I could just finish answering; it was a very long question. The answer is that the commissioner will have the ability to manage his own staff, run his own investigations, and he can do so without fear of being fired, because he'll have a fixed term for the first time.

**Mr. Scott Simms:** How often has that happened really? I mean, to do his job effectively, obviously he has to be within the confines of this to find out what is going on.

Look at the frustration that happened during the robocalls affair. There was obfuscation. They were blocked. They were so frustrated. This is the very reason he brought it out. I don't think by putting that person into a different office in a separate place.... You say that there is an open line of communication, but there really isn't, unless he has the ability to go after people.

You said that police officers do not have this ability, but your party vehemently argued for the ability to wiretap, to listen in on conversations. Vehemently you defended that. You wanted to make that better. Well, the reason you did that is it gave that person the tool to investigate. Quite frankly, you haven't made him neutral. You've made him neutered without that tool.

**Hon. Pierre Poilievre:** Nothing could be further from the truth. In fact, the fair elections act gives the watchdog sharper teeth, a longer reach, and a freer hand.

What does that mean? Sharper teeth means tougher penalties for existing offences. A longer reach means that he'll have dozens of new offences to impose. On that particular point—

**Mr. Scott Simms:** Can I address those three things?

**Hon. Pierre Poilievre:** No, because I'm not finished.

The reality is that the commissioner will have a new offence that he can impose, which is anybody who obstructs his investigations or lies to his investigators will be committing an offence under the act, one that can be prosecuted. That will allow him to cut through the obstruction that so worries you.

You raised the issue of police powers to compel. Police do not have that power. Police who are investigating the most heinous violent crimes cannot force someone to speak against their will.

**Mr. Scott Simms:** I just illustrated a point where they did.

**Hon. Pierre Poilievre:** The commissioner has all of the same powers of investigation that a police officer would have.

The commissioner—

**Mr. Scott Simms:** So why is he wrong when he says he wants more? Why is he wrong? Specifically, why is he wrong?

I only have a few minutes left, Minister. Why is he so wrong for asking what he wants?

**Hon. Pierre Poilievre:** The power that the commissioner has to seek information is already present under the existing act.

**Mr. Scott Simms:** Then why did he ask?

**Hon. Pierre Poilievre:** He can ask a judge for a warrant to obtain evidence, and after charges are laid he can ask—

**Mr. Scott Simms:** After charges are laid. What about before charges are laid?

**Hon. Pierre Poilievre:** The testimony can be compelled in a court of law. That's the way it works when investigators in police investigations carry out their work for much more serious crimes than you're discussing here.

The reality is that he has these tools, and we're giving him more under the fair elections act.

**The Chair:** You have one minute.

**Mr. Scott Simms:** Can the police go beyond before charges and do they have the ability to listen in to conversations if they feel that you and I are up to no good? Don't you think that an investigator with Elections Canada—

**Hon. Pierre Poilievre:** That's not what you're asking for. That's not what you're asking for.

**Mr. Scott Simms:** But that's what they're asking for.

**Hon. Pierre Poilievre:** You've changed the subject.

**Mr. Scott Simms:** No, I have not.

**Hon. Pierre Poilievre:** You were on the power to compel a minute ago.

**Mr. Scott Simms:** No, I have not, because in order for them to get to the bottom of a scandal, for robocalls—

**Hon. Pierre Poilievre:** What are you asking for, wiretapping or the power to compel?

**Mr. Scott Simms:** I'm asking for what is in section 11 of the Competition Act.

**Hon. Pierre Poilievre:** Which is not wiretapping....

**Mr. Scott Simms:** Which is exactly...it's the power to compel for evidence, the ability to investigate effectively.

**Hon. Pierre Poilievre:** To wiretap?

**Mr. Scott Simms:** Wiretapping is about police doing their job.

**Hon. Pierre Poilievre:** So are you talking about wiretapping or the power to compel?

**Mr. Scott Simms:** The Competition Act is about them doing their jobs.

**Hon. Pierre Poilievre:** You're going to have to decide what you're asking for, because a minute ago you were asking for the power to compel testimony and now you're asking for the power to wiretap.

**Mr. Scott Simms:** No, I'm not.

**Hon. Pierre Poilievre:** I want to know exactly what your policy proposal is.

**Mr. Scott Simms:** I'm asking for the ability to investigate before charges are laid, which is what you're not providing in this legislation.

**Hon. Pierre Poilievre:** That's completely false. The commissioner has the power to investigate before charges are laid. That's what he does for a living, to compel.

**Mr. Scott Simms:** To compel evidence to apply to a judge. If the judge does not feel—

**The Chair:** Thank you, Mr. Simms.

**Hon. Pierre Poilievre:** If I could conclude, he can compel evidence by getting a search warrant right now.

**The Chair:** Thank you.

We will go to our four-minute rounds.

Mr. Lukiwski, you're first.

**Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC):** Thank you, Minister, for being here.

Before I begin with you, Minister, I just want to make a comment based on what my friend and colleague David said about the process. Following your presentation here, we will go into the second hour of this meeting to deal with process. It will be in public.

I hope that I have an opportunity to talk about process, David. If you want to take the entire hour yourself, that's up to you, but I would certainly like to present the government's position on whether or not we go on cross-country tours. I hope I'll have that opportunity.

Minister, I have to tell you that I was not planning to ask this question until recently. I planned to ask you some specific questions on provisions in the act, but I have to tell you, I'm very concerned about a newspaper report that I saw recently. It was in the *Ottawa Citizen*. I don't know whether it's accurate or not. I see some of our colleagues from the media are here today, so I'm assuming that—

**Hon. Pierre Poilievre:** Everything in the newspaper is absolutely accurate; there's no need to be worried about that.

• (1130)

**Mr. Tom Lukiwski:** That's what I was about to say.

This concerns me because it was a story about Monsieur Mayrand, the head of Elections Canada, who apparently was giving some form of a speech to his employees, the staff members of Elections Canada, and apparently railing against the government and complaining about the fair elections act. The way I read the article, it was almost like a campaign-style speech to rally them up, to get them angry at the government.

I could only interpret that as being, in my mind at least, political activism. I may be wrong, but it certainly appeared that way to me. I want to know whether or not that, if I interpreted it correctly, in your opinion, is appropriate for the head of Elections Canada, which is supposed to be impartial and deal with all political parties and all candidates impartially. Would you think that was appropriate?

**Hon. Pierre Poilievre:** Listen, I don't take these things personally. In politics emotions can run high from time to time. I haven't read the speech, so I won't comment on its substance.

**Mr. Tom Lukiwski:** Okay.

Now maybe I can get back to a question on the provisions themselves.

One of the complaints or the criticisms that the NDP opposition has is on the plans to take away vouching and do away with the election ID card. They feel that's going to disenfranchise, I think David said, 100,000 or 200,000 people. Well, there are two options. One is to present a government-issued photo ID with name, such as a driver's licence. That would be the most common. The other is the 39 other options where two of those 39 would be sufficient.

On the driver's licence itself, my colleague Blake Richards pointed out that according to Statistics Canada, less than 2% of the Canadian population does not have a driver's licence. I'm wondering if you want to comment on that. I cannot see, for example, where there would be anyone who voted in the last election who would not be able to vote in this coming election if our new provisions came in. Yet they're saying that we're going to disenfranchise hundreds of thousands of people. I'd just like your comment.

**Hon. Pierre Poilievre:** I have to say there is a startling lack of knowledge in the public about the ID that is required. A lot of very informed people wrongly think that you require photo ID. For example, the leader of the Green Party, who I consider to be very informed on political matters, having run in campaigns herself, was under the impression in a public letter she published recently that one needs photo identification to cast a ballot. In fact, that's not true. It is an option, but not an obligation. Elections Canada provides a second list of eligible identification that includes 39 different options.

This lack of knowledge is important, and it's something we tried to fix in the fair elections act. Through clause 7 of the bill, we are amending section 18 to require Elections Canada to inform people of the forms of identification that are required. The goal is to ensure that people show up at the voting location with all the information that they need, including the ID. I think that will help solve some of these problems.

**The Chair:** Thank you, Minister.

We'll go to Madame Latendresse, please, for four minutes.

[*Translation*]

**Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP):** Thank you, Mr. Chair.

Thank you, minister, for meeting with us today. We appreciate your giving us as much time as possible to ask questions. We have a great many questions for you and numerous topics we'd like to discuss.

I am very concerned about voter turnout among young people. The issue has always been very important to me, and I have a number of questions on it. I paid close attention to most of your comments and speeches in the House. You have often said that the bill you introduced would increase voter turnout among young people. When I hear you say that, I get the sense that I'm in the movie *1984* because that is not at all what the bill will do.

I'm not sure whether you are aware, but in 2011, 62% of students who had the option available used the voter information card when they voted. Now you are taking that option away from them. Students will no longer be able to use the voter information card that the Chief Electoral Officer authorized in 2011 as part of a pilot project.

Do you realize what a negative effect that decision will have on voter turnout among young people?

• (1135)

**Hon. Pierre Poilievre:** I want to thank the honourable member for her question, but I disagree that voter turnout among young people will drop, and I'll tell you why.



First off, as she mentioned, young people and students were able to vote for years without having to use voter information cards, and they never had a problem. Second, they have 39 other ways to identify themselves at the polls, including their student cards. There is a long list of options, which I can share with you.

Lastly, the Fair Elections Act would require Elections Canada to advise young people of the pieces of identification they need to vote. And that would help ensure they brought all the necessary documents.

**Ms. Alexandrine Latendresse:** I am already aware of all that, minister. You keep saying that people have 39 options for identifying themselves, but can you tell us exactly how many of those cards can be used, on their own, as the sole piece of ID for voting?

**Hon. Pierre Poilievre:** The 39 I was talking about are—

**Ms. Alexandrine Latendresse:** I am asking how many pieces of ID can be used on their own at the time of voting.

**Hon. Pierre Poilievre:** It depends on the province, but some examples are driver's licences, health cards and provincial/territorial identification cards.

**Ms. Alexandrine Latendresse:** Is that all?

**Hon. Pierre Poilievre:** That is one option, and no, that is not all. There is another option.

**Ms. Alexandrine Latendresse:** We know, but what I am asking is —

**Hon. Pierre Poilievre:** There are 39 other pieces of ID that can be used, and I have the list here.

**Ms. Alexandrine Latendresse:** When I was a student in Rimouski, I didn't get my driver's licence until much later on. Mr. Lukiwski said that only 2% of Canadians don't have driver's licence. I was told that 25% of people living in the Toronto area don't have a driver's licence, so it obviously depends a lot on the place in question. And young people are clearly the ones most likely not to have a driver's licence. Many are waiting even longer before getting one.

You said they can use a student card to vote, but that isn't a realistic option for a lot of young people who don't have proof of residence, which means they can't use their student cards as identification at the polls.

I have more questions for you as well.

**Hon. Pierre Poilievre:** I will add that that is not the only acceptable piece of ID for students. They can also use correspondence issued by a school, college or university. They do have 38 other ways to identify themselves.

**Ms. Alexandrine Latendresse:** Taking an identification method away from students is not the way to improve their turnout on voting day.

**Hon. Pierre Poilievre:** Likewise, continuing to use a method that is not secure is not the way to protect our electoral system.

[*English*]

**The Chair:** Thank you.

We will move to Mr. Richards, for four minutes.

**Mr. Blake Richards (Wild Rose, CPC):** Thank you for being here today, Minister. I have a couple of questions. I hope we'll have time for both of them.

I think we all remember the 2006 Liberal leadership campaign when many of the candidates in that race used political loans to be able to circumvent the donation limits. In some of those cases, candidates in fact still owe money to campaigns that ended almost a decade ago now.

I'm wondering if you could tell us if and how the fair elections act closes that loophole and helps to keep big money out of politics.

Perhaps you could also address whether in fact those provisions in the act would be retroactive, whether they could actually be applied to the individuals who still have debt from those 2006 campaigns, and what Elections Canada might be able to do to force repayment of those loans.

**Hon. Pierre Poilievre:** I'd like to begin, Mr. Chair, by putting the present situation in context.

Under the present law, the Commissioner of Canada Elections has the power to investigate anyone who has used loans deliberately to circumvent donation limits. That would be a clear offence under the existing section 497 of the Canada Elections Act.

Elections Canada rightly points out that failure to repay a loan does not necessarily prove intent and therefore is not automatically an offence under the act, although it is non-compliance with the act. However, Elections Canada has all the powers to investigate whether these Liberal leadership contenders deliberately used loans to circumvent donation limits. It remains to be seen whether Elections Canada intends to carry out such an investigation.

That being said, the changes in the fair elections act will close this loophole altogether so that people cannot use unpaid debts to circumvent donation limits. It does this by requiring that borrowers use recognized financial institutions or political parties that have commercial repayment plans and interest rates and by requiring that it become an automatic offence after three years of non-repayment.

That provision is not retrospective. It will not apply to past incurred debts. However, for those who have outstanding debts, we are giving some flexibility in repaying them. They will be allowed to collect donations from previous donors as long as they do not exceed the annual donation limit. Those provisions will be retrospective. In other words, past incurred debts can be reimbursed through this change on the fundraising side.

• (1140)

**Mr. Blake Richards:** Okay. Thank you, Minister.

I think most people in this room know that I represent a large rural riding. One of the challenges in some of the smaller communities can be finding appropriate polling stations. The previous returning officer in my riding shared with me that sometimes finding a place where disabled people are able to have proper access to the polling station can be a challenge in some of those communities. One of the changes being made in the fair elections act is one that would require the CEO to communicate with people with disabilities to ensure that they know what voting stations are available to them when they get to the polling station.

Could you tell us a little more about why that is necessary? Perhaps you could indicate whether in fact you met with representatives of disabled individuals to discuss the development of that provision with them and to ensure it was something that would be well applied to ensure that they had proper access and knowledge about where and how to vote.

**The Chair:** That's your four minutes, so I'm going to ask Mr. Opitz whether the minister can answer the question on his time.

**Mr. Ted Opitz (Etobicoke Centre, CPC):** Minister, if you wouldn't mind answering that question, go ahead.

**Hon. Pierre Poilievre:** I think the system provides excellent tools to help disabled people vote right now. The problem is that a lot of disabled Canadians are not aware of those tools, so often they decide not to go to vote, out of concern that they won't be able to cast their ballot upon arrival. That's a concern I heard from organizations such as People First and the Canadian National Institute For the Blind. It's not helpful to have braille services if a visually impaired person doesn't know that they can acquire those services.

The bill, in clause 7, requires Elections Canada to inform the disabled of the special tools available to help them vote. That measure has been applauded by the Canadian National Institute For the Blind and others. I think it will be helpful in encouraging turnout among Canadian disabled people.

**Mr. Ted Opitz:** Minister, you have something here that I don't think anybody has touched on yet. For the Advisory Committee of Political Parties there is a provision that they would meet once a year to talk to the CEO to give him guidance on issues and that he would provide guidance back.

Can you discuss that?

**Hon. Pierre Poilievre:** Yes.

The Advisory Committee of Political Parties already exists. This will create a legal recognition of it. It will require the CEO to consult with this committee when he changes his interpretations, so that parties can provide some input on the impacts those changes will have on their operations. I think this is a practical non-binding tool that will allow political parties and the CEO to exchange information and make good decisions and rulings.

**Mr. Ted Opitz:** There's also a section that provides better customer service. I'd like a little better definition of that. To me that means it makes it easier, clearer, fairer, and more convenient for people to vote. Can you describe that concept within the act?

**Hon. Pierre Poilievre:** Yes. Two million Canadians voted in advance ballots in the last election. That's very positive. A lot of people are busy on election day and we want to give them as many

opportunities as possible to vote early, and that's why we're adding an advance ballot day, an extra day of voting for all Canadians to use. We're also going to require Elections Canada to advertise that advance voting day so that people are aware that it exists.

Finally, we are going to allow Elections Canada more resources to provide officials who can relieve congestion at busy voting stations, and that will make for shorter wait times and less confusion when people show up to cast their ballots.

• (1145)

**Mr. Ted Opitz:** On the delineation between terms of reference between the CEO and the commissioner, could you describe how that is going to improve the overall voting process and the conduct of Elections Canada as we conduct elections in Canada going forward?

**Hon. Pierre Poilievre:** The commissioner is in charge of investigations. The CEO's principal responsibility is to run elections. I think it would help the CEO to focus more on that core mandate. Anybody who has read the Neufeld report will realize there were very serious irregularities in appallingly high numbers in the last election. There were 165,000 serious errors committed by Elections Canada under the CEO's leadership. I think we can only improve on that if he focuses on that core mandate.

**The Chair:** Thank you. Your time is complete.

Mr. Scott, for four minutes.

**Mr. Craig Scott:** I would ask Mr. Lynch or Ms. Mondou to have a look at page 219 of the bill, proposed sections 509.4 and 509.6. I'd like to come back to that before the end of my question. It's a very technical question.

For the Minister, the new section 20 of the act basically says the Chief Electoral Officer may engage on a temporary basis the service of persons having technical or specialized knowledge, but it goes on to say that to appropriate the funds for that he has to get Treasury Board approval. That's section 20 of the act.

Minister, could you confirm that this provision now means that Elections Canada would no longer have the independence to commission such reports as the Neufeld report, which you like to cite, or the Institute for Research and Public Policy's study on robocalls that was instrumental in putting together the Chief Electoral Officer's report on deceptive calling. The need for the approval of the Treasury Board is something I'm very concerned about in terms of inserting the government between the Chief Electoral Officer and his ability to carry out studies.

**Hon. Pierre Poilievre:** I don't think you're referring to section 20. You're referring to section 509.4.

**Mr. Craig Scott:** No. I asked, please, section 20 of the new act is the question I asked.

**Hon. Pierre Poilievre:** The new act doesn't have sections, because it's not an act yet. It has clauses.

**Mr. Craig Scott:** Would you answer the question, please. You know what I'm referring to. Treasury Board approval for hiring specialists such as Neufeld.

**Hon. Pierre Poilievre:** You're referring to clause 20.

**Mr. Craig Scott:** Clause 20 in the new act, section 20 in the new act.

**Hon. Pierre Poilievre:** Right, so section 20...you're relating to the....

There's something called the deputy head of any organization. Right now the deputy head for the purposes of staffing and contracting is the CEO of Elections Canada. We're making the commissioner independent of the CEO of Elections Canada. That will make the commissioner his own deputy head for the purposes of the Public Service Employment Act.

However, for the purposes of the Financial Administration Act, the deputy head will be the Director of Public Prosecutions. As a result, he will play the functional role that is currently played by the CEO of Elections Canada with regard to contracting—

**Mr. Craig Scott:** Minister, I need to interrupt.

My question was about the Chief Electoral Officer's ability to hire specialists only with Treasury Board approval.

I asked Mr. Lynch to be prepared for the second question, which you're dealing with, and you're not actually answering it. The first question is regarding Treasury Board approval to hire the Neufelds, the Institute for Research and Public Policy, all of those. Is it correct that you now need the President of the Treasury Board's, the Treasury Board's, approval for the Chief Electoral Officer, not the commissioner?

**Hon. Pierre Poilievre:** I'll let the official comment on that point.

**Mr. Matthew Lynch (Director of Parliamentary Affairs, Legislation and House Planning, Privy Council Office):** The proposed amendment to section 20 in clause 10 is with respect to technical and specialized services, such as support for computer systems, for example, varied administrative support for the organization. It's a standard clause that is used in a number of different statutes, including those for other agents of Parliament. The role of the Treasury Board is to approve the person's remuneration expenses, not the contract itself.

• (1150)

**Mr. Craig Scott:** Exactly. So the point is that Treasury Board approval is needed for those kinds of temporary contracts.

**Mr. Matthew Lynch:** I would point out that Treasury Board's approval is also needed for the payment of election officers. That's how that usually works.

**Mr. Craig Scott:** Then the last question is for the minister. I'm going to skip the technical question, because we got into it earlier.

Are you aware, Minister, that the Neufeld report recommended the expanding of the use of voter identification cards?

**Hon. Pierre Poilievre:** I am aware of the recommendation. I'm also aware of the data, and I appreciate the excellent work that Mr. Neufeld did in providing that data.

The reality is that Elections Canada has acknowledged that one in six people on the national register of electors has false information associated with their name. That false information then flows onto the voter information card. We cannot have voter information cards that have errors one in six times used to identify voters at the polls. It is too susceptible to abuse. That's why we're removing that form of ID.

**The Chair:** Thank you very much.

Mr. Reid, you have four minutes.

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Several years ago, to be specific, on April 27, 2006, Jean-Pierre Kingsley, who was then the chief electoral officer, appeared before this committee. I was a member then, as I am now. I drew to his attention the fact that in the 2006 election, which was then of recent memory, I had received three voter cards at my address: one addressed to Scott Geoffrey Reid—that's my full name—one addressed to Scott Reid, and one to Geoffrey Reid.

Strictly speaking, there were no errors made, but I had three cards. I could have voted with one, if it was accepted as ID, at the returning office, with one at the advance poll, and with one at my local poll. They all are staffed by different people. That is an inadvisable approach for someone who is actually a member of Parliament, but the point I think is made that these things are not reliable identification.

In a later election, a provincial election, in all fairness, my wife and I, who live, of course, in the same house, received voter cards, hers using the rural route address, which is in one riding, mine using the street address in another riding. The result was that we were actually told by the cards to vote in different ridings. So I concur that there are problems, and I have experienced them myself.

I wanted to raise two issues. One is really for the CEO, not for yourself, Minister, a question about how many people have a driver's licence. The really relevant question is, since there are 39 pieces of identification, what percentage of Canadians have none of them? If there are some, they will not be a random cross-section of Canadians, but a specialized group for some reason or in an unusual situation.

I'd like to hear his response as to whether he has gone through to try to identify people who, like the senior citizens living at mobile polls in Etobicoke Centre, were unable to vote because the vouching system did not allow them to vote. It did nothing for them, who also had no ID.

Here's the thing I wanted to say to you, Mr. Minister, regarding your meeting with the Chief Electoral Officer. He submitted a very lengthy report and recommendations to this committee. We reviewed it at great length. I would have been very upset if, at that meeting, he had come to you with any recommendations separate and distinct from those. I would have been even more upset with you if you had produced a bill based on his private recommendations to you that do not correspond with his recommendations made to the entire committee, which were passed on to the government for you to follow through.

I simply want to go on the record saying that you got plenty of input from him via this committee and did the right thing. One may disagree with individual things in the bill, but you did the right thing by coming back and dealing with it in the normal manner.

Thank you.

**Hon. Pierre Poilievre:** Thank you very much.

On your point, Mr. Reid, related to voter information cards, I think that one measure in the fair elections act that will help deal with election day confusion and which was identified by Mr. Neufeld was increasing the number of people who have pre-registered by having their names added to the list.

Section 18.(1)(b) of the Canada Elections Act will read, upon its amendment, that the Chief Electoral Officer will provide information on how an elector "may have their name added to a list of electors and may have corrections made to information respecting the elector on the list".

That is a very important tool for reducing complexity and confusion and wait times on election day. If people are on the list when they get there, they don't need to register when they arrive to cast their ballot. This provision will inform Canadians of the simple ways they can have their name added and their information updated, if it is not already there.

• (1155)

**The Chair:** We have a reduced amount of time left, so I'm going to go to two-minute rounds, starting with Mr. Lukiwski for two, and then Madame Latendresse, and that will finish...oh, it will be Mr. Scott. Great.

**Mr. Tom Lukiwski:** Thank you very much.

Minister, I'll just go back to a comment I made in my earlier intervention. I want to see whether you concur or not. It's certainly something I think is true. Although the opposition seems to think that this new bill will disenfranchise a great many people, over hundreds of thousands of people, I would think it would be almost impossible to find anyone, or at least very few people in Canada, who voted in the last election who would not be able to vote in this election under the new provisions in the act.

Would you concur, or at least would you be able to comment on that?

**Hon. Pierre Poilievre:** I'll give you an example of the knowledge gap that exists.

Elections Canada did some surveying of youth who decided not to cast a ballot, and a quarter of them said not knowing where, when, or how to vote played a role in dissuading them from doing so.

The fair elections act will ensure that those young people have that information, among which includes required ID, and I think that will mitigate the problem of the knowledge gap that has dissuaded young people and the population at large from casting a ballot. We have 39 forms of identification that will continue to be allowed, and if Canadians know what those are, they can very easily prepare themselves for election day.

Thank you.

**Mr. Craig Scott:** I'll just go back to clear up the confusion.

Mr. Lynch, could you give me an answer on proposed section 509.6, what would be in the new act as 509.6? The simple question is, with the certificate of the DPP, Director of Public Prosecutions, can the commissioner hire investigators and other specialists on a temporary basis directly from the consolidated revenue fund? It's not mentioned. The provision in proposed section 509.4 is not specifically mentioned in 509.6. It's just a clarification. I'd love the answer to be yes, and I'm wondering if it is.

**Mr. Matthew Lynch:** Yes, if you refer to 509.6(b) it refers to:

any expenses incurred by, on behalf of or in relation to the Commissioner under any other provision of this Part.

**Mr. Craig Scott:** It's included in that. That's very good.

Minister, section 376 of the new act is the clause dealing with exempting fundraising calls to pre-existing donors who have given \$20 or more. I'd love to ask you what the \$20 or more is about, but what I really am concerned about, apart from the advantage it gives to parties that have the extra money to be running full ramp these kind of voting operations, to have established voter donor bases, that's obvious to everybody. My question is on the wording of this provision. In your view does it allow a party to make calls where they simply add in an ask where they say, "Oh, by the way, could you please donate?" when the purpose of the call is getting someone out the vote, or asking to volunteer, or persuading somebody to vote?

**Hon. Pierre Poilievre:** No, that is not a concern. I've heard some other public commentary that is also false on this point. I'll have to break it down though, Mr. Chair, with your permission.

First of all, the number of donors a party has is a tiny fraction of the number of supporters it has. If a party was just to call to identify its donors to ask them to vote, they would be doing a get-out-the-vote enterprise, a very tiny fraction of their overall support base. Furthermore, they would be calling the people whom they least need to call. Donors are the least likely to miss voting day. Obviously if they're civically engaged enough to give of their own money, they're going to give of their own time—

**Mr. Craig Scott:** The question is—

**Hon. Pierre Poilievre:** If I could finish on this point—

**The Chair:** You're both going to finish, because you're over time.

**Hon. Pierre Poilievre:** If I could just finish on this point, to think otherwise is to contemplate two completely distinct and different functions of a campaign: voter turnout versus fundraising. I would also add that the NDP had a very similar rule in its leadership race. I can quote from it right here. It says—

• (1200)

**Mr. Craig Scott:** We heard that in the House.

Over time, Chair.

**Hon. Pierre Poilievre:** He asked the question, and I want to give the answer. It says here, “expenses for fundraising are not subject—

**Mr. Craig Scott:** Now we're getting into politics, Chair.

Come on, come on.

**Hon. Pierre Poilievre:** If I could finish, I know the NDP doesn't want to hear its own rules, but those rules state that any fundraising....

**A voice:** He's way over time, Chair. Please.

**Hon. Pierre Poilievre:** If I could finish, I've been interrupted four times just trying to read one sentence.

**The Chair:** People keep interrupting the chair when he's trying to say thank you, Minister, for coming today and thank you for giving us all the information that you have.

**Hon. Pierre Poilievre:** Thank you very much.

**The Chair:** I thank the whole committee for its politeness on how well it went today.

We'll suspend just for a minute while the minister has a chance to leave and we'll come right back in.

• (1200)

(Pause)

• (1200)

**The Chair:** We're back to business now, please.

We will be recognizing Mr. Christopherson. He has a motion that he has moved.

Obviously, we're now in steering committee. Let's see if we can get towards the rest of the study.

Mr. Christopherson.

**Mr. David Christopherson:** Thank you very much, Chair.

Are we in public?

**The Chair:** We're in public.

**Mr. David Christopherson:** Good stuff. I just want to be sure.

First off, I appreciate the understanding that we were able to come to at the beginning today. That's good. It would be nice if that kind of goodwill would continue and we could actually get somewhere.

Chair, if I may, I think it would be appropriate to restate the motion that's in front of us so that we could provide some context for my remarks.

I move:

That the Committee, upon receiving an Order of Reference from the House concerning C-23, An Act to amend the Canada Elections Act and other Acts and to make consequential amendments to certain Acts, initiate a study on this legislation, which will include the following:

That the Committee hear witnesses from, but not limited to, Elections Canada, Political parties as defined under the Canada Elections Act, the Minister of State who introduced the bill,

—which we've just done—

representatives of First Nations, anti-poverty groups, groups representing persons with disabilities, groups representing youth advocates and students, as well as specific groups which have been active in society on elections rules, including Fair Vote Canada, SAMARA, Democracy Watch and the BC Civil Liberties Association;

That the Committee request to travel to all regions of Canada, (Atlantic Canada, Quebec, Ontario, Northern Ontario, the Prairies, British Columbia and the North), as well as downtown urban settings (such as the Downtown Eastside of Vancouver) and rural and remote settings, and that the Committee request that this travel take place in March and April 2014; and

That the Committee shall only proceed to clause-by-clause consideration of this bill after these hearings have been completed, with a goal to commence clause-by-clause consideration for Thursday, May 1, 2014.

That, Chair, is the motion.

On the components of the motion, let me jump to the last point first, because I think it's important.

Normally an official opposition wouldn't box themselves in by putting an actual completion date, but we did that for that very reason, to show how serious we are about this proposal. We're not looking to hijack the process or to be obstructionist per se, or to lull the government into some process where we don't get a bill passed in time for the next election. None of that is our objective at all. That's why we took the unusual step of saying that if we can travel in March and April, which we believe there is plenty of time to do, then we would be quite comfortable committing ourselves to starting the clause-by-clause study on May 1.

Once we get into that process, for those who are watching, the government majority control then takes over. Once we start getting into clause-by-clause study, the ability of the opposition to do anything from a procedural point of view is very limited, notwithstanding extraordinary measures. By and large the government's majority at that stage in the process pretty much assures them that they can control all the way through to completion. We know, because we can do math, that in a majority government the government's going to win votes 10 times out of 10. We get that. We're not trying to take away the government's ability to govern. We are trying to minimize their ability to reign. Governing is one thing; reigning is another.

I have to say, Chair, that watching the government in the House bringing in the hammer of closure within a day or two—a day or two—of the bill being introduced did not suggest to us that the government was interested in allowing real democracy to take place, as you would under a governance structure, but rather they just want to ram through whatever they think the rules should be for all of our elections. There's not much democratic about that.

●(1205)

Let me also say, Chair, that I've been in politics a long, long time. People who know me know that not only will I not avoid a political fight, like my friend from Winnipeg Centre, but from time to time, I enjoy a good political battle. I see my colleagues laughing. It's my understated point. Mr. Reid is questioning it, of course, tongue in cheek, and I knew that would be the reaction. Fair enough.

The fact remains that we'd much rather be fighting over the content of the bill given its importance. I appreciate that nobody is heckling that point because we have gone out of our way to try to keep the focus on what matters. What matters is, ultimately, the election laws that we have in this country. As I said in my opening remarks to the minister, it's not just the content of the bill that defines a democracy, but the process around which you bring that bill into law and give it the force of law in the land. That's important in any case.

Chair, we would submit that it means even more when it's our election rules, our election laws. In the past, this is how far we've gone away from what parliamentary democracy is supposed to be. It used to be back in the day that a government, majority or otherwise, wouldn't dream of, would never dream of, introducing wholesale massive changes to our election laws without consulting with the opposition. Yes, as shocking as that sounds, back in the day, our democracy used to be so healthy that when it came to deciding the rules of the game, it was understood that we can't have a fair game if we don't all agree on the rules.

I mean, we're watching the Olympics which are happening right now. The first thing that happens before anybody puts on one piece of equipment is they agree on what the rules are going to be. The people who host the Olympics didn't get to set all the rules. It wasn't the Russian Federation that came in and said "here are the rules of the Olympics". It was done through a process. I'm not an expert on the committee, but the International Olympic Committee, I believe, ultimately has the say, but lo and behold, that's made up of component parts of the countries that participate in the Olympics. They would no more allow one country or the host country to ram through rules than they would consider cancelling the Olympics.

Of course we have to agree. Yet here's the Conservative Minister of State for Democratic Reform defying democratic gravity by saying that he's going to have a fair elections act with an unfair process. That's why there's resistance from us, Chair. It really isn't because we want a fight around process. Quite frankly, it doesn't take too long before the public's eyes just kind of glaze over and they say, "Here they go. Inside baseball."

I see my colleague, Mr. Butt, agreeing that when it comes to process people aren't that engaged. However, I do think it's fair to say, and I hope Mr. Butt would agree with this, Chair, that Canadians like to think there's fairness happening in this process. Because we have representative government, they aren't sitting around this table to express their concern. That's our job. That's our job as the opposition, to make sure the system is as fair as possible, the process. I say right now, Chair, at any time in this process until we have some kind of an agreement, if the House leader wants to talk publicly, offline, send a text or smoke signals, anyway he wants to convey that they're prepared to compromise, then I'm signalling we

are receptive to that, because this is not the fight that's important. It's not the primary fight as we see it.

●(1210)

The primary fight, as we do see it, are the issues that we're raising and the concerns that we have about the damage that will be done to our democracy.

However, we can't have that kind of fair discussion or fair fight, if you will, if we don't have rules and a process. What kind of extraordinary, unbelievable, horrible demand are the official opposition and the other opposition representatives making? All we want is the opportunity for Canadians to have their say.

The government has said no. They marched into the first meeting and said no. They marched out of that meeting saying maybe. Three hours later we were back to no. We sit here again receptive and willing to negotiate. Somewhere between no and our motion there should be the ability to come to an agreement. We are flexible. I said that and I'm not going to breach confidentiality in terms of discussions I had with the deputy House leader, but I do think it's fair to say that what we were outlining was a willingness to engage in a discussion. I knew that we were going to have to stand down from where we are a little bit, put a little bit of water into our wine, but in order for that to work, the government has to do the same thing.

That's kind of where we are right now, Chair. As yet, the government is not being fair. Let's remember, the minister consulted with nobody. I didn't have a lot of time to go back after the minister on his answer, but you can only puff up a one hour "Hi, how are you" meeting and call it a consultation so far before it starts to look utterly ridiculous. That's how the minister looked, absolutely ridiculous.

I used to be a minister provincially. I remember what you do in the early days and you do a touch base and a "Hi, how are you" with all the various components that make up the portfolio that you have responsibility for. I'll tell you that the first time I met with the OPP commissioner and had our little "Hi, how are you" I didn't consider that to be a strategic goal-setting meeting to decide where the future of the OPP was going. It was "Hi, how are you" and getting to know each other. That's all that happened with the Chief Electoral Officer.

Think about it. In one of the most progressive, modern, mature democracies on the planet, a country that's held up as a model by many others in terms of what they want to evolve to, we have a complete, 244-page—help me, professor. I mean look at this bill. It's massive. It's 244 pages of changes about our election laws. I think it's reasonable that most Canadians would look at that and say that they're not in politics, and they're certainly not a minister and have never made bills, but it does make sense that if you're going to change the election laws, the foundation of our democracy—it's hard to find something that's more important than the foundation of our democracy—the first step for a new minister in particular would be to have a serious, comprehensive consultation process with the Chief Electoral Officer.

That's what we did here at this committee. I want to remind members, Chair, and you were there through thick and thin, at every meeting. We spent two or three Parliaments, I don't know, three or four years, going through recommendations—wait for it—from the Chief Electoral Officer. It was a huge document, very detailed, very comprehensive. We looked at that. That was in a minority situation, and that's the stark lesson here. In a minority situation the Conservatives had no choice but to cooperate; otherwise, they couldn't do anything because the rest of the parties held the balance of power.

What did a real, comprehensive review...? By the way, there's a report of the Chief Electoral Officer coming out of the 41st general election. I'd be shocked if that was even referenced in the “Hi, how are you” meeting.

•(1215)

My point is that at that time when we were looking at changes, the first place we started.... In fact, Chair, correct me if I'm wrong, but the document we used as our reference point, and if you remember, we had a lot of documents because there was so much detail.... This stuff is complex. You need legal opinions. You need experts in the field. The document that was the centrepiece of our work was the report and recommendations of the Chief Electoral Officer. It took us multiple Parliaments and multiple years of goodwill, negotiation, and discussion to conclude that report. I think we did finally conclude it. Yes, we did, but it literally—I'm not exaggerating—was two or three Parliaments and then almost as many years. That's the report. That was the starting document.

This is from the Chief Electoral Officer. What does it say at the top? it says, “Mapping of the Chief Electoral Officer Recommendations”, and then it goes on. There's the value, and it talks about the subject, the current status, the recommendations, and the desired outcome. It's page after page after page, and we spent hundreds of hours. There were goodwill discussions that were some of the most interesting, challenging, and enjoyable debates that I've had since I've been here. Why? I would say in large part because we didn't have one party with a majority that considered it to be a nuisance to listen to the other members of Parliament from the other parties. That's the way it seems right now.

But back in the day, when we were doing real work and really working together, we went through this piece by piece, and this is the beginning document. I can show you files this thick, multiple files of documents. We would have the Chief Electoral Officer come in. We

would have legal experts come in. They would go away, we would talk back and forth, get to some stuff, then get to a finer point, and we'd bring them back in to get into the detail of all that. We did really good work. *Hansard* is full of my compliments to my colleagues in terms of the approach, the maturity, and the really good political parliamentary work that was being done.

So what happened? Well, what happened was that the government got a majority, and it turns out that a lot of their talk about wanting to clean up politics coming off the heels of the sponsorship scandal that the Liberals were embroiled in.... This government ran on a platform of “We're going to be clean. We're going to be accountable. We're going to be transparent. We're going to have all kinds of accountability, and Canada will never have had it so good under a Conservative government in terms of the strength of our democracy”. They got elected on that platform. Since then, all they've done is insult and degrade our democratic process, step by step by step by step, until now we have a bill that in our view allows serial cheaters to pre-cheat the next election.

Now, the government is saying that's not the case at all. That's not an unusual dynamic. That's when the issue of a fair process kicks in, when the opposition members have very strong feelings and concerns about what is in a bill.

The government is responding to the opposition by saying, “No, no, no. You're fearmongering. You're exaggerating” or “You're just simply wrong. Your arguments don't hold at all.” Well, you know, there are some countries in the world where that really is the end of the debate, where there is no further discussion. Should you start expressing your disagreement, you find, after a knock at the door at three o'clock in the morning, that suddenly you are no longer around.

Now, one might say, “Come on, we're so far from that”. Yes, we are. We are so far from that, but why? Not just because we're Canada, not just because we say so, but because we pass laws and conduct ourselves in a way such that our citizens believe they are part of a democracy, and not just any old democracy, but one of the best in the world.

Remember, if democracy were easy, everybody would have it. A parliamentary system, unlike a presidential congressional system, let alone any autocratic system, is not a governance structure of reigning and ruling over people, which is the sense we have had ever since this government got a majority.

•(1220)

It's like they're saying, "We got a majority government and that means we can do whatever we want, any way we want. We're the government and anybody who gets in our way is clearly the problem, and whatever we do to get them out of the way is okay because we're doing all the right things." That is not the attitude of a democracy, and certainly not a parliamentary democracy. We have gone so far away from the basic foundations of how a parliamentary democracy works that in some ways it's working against us.

How many times, colleagues, have we heard, in the day, the sitting president of the United States of America say that he would give anything to have the powers of a majority prime minister in Canada? They run everything.

Let's remember, that this is a government that got less than 40% of the vote and 100% of the power. Where's the basic democracy in that? I won't go down that road, Chair. I'll save you that speech for another day, but it does speak, at the end of the day, to proportional representation being the next step in an evolved, mature democracy.

That's one we're still struggling for, but boy, we're so far away from that kind of progressive thinking in terms of just defending decent, fair rules right now that it remains a dream, which hopefully will start to unfold after the election in 2015 with an NDP government that will bring in proportional representation. But I digress—

**An hon. member:** Hear, hear!

**An hon. member:** Also, you've scared a lot of people—

**Mr. David Christopherson:** The fact remains that the first step should have been that consultation with the Chief Electoral Officer. That didn't happen.

So you say to yourself, "Well, okay, maybe that was a mistake or an oversight, and I'm sure he would have sat down with one of the key stakeholder groups on the issue of democracy in Canada." That's Fair Vote Canada. They're not exactly wild-eyed radicals. They care about the details of democracy. Did the minister meet with them? No, the minister didn't meet with them.

All right. Well, what about our concerns about the implications of some of these changes as they might affect our first nations people and other Canadians who live in the far north? Voting in the far north is very, very different from voting in downtown Toronto.

If I may, Chair, I know a little of this.... I'm sure you'll recall that I've been on six or seven international election observation missions. Sometimes I was out in the villages in some of those countries. I've seen first-hand the challenges they have. They're not unlike ours when you're remote, when you're further away. In many cases, they have other challenges, but it's surprising how similar they are.

There was no consideration. How many first nations leaders did they talk to? None. How many northern leaders? None. For other groups we're concerned about that will be disenfranchised, how many of their representative groups did the national minister meet with? None. Who did the minister meet with? Did the minister meet with anybody outside of the Conservative world? Not that we know of. Give me a break.

There is nothing fair or democratic about this process. This is an abuse of majority power. I remind this government that it's a majority of seats that came from less than 40% of the people who went out and voted. You would think they'd be a little more respectful of the fact that they have a majority, but they got it through the barest means possible, and in a way, that underscores our need to change our process. I was part of a government that got elected with less than 40% of the vote and has 100% of the power, and I'm saying it's unfair. I agree. How, in a democracy, can 40% of the vote give you 100% of the power? How can that be? Yet it is. So the very least we ask for on behalf of Canadians who care about this is just an opportunity to go and visit them where they live and where we think there are concerns.

•(1225)

Chair, it makes you wonder what it is the government is afraid of. Is it that their bills and their arguments hold up here, under the safe political security of the Ottawa bubble, because it's all just arguments and debate? Is that what they're worried about? Is that what they're afraid of, that if we go to the far north they'll be faced with a stark reality that puts the lie to their argument that this is not going to disenfranchise? Is that what they're afraid of? I don't know.

Are they afraid that there might be a demonstration or two, or that there might be a protest sign, or somebody who's upset with what's going on with the Senate, or somebody who's upset about robocalls, or somebody who's upset about the in-and-out scandal? There are a lot of democratic reasons for Canadians to be upset with this government. Might that happen? I don't know. Maybe, but so what? It's a free country. A couple of people with a placard making a minor demonstration outside the meeting room, it seems to me that's one of the good things about living in Canada: we have the right to express ourselves.

If there's a meeting going on and I, as a Canadian citizen, have something to say about that, and I want to stand outside with a little bit of a sign that says whatever I want it to say, in perfectly legal language, that makes a political statement, I remind colleagues that this is not a joke. Some of my friends have family from those countries where if you hold up that sign, it's the last time you're ever seen.

How far away from that are we when we have a government that refuses to hold a public meeting out in the community because they're afraid to face those signs? We're not that far away from it. We maybe didn't arrest the person who had the sign just because they had a sign, but just because they have a sign, we won't hold a meeting there.

Whether it's that the government is afraid that their arguments won't hold up when we actually go out into the communities where people live, that when we go to Downtown Eastside in Vancouver these members are faced with the stark reality and they feel they can't defend it then because it's too real, that it's not just arguments here in Ottawa, that it's—



•(1230)

**Mr. Tom Lukiwski:** [*Inaudible—Editor*]

**Mr. David Christopherson:** Yes, of course.

**Mr. Tom Lukiwski:** I just wanted to know if I missed anything important.

**Mr. David Christopherson:** Oh, I can repeat it for you. It was all really important.

**Mr. Tom Lukiwski:** Would you mind going back to—

**Mr. David Christopherson:** At which part did you leave? I can start it again.

**Voices:** Oh, oh!

**Mr. Tom Lukiwski:** No, David, you go right ahead. I'm just kidding.

Sorry for the interruption. My apologies.

**Mr. Scott Reid:** Mr. Christopherson, I think it would go back to the part where you said "Mr. Chairman".

**Voices:** Oh, oh!

**Mr. David Christopherson:** Is that right?

Okay, then, there was this document, and that document, and...

**The Chair:** I like the camaraderie, but carry on, Mr. Christopherson.

**Mr. David Christopherson:** No, Chair, I do appreciate that. I appreciate the levity. I enjoy working with Mr. Lukiwski, Mr. Reid, and others. I do. I can't speak for the rest of my crowd, but I like working with them.

In fact, Chair, this was the dynamic that existed. I was the lead at the time and Mr. Lukiwski was the lead for the government at the time, and this was exactly the kind of dynamic that happened. We'd do 20 to 25 minutes of serious work, talking through the election rules, because we're all affected by them. Nobody was trying to get an upper hand. It was a really good exercise in watching democracy in a positive way, actually getting something done. Read the report. A lot of work went into it.

This is what we want to do. This is really where we'd rather be: dealing with the substantive matters in this kind of tone, Chair, with respect for you.

Are you signalling something?

**The Chair:** Yes. I was just thinking that you haven't been saying enough about how good the chair was during that last study, but carry on.

**Mr. David Christopherson:** Oh, okay. Good. Well, I know where my bread is buttered, Chair—

**Voices:** Oh, oh!

**Mr. David Christopherson:** —and I will certainly sprinkle those deserving compliments.

But it's true. There were a lot of compliments about the way you chaired it, because there were no marching orders from anywhere to anyone. We really were independently sitting here as members of

Parliament elected by our constituents. We elected you as our chair. You were fair-minded. You moved us through the process, and there was respect. Then we also set our own deadlines, and we made sure as much as possible that we moved along.

I come back again to the beginning, Chair, when I said that the official opposition was trying to indicate good faith by putting in our motion something opposition parties rarely do, because it boxes you in. The government is already playing off it a little in saying that rather than end on that date, we'll start on that date. Again, I'm just pointing out why you don't normally do that: because it gives you political problems.

In this case, what was important to us was to signal to the government—not so much to anybody else, because it's inside baseball—that we're not playing silly buggers here. We're not looking to trap the government into a process where they can't get the bill out. This guaranteed that wouldn't happen, so why would we waste time in March and April not doing constructive things when we built in our own deadline?

Chair, I don't know how we could have sent a more positive signal to the government than this motion that is entirely reasonable. It looked like we were getting somewhere. It looked like there was actually some possibility of movement when the government asked if we would allow them a little time to consider it, and as the trade-off for that consideration, would we consider having the minister... We started the process. I don't think I'm violating any confidences. People saw it on TV. Tom and I started the discussion, some of it on the floor of the House of Commons and some of it in the hallway outside the House, but we had started. We had even set out the fact that we had until this meeting to get to an agreement, if we could.

We started early. We left ourselves a lot of time. The usual respect that Mr. Lukiwski and I have for each other allowed us to have that discussion. Then, and I don't know why—I won't suggest or impugn motives—all of a sudden I was just informed that, boom, the Conservatives' own version of their iron curtain came down, and there were no more discussions. There was no more consideration of compromise. There was no more consideration of negotiations. It was over, just like that.

That's why I sit here now as much in sadness as in anger, because the real battle, if you want to call it that, the real work, the real discussion, the effort we're putting into this process, should be going into analyzing this mammoth bill that has an incredible impact on our country, on our democracy. If the government believes that they can defend all these changes, we have fair rules in our committee with a chair we respect who evenly applies the rules. We can do that, but it's not just this little committee we're talking about. It's also, how many times will this committee meet? Will those meetings be in public? How many experts will we hear from? Will we have the opportunity to call experts back after we've raised issues? We're suggesting that another reasonable component of those things I've just mentioned is to go to the places in the country where we have concerns that the biggest negative impacts will happen.

The government may win those issues when they come up. One would think that they've thought this through. Our worry is they have thought it through, but they've thought it through for themselves. Fine. Make the arguments that show we're wrong. Make the arguments that tell Canadians it's okay, that they don't need to worry, that the opposition's doing what they do, and it's okay, don't worry.

If they're successful at doing that, then they'll win the day, and people will believe that there were good changes, because at the end of the day, the government's going to get the changes they want. We get that. They have the majority. They have the power. They get to do what they want at the end of the day, but democracy happens in between, and that's the part we're standing up for.

• (1235)

That's why I had hoped there might be a signal from the government, today even, that they're prepared to start some negotiation. I am saying straight up again as clearly as I can that we do not want to get bogged down in a debate on process, but we are not going to let this government steamroll over the rights of the opposition to raise concerns that Canadians rightfully have. That's not going to happen.

So here we are dealing with a huge, complex, almost 250-page bill that amends one of the most complex pieces of legislation we have, which deals with our democracy and our election process, and so far, all we've seen from the government is they rammed it through the House with little or no debate. As soon as they could, they brought in closure. Prior to that, I might remind everyone, there was no proper consultation with anyone outside the Conservative world. They used the argument that it was okay to ram it through the House because once the bill got to committee, that's where the real work would happen, that it's just a kind of show in the House, and once it got to committee, that's where we would roll up our sleeves and start getting some serious work done.

All right, here we are at committee, and here's the opposition saying let's get some serious work done, let's agree on a fair process in terms of how to proceed and then let's get at it. The same government that rammed the bill through the House under the guise of saying that they want to get it to committee so there can be a thorough discussion now doesn't want to have that thorough discussion. They don't want to give Canadians an opportunity to be heard on their fundamental right of citizenship, which is the right to vote.

I will constantly be coming back, Chair, to the theme of wanting a deal. I'm an old auto worker negotiator. I like negotiating. I like the process of getting to yes, and compromising, with a little give and take. I enjoy the process, because my experience in almost 30 years at all three orders of government is that's really when we get good work done: when we can come to a compromise, especially on process.

Again, this shouldn't be the biggest fight, and it needn't be. It needn't be. What we should be doing is talking about this bill. However, in a parliamentary democracy, there are certain rights that non-government MPs have. Those rights are extended to the official opposition members and the other opposition members, but most importantly, in a democracy, they extend to the people. If the people

want to come out in their communities and do nothing but sing the praises of the government at hearings in northern Canada—

**An hon. member:** In Mississauga.

**Mr. David Christopherson:** —or Mississauga, yes, so be it. We're not trying to rig, not that we have the power to do it.... We're not trying to get any kind of unfair advantage. We're not trying to trap the government. We're not trying to make some political point that's separate and apart from this. All we want is a fair, honest opportunity to look at this bill and for us to make determinations on what's in the best interests of Canadians and their democracy.

It is possible for us to put a deal together. If we were serious about this, we could do it in less than half an hour. Within half an hour of starting negotiations, if both sides were serious, we could come to a compromise. I don't see how the official opposition and the other opposition parties can conduct themselves in any other way and be more fair and more responsible than that.

If it were pure politics, we would have jumped up that motion even more. We would not have put the May 1 date in there. We would have been doing political gymnastics to make that happen. Instead, at every moment that I have an opportunity, I'm asking the government to talk with us, to negotiate with us to find an agreement, to get past this process issue, and to get on with the substance of the bill.

• (1240)

Chair, we do have a responsibility here as the opposition to ensure that all the components are as fair as possible. That's what Canadians expect. They like to think their majority government, in whom they've placed all their trust, would take care of their interests.

The beauty and the genius of parliamentary democracy is that the system provides an opportunity for Canadians to feel like they actually have a say in their law-making. That is one of the hallmarks of a mature modern democracy. Yet that simple little ingredient of democracy the government refuses to give; so as much as this is not where we want to be, this is where we're bloody well going to stay until the government changes its mind and gives Canadians what they deserve.

While I have this opportunity—it's not often we get to talk directly to Canadians—I will say that in a majority government, at the end of the day, the government will get their way. They have a majority. Sometimes it can take a little longer. We can slow things down. We stopped those trips from happening because we said that if it's good enough to go out on those matters with those committees and spend that time and money, then we think it's equally important for this committee to get out there. We don't have too many tools to make our case to the government to get their attention, but that's one of them, so we removed that.

Chair, you know as well as anyone that at the end of the day, the government still has the means by which they can move motions and use their majority government to get what they want. It's just going to take longer. What we refused was the sort of motherhood housekeeping issue of allowing unanimous consent once it had gone through the proper committees.

Our power—no, I won't use the word “power”—our ability to effect change when the government has set a course is somewhat limited at the end of the day. However, the nuclear weapon in a democracy is still the people. I've been around long enough to know that if enough of those government backbenchers get enough contact from enough Canadians that they're upset and that they want this to change and that they want a fair process, the backbenchers will report to that minister, who will then report to the Prime Minister, and suddenly we're going to get hearings. As much as they might want this bill, there's not one of those government members who's willing to put their seat on the line for it, especially if their constituents agree that they are not being fair.

Fair is not a powerful word, usually, but to Canadians it means a lot. We accept that there are powerful forces in society. People get to make decisions that affect us. The government has all kinds of power to take money out of your pocket and spend it any way they want. They can pass laws about what you can do and can't do, but at the end of the day, Canadians will only believe that those laws are theirs if they feel some ownership, if they feel there has been fairness.

The government even calls the bill the fair elections act, because they know the importance of the word “fair” to Canadians. They're trying to co-opt that, and I get it; we did the same thing when we were in government, and fair enough. What's not fair is to send committees all over North America, all over the world, even to study democracy....

I've used the example of the foreign affairs committee. Our vice-chair was part of the delegation that went to Ukraine. Ukraine is an important country. I've been on four international election observation missions there for presidential elections and legislative elections. I have as much vested interest in and compassion, care and support for Ukraine as anybody else in this country.

I know that Mr. Opitz is a leader in our Parliament on that, and I give him kudos for that. He does a very good job. He probably would have been one of the forces behind that initiative to have us go there, study that democracy, and issue our report.

• (1245)

Why did we do that? Did we do it just so a bunch of parliamentarians would have a nice little perk of a trip? No. We did it because parliamentarians were going there to study the democracy, issue a report, and then lend Canada's voice to the international discussion around democracy in Ukraine. That's why we did it, as a positive contribution to democracy on the international stage. That's something else Canadians are proud of. We don't show up with our army, and we can't always show up with our chequebook, but we always show up wanting to help.

If we're willing to do all that for Ukraine, as we should as a G-7 country rich enough to do it, why aren't we willing to do that for Canadians? Why isn't the government willing to show Canadian

democracy and Canadian citizens the same respect that we collectively showed to Ukrainian democracy and Ukrainian citizens?

That's why I can only conclude that the government members have calculated that politically it is better to take the political hit and to live through these moments in which the opposition parties actually get the chance to have their say than it is to deal with what they think might happen if they leave the safety and security of the Ottawa bubble. That's why I say I think they're afraid.

This is a G-7 country whose government is afraid of its own citizens. Are the government members afraid they can't defend the changes? So, if we're in the north and we're seeing the processes that will actually be in place and we have a stark, clear vision that democracy is not being served and that this is hurting those folks who are afraid that's what's going to happen when we get out there, then what's the answer? Don't go out there. Stay here. Make it all just an esoteric argument so we're all nice and safe in here. We have security guards and we have spent millions on new security. It's all nice and safe here. We can make these kinds of oblique arguments about this, that, and the other thing.

It's very, very, very different if you're sitting up north in a community centre with the leaders of the community coming in and telling you hands-on how it is going to disenfranchise their community members. It's a lot harder for the government to say that's not true when it's right in front of them. I think they are afraid.

If they're not afraid of that, then they're afraid there might be some demonstrations. What did the government call it? A circus: that is what they thought of public hearings which Canadians come out to and especially if anybody would dare say something negative about our special little privileged government. God forbid that should happen. What do you do about that? Well, you deal with it in the same way you dealt with the other problem: you don't go there. You don't go there, because they can't get the picket signs as close here, because there are lots of rules and they're all nice and secluded and everything is all fine. They can manage that, but the idea that they might have to walk through a crowd that is not very happy outside of a committee room, oh, boo hoo. Boo hoo.

Try being Mike Harris's government when they had public hearings around their labour laws. I was there. There was the biggest circus in the world. I've seen lots of demonstrations. What I have not seen in my years is a government that runs and hides from its own people. That's the difference.

This government seems to think that if there are any demonstrations at any hearings, somehow democracy is being harmed. They have two arguments. One was, they said, that it was going to be a circus. By the way, outside the elected members, I'm not sure who they thought the clowns would be, but they called it a circus.

•(1250)

**Mr. Tom Lukiwski:** On a point of order, Mr. Chair, I just want to point out to my friend David that I actually called it a gong show as well.

**Mr. David Christopherson:** I was going to get to that. That was the second part.

**Mr. Tom Lukiwski:** Of course, that's not about the people attending the hearings who could be here today. That's just about the people you had organized to try to put on a public face of demonstration rather than hearing expert witnesses. That would be the gong show.

**The Chair:** Thank you, Mr. Lukiwski.

We'll go back to you, Mr. Christopherson.

**Mr. David Christopherson:** I appreciate the help, because I was looking for a segue to get to the gong show, and my friend provided it nicely, but let's just take apart what was just said. Let's listen to that.

It would be interesting to read *Hansard* to get the exact wording. Correct me if I'm wrong, but the essence of what he said was that all these demonstrations would be somehow what would happen instead of doing hearings.

This is the fallacy of the image they're trying to project. They're trying to suggest that there's going to be such a gong show and circus that no work will get done. Well, that's not true at all, because, Chair, you wouldn't let it happen. You would not let it happen.

**The Chair:** I'm letting it happen now—

**Mr. David Christopherson:** Oh, I'm sorry, Chair, do you consider this to be a gong show?

**The Chair:** No, I did not say that. You said about getting work done—

**Mr. David Christopherson:** Okay, because I would assume, and I have great faith, that you would ensure the hearings that need to take place will. I'd be the first one to say that we would make sure, if it's necessary, that we take all the security measures necessary so we could have that meeting. What worries me is a government that suddenly sees this as going into enemy territory, that they have to wear camouflage clothes and go in with combat boots on because somehow their own democracy is going to attack them. Come on.

There might be, or there might not be. I'm using the government's worst case scenario for why they won't hold a hearing. There may be some demonstrators. You know what, Chair? There are demonstrations here on Parliament Hill all the time. All the time, there are all kinds of public demonstrations, from a handful to tens of thousands. I'm not aware, and I stand to be corrected, that any of those demonstrations have caused a greater impact on our ability to work than, say, a visit from the President of the United States of America in terms of the disruption caused. I don't think it's even that great. Most of the time, Chair, when we're in the House or in committee and doing our work, somebody's protesting somewhere on Parliament Hill, or they're lobbying, or moving around. There are citizens here.

Well, that's all that's going to happen, if it happens at all. We'll go somewhere, to Churchill, to Nunavut, or to Vancouver. We have our

meeting place. Everything is all set. When we arrive, there are some people who have been outside exercising their democratic right to say something. We walk in, put our books on the table, go get a coffee or a glass of water or juice, sit down, and then we start working.

So what the member said.... This is the essence of the problem. The image, Chair, what the honourable member said, was that there would be all this commotion and therefore we couldn't do our work. That's what's not true. We can ensure that Canadians can exercise their right to have their voices heard and say what they think about Canadian politics, Canadian politicians, and Canadian governments. They will do it peacefully and they will respectfully allow all members and their staff to enter the room and take their place. Then we do the hard work.

•(1255)

**Mr. Tom Lukiwski:** Sounds like you've already got it all organized.

**Mr. David Christopherson:** That is exactly how it would unfold and how it should unfold. It's important, because the government suggests that as soon as there's anything outside the committee room, that somehow negates the ability to do any kind of business.

In their mind, maybe, and in their fearful mind, where every Canadian is a potential enemy, I suppose you'd see it that way, but the fact remains, if you look at it the other way, that all we're doing —

**Mr. Kevin Lamoureux:** Point of order, Mr. Chair.

Sorry, David.

**The Chair:** Mr. Lamoureux has a point of order.

**Mr. Kevin Lamoureux:** Yes. For my own personal future reference, Mr. Chair, when we do adjourn in a few minutes, is it safe to assume, then, that we would just continue on at the beginning of Tuesday's meeting with the speaking list that's currently in place?

**The Chair:** We would start a new meeting with a new meeting.

**Mr. Kevin Lamoureux:** A new meeting, so it would be a new list? Can I be put on that list?

**The Chair:** Not until that meeting.

**Mr. Kevin Lamoureux:** Just so you're aware, I would like to be, because I have quite a bit that I'd like to share.

**The Chair:** We do have another motion besides Mr. Christopherson's. We haven't finished his yet, but we do have another motion already that would need to be spoken to and eventually voted on.

Of course, while I have the floor, I'll say that we would like to start some strategy as to how we will do this study, talk about when witnesses would come, and how many of the 13 meeting days we have until the dates that have been mentioned here would be filled.

I'll go back to Mr. Christopherson and let him finish.

**Mr. Kevin Lamoureux:** Sure.

If I could, Mr. Chair, finally—

**The Chair:** It's not really a point of order, but try again.

**Mr. Kevin Lamoureux:** —I also have a motion. I guess I'll just provide a copy of it to the clerk.

**The Chair:** Table it with us and then we'll get to it eventually.

**Mr. Kevin Lamoureux:** I'll table it with you. Thank you.

**The Chair:** Mr. Christopherson.

**Mr. David Christopherson:** Thanks, Chair.

I have two things here.

First, you mentioned 13 days. I would just point out that this is following the usual scheduled meetings we have.

**The Chair:** No, no, that's not adding any more—

**Mr. David Christopherson:** Nothing in the rules would prevent us from meeting every day for two or three weeks if we wanted to.

**The Chair:** Around the clock, yes.

**Mr. David Christopherson:** So the 13 days is part of what's already set there, but that does not preclude us from meeting every day to meet a deadline, if we choose to, and work.

**The Chair:** The committee, of course, has...*[Inaudible—Editor]*.

**Mr. David Christopherson:** I also want to pick up on the point that was made by my friend Mr. Lamoureux.

It seems to me that right now the committee is into a steering committee meeting. We're public. We're seized of a motion and a member has the floor. When we come back next, we will pick up where we left off. The same motion is still before us. The member who had the floor still has the floor.

Is that correct, Chair?

**The Chair:** That's not my thinking on it, Mr. Christopherson, although if we came back as a steering committee, we would still have to deal with that too. We do have our regular committee meetings. It depends on which type of meeting we're coming back to.

**Mr. David Christopherson:** All right. Well, it's good that we're on this, then.

Would you agree that this motion has to be disposed of before you deal with any other motions in this regard?

**The Chair:** I would think that would be appropriate.

**Mr. David Christopherson:** Then by extension, that means this motion will still be before us at the next meeting, and if it is, I still have the floor.

Would that not be correct, Madam Clerk?

**The Chair:** You could ask me. I'll get advice if I need it.

The true answer here, Mr. Christopherson, is the wish that we would move forward with actual testimony.

**Mr. David Christopherson:** I agree, Chair. And you can see I'm trying—

**The Chair:** So let's not look for the bleak part, let's look for the good part...*[Inaudible—Editor]*.

**Mr. David Christopherson:** Fair enough. And in the interim, there could be a change of heart, we could have a deal, and there's no

problem, but in the extreme possibility that this may not happen, I just want to be assured that we're not going to get into another procedural fight here on how to proceed.

**The Chair:** *[Inaudible—Editor]*...the procedures committee.

**Mr. David Christopherson:** The fact is we still have this motion in front of us, and I still have the floor.

I agree, Chair, and I will say again, we want a deal. I would love nothing more than to turn to you and say—which I'm not, right now—that I am done, but I am not, and I will not be until such time as we get an agreement. I need to know that we're not getting into another schmozzle heading into our next meeting.

Chair, this motion is duly before this committee right now. I have the floor. I do need the assurance from you, sir, that this is where we will be when we come back.

**The Chair:** We cannot dispose of your motion until other people on the speaking list also get to speak to it, and of course we vote on it.

**Mr. David Christopherson:** Yes.

**The Chair:** Mr. Christopherson, you would immediately be able to put your name on the list and be available, after others, if that's the case, too, so let's worry about the—

• (1300)

**Mr. David Christopherson:** No, no, Chair, I have a bit of a problem. We have this motion in front of us now. The committee is seized of it. I have the floor. I am in order to have the floor.

If we're going to adjourn this meeting and continue, it seems to me we continue exactly where we are, given that you have said that we can't deal with any other motions until we have disposed of my motion.

Therefore, my motion will be the motion that's on the floor at the next meeting when we begin, and I will have the floor.

**The Chair:** With all due respect, Mr. Christopherson, I certainly hope we dispose of it at some point and move on to actual business of this committee, but we are finished for today—

**Mr. Tom Lukiwski:** Mr. Chair—

**Mr. David Christopherson:** Chair, you've left it unclear again. That's not helpful.

**Mr. Tom Lukiwski:** I just want to say that procedurally I tend to agree with David. Certainly the position from here is that if David wants the floor to continue to speak to his motion at the start of the next meeting, we have no problem with it.

**The Chair:** It sounds like you have friends in the room.

**Mr. David Christopherson:** It's just the rules, Chair. It's just the rules.

**The Chair:** Mr. Lamoureux, what are you going to say to this?

**Mr. Kevin Lamoureux:** Given the sense of friendship, Mr. Chairperson, I would ask that I be allowed to follow David.

**A voice:** No.

**The Chair:** We have a motion from Mr. Lukiwski in there too.

**The Chair:** Mr. Christopherson, I'm sure we'll see you on Tuesday, and I'm sure we'll be discussing your motion, here or wherever the committee deems it will meet.

**Mr. Tom Lukiwski:** Yes. I'm not sure when I'll get there. I may have a beard by then, but....

We are adjourned for today, and I sure wish we could move a little more forward the next time we meet.

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