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Chair

Mr. Joe Preston

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● (1900)

[*English*]

The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)): We will go ahead and get started tonight.

We have a good-sized panel. We have Keith Lanthier as an individual. From the Competition Bureau, we have Richard Bilodeau and Ann Salvatore. From the Fédération des communautés francophones et acadienne du Canada, we have Marie-France Kenny.

On a point of order, Mr. Richards....

Mr. Blake Richards (Wild Rose, CPC): Thanks, Mr. Chair.

I will be quite brief because I do want to allow lots of time for our witnesses tonight.

However, there have been some reports out there, particularly in the media, about the fact that Elections Canada has contracts, and there have been payments and remuneration made by Elections Canada to some of the witnesses who appeared before our committee on this study. As an example, Paul Thomas appeared before the committee on Monday evening last week, I believe. There was no indication given during his testimony or otherwise that he did, in fact, have a contract from Elections Canada, which was something that I think should have been disclosed.

We can argue over whether that's a good thing or not, but certainly, as an example, as members of Parliament we disclose any of our financial interests under the Conflict of Interest Code for Members of the House of Commons. It is incumbent that witnesses should, in fact, disclose any financial interests they might have in coming before a committee.

What I'm asking you to do, Mr. Chair, is to write to Mr. Mayrand, the Elections Canada CEO, and ask that he disclose any of the contracts that witnesses who have appeared before this committee, testifying on this bill, have with Elections Canada, and if he would also disclose the nature of the work that's been performed in exchange for that remuneration.

Mr. Mayrand does report to Parliament through this committee and we deserve to have those answers. That disclosure should be made, so I'm asking you to write to Mr. Mayrand and ask for that disclosure to be provided to the committee.

The Chair: Is it on that same point of order, Mr. Christopherson, or a different one?

Mr. David Christopherson (Hamilton Centre, NDP): No, it's the same one.

I've raised this before and it was just left, and that was fine. We could live with that. But now they're trying again and it's, “Are you and have you ever been a member of the Chief Electoral Officer's team?” The fact remains that if the government wants to ask any witness anything at all, they have that right, but it's not up to the chair to ask a question like this. It's part of the proceedings.

I'm getting a signal from you that maybe I can just stand down a moment, but—

The Chair: No, I was just noticing that Mr. Simms had his hand up too. That was a look of frustration that I'd like to—

Mr. David Christopherson: Well, we could go through this quickly if you would just say you're not going to do that.

The Chair: I'd like to hear from all first, and then I will say—

Mr. David Christopherson: Then it opens up a whole series of questions that are possible.

It's a government decision. They have decided that they want to run these witnesses through that filter and they are entitled to ask any questions they want. They spend most of their time talking out the clock anyway because they don't like the answers they get, but that's very different from making it part of the regular procedure that the chair of the meeting.... It's almost like swearing people under oath, that people have to go through certain hoops and divulge certain things before the meeting can ever start.

The Chair: That's not what I heard.

Mr. David Christopherson: It's not the question being asked. It's the fact that you're being asked to make it, as the chair, on behalf of everyone, and we reject that completely.

The Chair: Mr. Simms, on the same point of order....

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): It's my experience on committees that we always have a discussion preceding witness testimony. We have a discussion about who the witnesses are. Perhaps they should have brought it up then.

The Chair: In a normal steering situation, that may very well have been the case. We didn't really get to that on this.

Mr. Mayrand does answer to the procedure and House affairs committee and the committee is being asked to do that, but I'm going to take it under advisement for tonight.

Let us go ahead with our witnesses.

Mr. Richards.

Mr. Blake Richards: If I could just very briefly add to this, there were a couple of points raised refuting what I had asked you to do, but I really think, at the end of the day, we have an example here of a witness who did come forward and this was not revealed.

I don't think it's the responsibility of members of Parliament here on this committee to have to look into the background of a witness. I think that's something—

Mr. David Christopherson: Do you want to hear from me again? I'm sure you don't. He's not going to have the floor and we don't. So Chair...[*Inaudible—Editor*].

Mr. Blake Richards: —when there is an interest like that, it should just simply be disclosed. That's the reason why we're asking for that to be—

Mr. David Christopherson: The chair has ruled.

The Chair: I understand where you're at, Mr. Richards.

Mr. Christopherson, did you want to jump in again or not?

Mr. David Christopherson: My preference would be that we just move on and drop all this.

The Chair: Mr. Reid, is this on the same point of order?

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Yes. I appreciate that Mr. Christopherson is very passionate and has deep feelings, and I respect that. But I get frustrated with some of the analogies he makes. His comparison of this to the McCarthy hearings—"Are you now or have you ever been a member of the Communist Party?"—is simply inappropriate. This is about trying to determine conflict of interest, not about trying to determine whether someone has passed the kind of obscene purity tests that the McCarthy army hearings were imposing in the 1950s.

The Chair: Thank you, Mr. Reid.

I'd like us all just to take a deep breath, and let's go with our witnesses.

We'll get back to that one at some point.

Mr. Lanthier, please start with your opening statement.

● (1905)

Mr. Keith Lanthier (As an Individual): Thank you, Mr. Chair. I want to thank you and this committee for inviting me here this evening.

As I indicated, my name is Keith Lanthier. I live in the riding of South Shore—St. Margaret's in Nova Scotia.

When I heard that these hearings were only going to be in Ottawa, I knew that I needed to do something. One option would have been to discuss it with my member of Parliament, but there was not enough time, and I was not confident that I would even get a response. It was important for me to have a voice.

Fair elections are the cornerstone of any democracy. I must admit that in the past I really didn't give it a lot of thought. I had very few expectations when there was an election. There was always a sense of accomplishment after voting, but that's where it ended.

This changed for me in the May 2011 federal election with the robocalls scandal, and the changed mood intensified with the introduction of Bill C-23 in Parliament. Canadians from across this country are discussing the fair elections act and thinking about the critical role that fair elections play in our democracy.

From my perspective there are two basic questions. Will the fair elections act strengthen Canada's democracy by ensuring that every eligible Canadian is able to exercise his fundamental right to vote? Will it ensure that our elections are fair? While there may be some positive provisions in this bill, from my perspective the answer to both of these questions is no.

First, there are provisions in the bill to remove two methods of voting that have proven to be effective in ensuring that voters who do not have standard ID documents showing their name and current address can vote. These are the voter information cards and the vouching system.

In the last federal election more than 100,000 Canadians used the vouching system in order to cast their ballot. There are many reasons they may not have had the necessary documentation. Every year 13% of Canadians move house, and roughly four million Canadians don't have a driver's licence. There are many groups that may be negatively impacted if these changes are implemented.

The minister has repeatedly stated that these changes are necessary to ensure that there is no voter fraud. Harry Neufeld acknowledged that there were irregularities in 1.3% of the cases but that there was no evidence of voter fraud. He also noted that there are multiple reasons for these administrative errors. Mr. Neufeld made a number of recommendations, and none of them included the elimination of vouching or voter information cards.

It is also extremely important that elections be independent and transparent. One of the problems with Bill C-23 is that it changes the rules by which election officials, including central poll supervisors, are selected. There are concerns that these changes will compromise the non-partisan nature of these roles.

The role of the Chief Electoral Officer will also significantly change. The bill will prevent him and Elections Canada from engaging with the public in the same way with respect to our democracy. This includes engaging with children and youth, who are the next generation of voters. The student vote program reached more than 500,000 students in the last election. The decline in voter turnout is clearly an issue, I think we can all agree, but not reaching the next generation of voters is clearly not the solution.

Finally, when there is suspected voter fraud, there must be the necessary mechanisms in place to conduct thorough investigations. Bill C-23 simply states that an independent investigation will be initiated, if there are sufficient grounds. The investigator will still have no power to compel witnesses to testify. That is the key reason that Canadians still have limited information about the improper use of robocalls in the last election.

This is in sharp contrast to section 11 of the Competition Act, whereby a judge can order someone to present evidence under oath or to produce documents, if the court is satisfied that the information is relevant to the inquiry.

These are just some of the serious flaws with this legislation that I can mention in the time that I have. It is for these reasons and other concerns that Bill C-23 must be withdrawn.

All Canadians deserve to be part of this conversation, and not just those who've been able to make a written submission or appear before this committee. It is too vital to our democracy to be a ball bouncing back and forth between political parties.

● (1910)

It is also my strong belief that any serious discussion of electoral reform has to include the possibility of adopting some form of proportional representation. This way, every vote counts. Canadians want to be engaged in this discussion—I've certainly had many around my own area—and it is necessary to respect this. There can be no legitimacy without a comprehensive and consultative process.

Thank you.

The Chair: Thank you.

Next is Mr. Bilodeau from the Competition Bureau.

Mr. Richard Bilodeau (Assistant Deputy Commissioner, Civil Matters Branch, Competition Bureau): Thank you, Mr. Chair, for inviting us to appear today.

[*Translation*]

My name is Richard Bilodeau. I am an Assistant Deputy Commissioner in the Civil Matters Branch of the Competition Bureau.

[*English*]

I am accompanied today by Ann Salvatore, acting assistant deputy commissioner in the criminal matters branch.

I would like to briefly describe the mandate of the Competition Bureau and give an overview of the bureau's investigative powers under the Competition Act.

The Competition Bureau, as an independent law enforcement agency, ensures that Canadian businesses prosper in a competitive and innovative marketplace. Headed by the Commissioner of Competition, the bureau is responsible for the administration of the Competition Act, the Consumer Packaging and Labelling Act except as it applies to food, the Textile Labelling Act, and the Precious Metals Marking Act.

[*Translation*]

The Competition Act provides the commissioner with the authority to investigate anticompetitive behaviour. The Competition Act contains both civil and criminal provisions, and covers conduct such as bid rigging, false or misleading representations, price fixing or abusing a dominant market position, among other things.

The Competition Bureau also reviews mergers over a certain size to determine whether they would result in a significant lessening or prevention of competition.

The bureau is an investigative agency, with no adjudicative function. If a civil case proceeds to litigation, the commissioner can apply to a specialized competition tribunal or the courts for a remedy. The commissioner may, at any stage of an inquiry, refer a criminal case to the director of public prosecutions for prosecution in the courts. Criminal cases are typically referred when a commissioner is of the view that the evidence shows that an offence has taken place.

The commissioner of competition may commence an investigation based on information obtained from a variety of sources, including, for example, market observations, in response to formal complaints and as a result of immunity or leniency applications.

[*English*]

The immunity program is one of the bureau's most effective tools for detecting and investigating criminal anti-competitive activities prohibited by the Competition Act. Under the immunity program, the first party to disclose to the Competition Bureau an offence not yet detected or to provide evidence leading to the filing of charges may receive immunity from prosecutions from the Director of Public Prosecutions of Canada, as long as the party cooperates with the bureau.

Under the leniency program, the bureau may recommend to the Director of Public Prosecutions that cooperating persons who have breached the cartel of provisions of the Competition Act—who are not eligible for a grant of immunity—nevertheless be considered for lenient treatment in sentencing.

[*Translation*]

When the bureau has reason to believe that a contravention of the Competition Act has occurred, the commission can initiate a formal inquiry under section 10 of the Act.

When a formal inquiry has been initiated, the bureau can collect information in a number of ways, either voluntarily or through the use of formal investigative powers granted under the Act and the Criminal Code.

The bureau's philosophy is that most companies in Canada wish to comply with competition law regulations. The bureau recognizes the strong desire to comply and implement compliance promotion, education, information, advocacy, outreach and related programs in order to ensure that companies understand very clearly what is expected of them by the law.

However, if companies with market power engage in anticompetitive activity, we will use the full force of the law to achieve compliance.

[*English*]

The bureau's formal investigative powers under sections 11, 15, and 16 are available for both civil and criminal investigations. In criminal cases, the bureau also has access to additional powers under the Criminal Code.

Under section 11 of the Competition Act, the commissioner may seek court orders to require oral testimony, written returns, or the production of records relevant to the investigation. Under sections 15 and 16, the commissioner may seek orders to search and seize relevant information. In criminal cases, the commissioner may also seek warrants or orders under the Criminal Code to produce information, conduct searches, or undertake wiretaps. The bureau must always seek jurisdictional authorization to use these formal investigative powers.

● (1915)

[*Translation*]

Thank you.

I would be happy to answer any questions you may have.

[*English*]

The Chair: Thank you.

Ms. Salvatore, did you have any opening comments?

Ms. Ann Salvatore (Acting Assistant Deputy Commissioner, Criminal Matters Branch, Competition Bureau): No, I don't have anything more to add to Mr. Bilodeau's opening statement.

Thank you.

The Chair: Ms. Kenny.

[*Translation*]

Ms. Marie-France Kenny (President, Fédération des communautés francophones et acadienne du Canada): Thank you very much.

I would like to take a few minutes to clarify one point and I hope that this time will not be taken off my five minutes.

I am the sole proprietor of two businesses, one of which is a consulting business that has had Elections Canada contracts. When I became President of the FCFA I entrusted the management of my two businesses to a third party. I therefore cannot tell you if that business still has contracts with Elections Canada at this point in time. However, I would be happy to give you any information you require. I can provide you with copies of current or previous contracts if the committee so wishes.

That said, I am appearing today as President of the FCFA of Canada and it is in that capacity that I will be speaking.

Thank you for inviting the Fédération des communautés francophones et acadienne du Canada to appear before you today.

The FCFA is the principal spokesperson for 2.6 million Canadian men and women who speak French in nine provinces and three territories. The federation's mission is to foster the vitality of francophone and Acadian communities, support the promotion of linguistic duality throughout the country and advocate for the rights of French-speaking Canadian men and women in minority situations. The federation also plays a leadership role with the network of organizations and institutions within the Canadian francophonie.

To our knowledge, no one has to date examined Bill C-23 from the perspective of the obligations set out in the Official Languages Act. That is what we will be speaking about today. In that sense, there are two aspects of Bill C-23 that we are greatly concerned about.

I will speak first about section 7 of the bill.

The changes proposed in the bill will put an end to the Chief Electoral Officer's power to communicate with the public in order to inform them about the electoral process. From our communities' perspective, this would mean that the Chief Electoral Officer would no longer be able to initiate information programs in order to promote participation in the democratic process by francophone citizens in minority communities.

That civic education and public information role would be left to political parties. However, contrary to the Chief Electoral Officer, they are not bound by the Official Languages Act. So how will francophones be encouraged to vote in those areas where our communities are either spread far apart or where they are a very small minority? Will anyone bother?

Restricting the ability of the Chief Electoral Officer to communicate with francophone minority communities goes against the spirit of part VII of the Official Languages Act. Under part VII, the federal government is committed to enhancing the vitality of English and French minorities in Canada and supporting their development, as well as fostering the full recognition and use of both English and French in Canadian society.

The FCFA is therefore opposed to the proposed changes under section 7 of the bill. In fact, if any change is made to section 18 to the Canada Elections Act, it should be with a view to strengthening the Chief Electoral Officer's obligations towards official language minority communities. A provision could be added that would clearly define the Chief Electoral Officer's role in promoting civic participation of these communities by exercising their democratic rights. That is what we recommend to this committee.

We are equally concerned about the changes being proposed under sections 18, 19, 21 and 44 of the bill.

Currently, under the Canada Elections Act, deputy returning officers and poll clerks are appointed based on a list of candidates provided by the party that came first or second in that riding during the previous election. This current provision is already very problematic for francophone citizens who wish to receive services in the official language of their choice at polling stations.

Far from resolving this problem, the proposed changes extend this process to other positions, including that of central poll supervisor, and add party associations and political parties to the list of bodies that can recommend candidates for these positions. Neither the candidates, nor the party associations, nor the political parties themselves have any obligations under the Official Languages Act. This means that Elections Canada, a body that is, would no longer be able to ensure that the candidates on those lists for election officers' positions would be able to comply with those obligations.

How will we be able to prevent that situation from getting worse in a context where Elections Canada is not able to ensure that election officers have the ability to provide services in both official languages?

● (1920)

The FCFA is therefore opposed to the measures proposed in sections 18, 19, 21 and 44 of Bill C-23.

The FCFA also recommends that the positions being filled by the same process under the current Canada Elections Act be filled through Elections Canada and not through a list submitted by the candidates, who are not bound by the act.

The democratic rights guaranteed by the charter not only include the right to vote, but also the right to effective representation and the right to play a significant role in the electoral process. In our opinion, Bill C-23 in its current form infringes on the right of electors in francophone and Acadian communities to exercise their rights.

Thank you. I am happy to answer any questions you may have.

[*English*]

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

We will go to questions first.

Mr. Reid, you have seven minutes, please.

Mr. Scott Reid: Thank you, Mr. Chair.

[*Translation*]

My first question is for Ms. Kenny.

Does current legislations stipulate the right to vote and to communicate with Elections Canada in one of the two official languages anywhere in the country? Are there any limits to those rights for individuals living in areas that are almost entirely francophone or anglophone?

Ms. Marie-France Kenny: The legislation stipulates that in regions that are designated bilingual, for example regions where at least 5% of the population is made up of francophones, Elections Canada must provide services in French.

I will tell you about my personal situation. I am an elector in Tom Lukiwski's riding, whom I would like to greet in passing. During the last election, I went to the advance polls. When I went to my polling station, there were no French-language services. There was a huge fuss to figure out how I was going to be served. It was the people who were already there and who were waiting their own turn who helped me vote in French.

That is a problem that will only become worse if positions are filled based on lists provided by parties, associations and candidates.

I do not know if the candidates in my riding have a list of bilingual individuals. Perhaps Mr. Lukiwski could answer that question. It may be that in places like Regina, Lethbridge, Port au Port, Newfoundland and Labrador, candidates will not be able to provide lists of individuals who are able to fulfil their duties in French.

Mr. Scott Reid: The Chief Electoral Officer must, by law, table a report after each general election. Has he used that report to show that service has been provided in both official languages to the fullness of his abilities under his obligations in the Official Languages Act?

Ms. Marie-France Kenny: I am going to be absolutely frank with you: I have not read the most recent report of the Chief Electoral Officer.

Mr. Scott Reid: Like most Canadians.

Ms. Marie-France Kenny: Yes.

I can, however, tell you about our reality. I described my own situation. We do, however, have access to French-language services in most offices. Sometimes the effort is made, but not always. It depends on the region you live in.

If institutions bound by the act already have trouble filling those positions, I cannot imagine how they will manage to do so based on lists that will have been drawn up by individuals or bodies who have no obligations under the act. That is what we are saying today.

There are problems in some regions. This varies from one election to another and from one riding to another.

● (1925)

Mr. Scott Reid: Let's move on to something else.

Section 7 of Bill C-23 would replace section 18 of the Canada Elections Act by the following:

> 18. (1) The Chief Electoral Officer may provide the public, both inside and outside Canada, with information on the following topics only:
>
> *(a)* how to become a candidate;
>
> *(b)* how an elector may have their name added to a list of electors...;
>
> *(c)* how an elector may vote under section 127 and the times, dates and locations for voting;
>
> *(d)* how an elector may establish their identity and residence...;
>
> *(e)* the measures for assisting electors with a disability to access a polling station or advance polling station...

Perhaps we need another paragraph indicating that the Chief Electoral Officer has an obligation to inform Canadians of their language rights in an election and when dealing with Elections Canada. He could provide them with information on, for example, where they can vote in the language of their choosing as well as any other rights they have.

Ms. Marie-France Kenny: I think it is a great idea to make sure francophone Canadians know they have the right to vote in French all across Canada, or at least in regions that are designated bilingual.

In addition, Elections Canada has developed some tools that, I know for a fact, our communities are using. One is a guide called “Je peux voter!“ (I can vote!), for people with French as a second language. For example, a newcomer from Morocco with French as a second language, or with low literacy skills, can consult these tools developed by Elections Canada. These tools are for people with low literacy skills, and they are being used.

I know there are some kits being used in French-language schools here and there to encourage young people to set up a student council, for example. These tools educate our young people on the election process.

I always use my riding as an example. I am sorry, Mr. Lukiwski, but I happen to be a voter in your riding. That said, I have never seen a bilingual election sign in my riding. The only bilingual thing I have seen in my riding is what Elections Canada was producing. These were products you would see as you went into the polling station. I have never seen an election sign asking for people to vote for so and so in French. Mr. Lukiwski, correct me if I am wrong, but I have never seen that from any party.

[*English*]

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): I should probably interject here as a point of order to let Ms. Kenny know that under the new boundaries redistribution, I won't be representing Regina anymore. I'm starting to get a sense that may be a good thing for me.

Voices: Oh, oh!

[*Translation*]

Ms. Marie-France Kenny: And here I was expecting to see a French sign from you, Mr. Lukiwski.

[*English*]

The Chair: If I can rule, that's not a point of order.

Madam Latendresse, you're up please. I don't know what the split is here, so tell me.

[*Translation*]

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): No problem. I will get right to it.

Actually, I just have a few quick questions for Ms. Kenny too.

First of all, thank you for supporting the bill I put forward requiring officers of Parliament to be bilingual. It was supported by all parliamentarians. It would be nice if there were unanimous support for this bill too. It is every bit as important in this case for us to reach an agreement and find consensus.

Can you give us any examples of things Elections Canada has done with people in your community to promote the right to vote and boost voter turnout?

Ms. Marie-France Kenny: First of all, the tool I referred to, for people with low literacy skills, has been widely used in our communities, particularly by organizations that assist newcomers or that do literacy work. It is an educational tool. It helps people understand the election process. Tools like that have a much broader reach than what is contemplated in the bill.

Second, there are tools designed to inform young people in our communities. You know, young people in official language minority communities don't have very many tools available to them. But now, they have some tools to help them organize activities in their schools. In our view, these tools are important. They get a lot of use in our schools.

● (1930)

Ms. Alexandrine Latendresse: Thank you.

It's very interesting to discuss this bill from the standpoint of official languages. You are the first one to raise that dimension.

I am going to give the rest of my time to Mr. Scott.

[*English*]

The Chair: Mr. Scott, you have just about five minutes.

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

I'd like to start with a couple questions to our guests from the Competition Bureau. The first question is about section 11 of the Competition Act, which provides for the possibility of a judicial order for oral examination. The Competition Bureau can go and basically.... We've been discussing getting a judicial order to be able to compel testimony. There's been a lot of talk of a need for that within the Elections Act.

My question is this. Are there safeguards in that provision against abuse with respect to the person who may be ordered to be a witness? Do you think they're adequate or can they be, in light of maybe new case law? If we were to draft a similar provision in the Elections Act to section 11 in the Competition Act, is there anything you would update it with by way of safeguards?

Mr. Richard Bilodeau: I can only speak to what we do at the Competition Bureau and how we use section 11. Section 11 has three parts to it. Section 11(1)(a) allows the commissioner to seek from the court an order compelling somebody to provide oral testimony under oath. Section 11(1)(b) does the same thing in regard to documents from businesses or individuals, and 11(1)(c) provides for information that can be written questions put to a business or person and then written responses to those questions.

So before we get to the ability to seek a section 11 order, the commissioner has to initiate what we refer to as a section 10 inquiry. He has to have reasons to believe that either an offence has occurred under the act or an order from the competition tribunal, for example, could be made under Part VIII or Part VII.1 of the act. Only then, when we are in inquiry, can we go to a court and ask the court to issue a section 11 order. Now to do that we do—

Mr. Craig Scott: So there are already some kind of reasonable grounds to be wanting this?

Mr. Richard Bilodeau: Well, to go to the threshold for a section 11 order, we need to provide the court with an application. Essentially it's an affidavit setting out the grounds why we are asking for a section 11 order. There are two tests essentially: that we are under inquiry and that the target of the section 11 order that we're seeking has information that is relevant to the inquiry. So the information has to have a link to the inquiry that we're conducting. Only then can the court consider issuing the section 11.

When we do draft our section 11—and we do draft the order and we draft the questions that we're looking for when it comes to documents, written records, and written responses—we take great care to make sure that we're asking only for information that we need for our investigation. We're balancing the need for our investigation and being too broad in terms of the questions that we're asking.

Mr. Craig Scott: The safeguards that are written into the provision include use immunity, in the sense that anything that is given up during compelled testimony can't be used in court, and the Supreme Court has also held that derivative use immunity would apply as well.

You basically can't get something from a witness and then say that it gives you the idea to go and find something else without being able to show you would have found that something else otherwise, correct?

Mr. Richard Bilodeau: So the Competition Act provides, concerning a person who provides oral testimony under section 11 (1)(a), that we cannot use that information against that person. It also provides that we can't use the information under section 11(1)(c), which is the response to written questions.... We can't use that information against an individual. It would be a different matter if it was a business responding to the questions.

Mr. Craig Scott: Has section 11 proven to be, from your point of view, useful in investigations? If it were to be repealed, for example, would that in any significant way affect your investigations?

Mr. Richard Bilodeau: It's hard for me to speculate on the impact if you were to remove it. What I can tell you is that our investigations are fairly complex. They involve, oftentimes, anti-competitive conduct that impacts large swaths of the economy, and all of the tools that we have, whether it's section 11 or the ability to search, are all equally important. In any given investigation we use some of them, maybe just one of them, or maybe a few of them—

● (1935)

Mr. Craig Scott: But you do use section 11?

Mr. Richard Bilodeau: We do use section 11. It is an important tool in our arsenal. We do use it.

Mr. Craig Scott: Great. Mr. Lortie earlier today talked about how he can't quite figure our why a provision that's proven so useful to go after significant system-wide economic crime can't be available in the context of maybe one of the most fundamental act statute in our system, the Elections Act. So it's important that we know that it's proven important, at least in your context.

Lastly, Mr. Lanthier. Are you an ordinary citizen, sir?

Mr. Keith Lanthier: I believe so. Yes, I am.

Mr. Craig Scott: You're not really in support of this bill. Do you know of other ordinary citizens who are not in support of this bill?

Mr. Keith Lanthier: What I would say to that is what I said in my introductory remarks, that this is generating a lot of discussion, whether it's in the media, whether it's just in the community that I live in. I know there are going to be different sides to this, people are going to have different points of view. There are different points of view here on this committee.

My concern is twofold. One, Canadians are talking about this and Canadians need to be heard, and there needs to be a process that takes that into account, because without that process and if it goes the way it is now, in my opinion, it will severely affect the legitimacy of this. Canadians want to be part of that.

The Chair: Thank you.

Thank you, Mr. Scott.

We'll go to Mr. Simms for seven minutes.

Mr. Scott Simms: Thank you.

I'm sorry if some of this seems repetitive, but when you're third sometimes it's hard to come up with new material.

I'm going to start with Ms. Kenny—

Mr. David Christopherson: [*Inaudible—Editor*]

Mr. Scott Simms: I can hear you, you know.

The Chair: That was your outside voice, Mr. Christopherson.

Mr. David Christopherson: Yes, I apologize.

Mr. Scott Simms: I'm used to his outside voice. Trust me, it's as bad as the inside.

Ms. Kenny, when it comes to the new rule where the poll supervisor is now given that job the same as a poll clerk or a deputy returning officer, it seems to me that has now become a little bit too excessive. It's one thing to have two people at the poll doing that, but if the supervisor was fully bilingual, would that be beneficial to areas that are above the 5% you say must be bilingual service?

[*Translation*]

Ms. Marie-France Kenny: Actually, no. In our opinion, this provision will make things even more difficult. We recommend doing away with the proposed amendment. Furthermore, we recommend that the Canada Elections Act, if it is to be amended, should provide that from now on, this method of filling positions no longer applies to the other positions, such as poll clerk and deputy returning officer.

There's another thing we haven't talked about. Part VI of the Official Languages Act guarantees French-speaking Canadians and English-speaking Canadians equal opportunities for jobs. In a town like Falher, Alberta, how do you go about drawing up a list of potential candidates, whoever submits it, so that francophones and anglophones in Canada have equal opportunities for a position in the federal public service?

Positions are usually posted. You can see that when the public service posts a position, it has to do so simultaneously in English and in French, so that it is accessible to anglophones and francophones. If a list of names is submitted by some entity, that entity will not be subject to the requirements of part VI of the Official Languages Act.

[*English*]

Mr. Scott Simms: This goes to the core of what you consider to be against any official language rights that you have and your group has. Would it be fair to say that?

[*Translation*]

Ms. Marie-France Kenny: Absolutely. When I go to vote, I don't want to feel uncomfortable about wanting to vote in French. I want to have the same rights as any other citizen.

The last time I went to vote, people standing in line with me were uncomfortable. Ultimately, I didn't get any assistance in French. It all happened in English, for me.

Mr. Scott Simms: Thank you, Ms. Kenny.

[*English*]

Mr. Bilodeau, in regard to section 11, I'm very interested in this because I think obviously this was the golden opportunity that was lost. That's just my political angle, and you don't have to respond to that, obviously. Would you say in the business community that section 11 is a pretty good deterrent to use, and people tend to comply? The whole goal here is for compliance before you go to the DPP. Obviously the business community knows about section 11 and they know that they will be compelled to testify. So do you find that you don't get to use section 11 for that reason?

● (1940)

Mr. Richard Bilodeau: Section 11 is an investigative tool. It's a way to get information to allow us to determine whether or not the act has been violated.

Mr. Scott Simms: How often do you use it?

Mr. Richard Bilodeau: We use it regularly. For example, in the last fiscal year, 2013-14, we asked for and got 26 section 11 orders from—

Mr. Scott Simms: That's more than I thought.

Mr. Richard Bilodeau: It's an investigative tool. When we do conduct an investigation, we have a lot of ways to collect information. When we go to third parties that aren't involved in the conduct that we're investigating, a lot of times asking the questions on a voluntary basis or providing information on a voluntary basis is sufficient. However, there are times when those companies that we are seeking information from either have commercially sensitive information that they cannot or are unwilling to provide to us voluntarily, or even that there are confidentiality provisions. In those instances, then section 11 is a useful tool. But when we seek information in a civil context from a target of one of our investigations, our default is using section 11. It ensures information is provided to us in a timely manner and that the information is complete.

Maybe I can give you a bit of a flavour in terms of what we do with the information, because you referred to the DPP.

Maybe I can turn it over to my colleague—

Mr. Scott Simms: That was the next question. I want to know your relationship with the DPP.

Go ahead.

Mr. Richard Bilodeau: I'll turn it over to my colleague to answer that.

Ms. Ann Salvatore: Sure.

The Commissioner of Competition investigates anti-competitive conduct under the act, both civil and criminal. Under the criminal provisions, once the commissioner has developed a case, that evidence will be referred to the Public Prosecution Service of Canada, the DPP, who will take the decision to prosecute.

Mr. Scott Simms: Is that the first time they're engaged in that investigation whatsoever?

Ms. Ann Salvatore: Along the way, through our investigations, they will provide prosecutorial advice. But ultimately, in the end it's their decision as to whether they will lay charges, whether they will proceed with a prosecution. We will make recommendations—we can make recommendations on sentencing, we can make recommendations on granting immunity or leniency—but ultimately it's their decision in the end.

Mr. Scott Simms: It comes down to the evidence that you get. Section 11 gathers quite a bit.

Sorry, Mr. Bilodeau.

Mr. Richard Bilodeau: I wanted to add that's on the criminal side. We do have civil provisions in the act. In the context of the civil provisions, it is Department of Justice lawyers, not DPP lawyers, that handle our cases and litigate our cases. We do find ourselves in a different relationship, where we are the client for the Department of Justice, in those civil cases.

Mr. Scott Simms: That's interesting. Thank you.

Mr. Lanthier, I'll say a statement and you can tell me if you agree.

If people knew how bad this was going to be, would the uproar be much larger?

Mr. Keith Lanthier: I would answer that by saying I think people are aware. I think people are very informed. I think Canadians are very informed. For me, personally, this is my only avenue, other than writing a letter to the paper, to have a voice. I am one of the Canadians across the country who.... I think they understand. Everything, whether it's in the paper, on the media, through news stories, is well covered, so people know.

The Chair: Thank you very much.

We will go to four-minute rounds, and if we keep it tight to four minutes we will get it in.

Mr. Richards, you have four minutes, please.

Mr. Blake Richards: Thank you, Mr. Chair.

Mr. Lanthier, I'd like to start with you. You did mention in your opening remarks some things that you were concerned with in the bill, but you did mention very briefly that you thought there were some positive provisions in the bill. I'm just curious if you could elaborate a bit on what those are.

Maybe I'll ask you some questions specifically. For example, the extra day of advance polling that's being provided, would that be something you would be supportive of? Do you think that's a good thing?

● (1945)

Mr. Keith Lanthier: I really don't have an opinion on that. I've never been prevented from voting under the current system so it won't mean, I don't think, anything personally for myself, so no.

Mr. Blake Richards: Okay. But I suspect you'd probably agree that it's a good thing to provide voters with dates and whatnot, that they can vote—

Mr. Keith Lanthier: I think that it's important that Canadians who want to vote are able to vote. But if we have one thing that sort of encourages voting and maybe four or five things that discourage voting, I think we need to focus on the four or five things that discourage voting versus one that may enable people to vote.

Mr. Blake Richards: Yes, and we may not necessarily agree that there are things that discourage them voting. In fact, I think when you have 39 forms of identification, there's lots of opportunity.

I think one of the problems, personally, is some of the communication about these things. For example, the advance polling, in your case you've indicated you've never had any issue being able to vote on election day. That's fine. But there are other individuals, obviously, who wouldn't be in that same boat and would have reasons why they couldn't physically be there that day or whatever. I think sometimes that people don't realize that there are other options for them.

We've heard a number of times in this committee from people who say there's no ability to vote. This isn't specifically what we were talking about, advance polling, but that's obviously one of the things. I think if Elections Canada did a better job of communicating to people some of these options, like advance polling or a special ballot, these kinds of things, I think it would really help to bring up participation. I just wondered what your thoughts were.

Mr. Keith Lanthier: Can I just respond to that?

Mr. Blake Richards: Sure.

Mr. Keith Lanthier: As I said, I've never been prevented from voting. If I wanted to vote, I have been able to vote. None of the people I know have been prevented from voting.

I guess this is my issue. Canadians, as I indicated, are talking about this. When Canada negotiates a free trade deal, that takes years and years. You're working out details back and forth. But for some reason, for the Fair Elections Act, we have to somehow get it within six months. Somehow we have to do all of this.

From my perspective, I think Canadians are being robbed of their opportunity. I'm here today, but I could have 50 people sitting in this chair who want to express the same kinds of issues. We may disagree, but I'm here because of the process. The process has to be fair, and I don't believe it is.

Mr. Blake Richards: I appreciate that, and I do appreciate your being here. I think it's important that we all have our chance to have our views heard.

Mr. Keith Lanthier: Thank you.

Mr. Blake Richards: I think this process that we're undertaking with this committee does provide that.

Maybe I'll ask you about something else. There's the idea of banning the use of unpaid debts, unpaid political loans—we've seen that in the past from some candidates, in particular in leadership races and things—and using those to be able to get around donation limits. We're obviously changing that, tightening that up.

Is that something that you think is a good thing?

Mr. Keith Lanthier: I would say two things.

Number one, off the top, I really don't have that level of expertise.

Mr. Blake Richards: Okay. Fair enough.

Mr. Keith Lanthier: But what I would say is that in the last election, there were clear examples of overspending. I think in order to have a fair election, we have to have a fair level playing field.

Mr. Blake Richards: So making the rules clearer would be good —

Mr. Keith Lanthier: Whatever can be done in terms of transparency and accountability; frankly, I didn't see that in the last election.

The Chair: Thank you very much.

We'll go to Mr. Scott for four minutes, please.

Mr. Craig Scott: To the Competition Bureau, I'm just wondering if in either your statute or your practice you are under, or feel to be under, an obligation to provide written notice that you're investigating a company or somebody.

Mr. Richard Bilodeau: We do have a practice.

I'll let my colleague answer that question.

Ms. Ann Salvatore: Maybe I'll start by explaining our confidentiality provisions.

We do have strict confidentiality provisions, under section 29, that limit the disclosure of information, except for instances of sharing with Canadian law enforcement agencies or for the administration and enforcement of the act. We also are required to conduct our inquiries in private. However, within those bounds, in terms of targets of our investigations, we are giving them opportunities to engage in dialogue with the bureau. Depending on circumstances, they may be notified that they are under inquiry and the nature of that inquiry.

Mr. Craig Scott: Are you under an obligation to inform them?

Ms. Ann Salvatore: We're not under an obligation, no, but we do inform them in certain circumstances, depending on the case or what provision of the act we're investigating. It also gives them an opportunity perhaps to resolve their liability. That's with respect to targets.

In terms of the public, if our investigation results in a prosecution or a civil proceeding, then the matter becomes public, becomes on the public record, and in most instances we will issue a press release. In other circumstances, if we resolve an investigation through a negotiated settlement, if we believe the results of that investigation could provide guidance to the public in terms of how we enforce the act, if there's a novel issue that we've dealt with, then we may issue a position statement.

● (1950)

Mr. Craig Scott: Okay. Thank you very much.

At the moment, Bill C-23 would require the commissioner to give written notice that a person is being investigated, with some possibility of deciding “I won't do that”, but the primary obligation is that they must. But we also have a provision that makes it very clear that the commissioner cannot provide after-investigation information, such as the kind of summary you've suggested your commission can do on occasion for the benefit of the public. That's actually prohibited by proposed section 510.1.

The other thing is that the standard set out in Bill C-23 for a commissioner to even begin an investigation is an interesting standard. I'm hoping the minister remains open to amending it. It basically says that the commissioner may conduct an investigation if he or she believes on “reasonable grounds” that an offence has been committed. My understanding, at least from other areas of law, is that this is a much higher standard, which I am used to seeing in criminal law areas, for example, to be able to even start an investigation. I understand from your presentation that the simple fact of market condition fluctuation might be enough for you to start an investigation.

Is the standard of reasonable grounds a standard that you would use, or do you have a much lower standard? This is not to compel testimony or anything like that; this is just to start investigating.

Mr. Richard Bilodeau: It wouldn't be appropriate for me to get into this. I'm not a lawyer. I'm not counsel for the Department of Justice. I wouldn't want to get into the legalities of “reasonable grounds to believe”, and what that means.

Just to be clear on when we can start an investigation, the commissioner has that ability to start an investigation. He does so not just simply if there are market conditions, but if he has reasons to believe that a company is engaged in anti-competitive conduct. We have to have some sort of behaviour in the market.

The Chair: Thank you very much.

Thank you, Mr. Scott.

We'll go to Mr. Lukiwski for four minutes to finish this.

Mr. Tom Lukiwski: Thank you very much.

I have questions for our representatives from the Competition Bureau.

I'm trying to get some clarity here because we've heard from members of the opposition throughout this examination of Bill C-23 that they believe the commissioner of elections should have the power to compel testimony, something that you currently have in the Competition Bureau.

My point is simply this. The power to compel against an individual that the commissioner of elections is trying to pursue, or is pursuing, couldn't ever be used because any testimony that came out of that wouldn't be accepted by the courts afterwards.

My understanding, in your particular case, is that the power to compel testimony is mainly due to, or for, administrative issues. Would that be a correct assessment? Or have you used this to try to compel an individual to come forward and provide testimony?

Mr. Richard Bilodeau: We have used the ability to seek an order from the court to compel testimony from an individual.

You're correct in saying that if we get testimony from an individual we cannot use that testimony against that person.

We have used it in instances where we have documents that need some explanations. For reasons maybe of that person being under certain confidentiality obligations, we will seek a section 11(1)(a) order to compel testimony from that person. We've also used it in situations where maybe.... To give an example of where we could use it, if companies are involved in an illegal criminal cartel under the Competition Act, often people don't put those legal agreements in writing and oral testimony may be how we would be able to get the evidence we need to uncover it. It is a tool that we use, but you are right, we cannot use that testimony against those individuals.

● (1955)

Mr. Tom Lukiwski: Thank you for that.

The reason I'm bringing that forward, of course, is because the opposition continuously says, and I've heard it from some of our witnesses as well, that if the commissioner of elections had the power to compel testimony then we could have gotten to the bottom of the Pierre Poutine case already by merely getting witnesses forward. You could not use that information in court afterwards. That's why that would never be used. I'm glad you confirmed that.

This may be an unfair question, but I'll ask it anyway. If you were analyzing Bill C-23 comparatively, the issue about the ability to compel testimony, do you believe the ability you currently have would enhance the ability of the commissioner of elections to receive the type of information he would need in the course of his investigations, or do you have any opinion?

Mr. Richard Bilodeau: I can't speak to what other agencies need or don't need in investigating power.

Mr. Tom Lukiwski: As I said, it's an unfair question, but I appreciate that.

Thank you, Chair.

The Chair: Thank you.

We'll finish at that point and thank our witnesses for this hour of knowledge.

We thank you for coming tonight to do so.

We'll suspend while we change the panels.

● (1955)

(Pause)

● (2000)

The Chair: We're about to start this portion and we will do that.

Welcome back, Committee, we'll start our second hour.

We have the Honourable Preston Manning and Madam Fraser and Borys Wrzesnewskyj.

Mr. Manning, we'll let you go first. We always like to go with the ones covering on technology first in case we lose them. So if you have an opening statement for us, please go ahead.

Hon. Preston Manning (President and Founder, Manning Centre for Building Democracy): Thank you first of all for this opportunity. I should make clear that I'm speaking solely on my own behalf and on behalf of the Manning Centre for Building Democracy. I'm not speaking on behalf of the advisory committee to the Chief Electoral Officer of which I'm a member. I want to just confine my remarks to four points. I think you've been given a one page brief from me.

First, I do think this is a commendable democratic initiative, Bill C-23 in particular, because it seeks to eliminate those practices like robocalling that discredit elections, parties, and candidates associated with them. So that would be the first point that I'd like to make.

Second, I do think there is merit in separating the administration of the elections from the enforcement of election law. I just think that this would allow the Chief Electoral Officer to focus solely on the election administration and allow the independent commissioner to focus entirely and independently on the law enforcement.

The one area where I'd like to suggest the bill can be improved, and I know you've heard a lot of suggestions for improvement, is this. I would like to see the role of Elections Canada and Chief Electoral Officer strengthened with respect to the promotional and educational activities needed to increase voter participation. It seems to me that the biggest challenge that we have with the Canadian electoral system is not its fairness, although one has to address that, but it is this declining participation in elections generally. If we profess to be democrats and I think no matter what our ideological or party divisions are, that we are all democrats here that everybody, Elections Canada, the parties, the candidates, the NGOs should do everything conceivable to get that participation rate up.

I suggest adding a section to the bill where it lists the only topics on which the Chief Electoral Officer can provide information. I suggest adding a fifth clause that says, public education and information programs to make the electoral process better known to the public and increase voter participation should be one of his duties.

The last point I'd make is this. As some of you know, ever since I got out of Parliament, I've been a strong advocate of getting more training and preparation for people seeking elected office, not just themselves but the constituency organizations, campaign managers, anybody that's actively participating in the process. The old idea that we can learn on the job has been the conventional wisdom for a long time. I think in this age of rapid communication it's just not workable.

I've been involved in trying to persuade people to take training if they're going to get into the political arena. When you run into prospective candidates and campaign managers, there is some confusion as to whether investments in training prior to the election might be considered an election expense or a contribution in kind.

To eliminate that confusion, I'd propose an amendment to the bill that simply says that training course expenses, including expenses for education on the subject of the act or on election campaigns, are not election expenses, personal expenses, or electoral campaign expenses under the act.

I do think that one change would make it crystal clear. Our lawyers say that actually these things are not expenses now, but it is unclear. I think that one change would make that crystal clear.

So those are my four points, Mr. Chairman. I won't take longer and I'd be happy to elaborate on any of those or to answer any other questions that you might have.

● (2005)

The Chair: Great. Thank you, Mr. Manning. We will get to you with questions.

But first we're going to go to Madam Fraser.

Would you like to go next, please?

Ms. Sheila Fraser (Former Auditor General of Canada, As an Individual): Thank you, Mr. Chair.

[*Translation*]

I am pleased to be here and would like to thank you for the invitation to appear before this committee with regards to its study of Bill C-23.

I would like to emphasize that my comments are mine alone. I do not represent the Chief Electoral Officer, Elections Canada nor the advisory committee to that organization, which I co-chair.

In the interest of full disclosure, I would like to advise the committee that I have received an amount of $2,450 for my participation to date on that advisory committee. I have also been engaged as a member of boards of selection for various positions within Elections Canada, and was paid $976 in 2013 and $3,240 in 2012 for those services.

[*English*]

As you are aware, I had the privilege of serving as the Auditor General of Canada for a 10-year term, which ended close to three years ago. The Auditor General is one of seven officers of Parliament who play a very important role in our democratic system.

The Privy Council Office refers to these officers as agents of Parliament, and states:

> Agents of Parliament are a unique group of independent statutory officers who serve to scrutinize the activity of government. They report directly to Parliament rather than to government or an individual Minister and, as such, exist to serve Parliament in relation to Parliament's oversight role. Agents normally produce a report to Parliament to account for their own activities, and their institutional heads are typically appointed through special resolutions of the House of Commons and the Senate. To maintain the independence of the Agent, the degree of influence exercised by the executive arm of government is minimal.

[*Translation*]

The independence of the officers of Parliament, both in fact and appearance, is critical to their credibility and their ability to carry out the mandates entrusted to them. I was very pleased that government recognized the importance of this independence in 2007-2008, when a number of administrative policies were amended.

These amendments recognized that it is the officer of Parliament who is responsible for implementing these policies and ensuring compliance with them, rather than, as was previously stated, a minister. For example, some requirements of the government communications policy do not apply to officers of Parliament. The Treasury Board Secretariat worked very cooperatively with the officers at the time to address our concerns.

[*English*]

In light of that, I am very concerned with two provisions of this bill that would affect the independence of the Chief Electoral Officer and his organization.

The first is proposed section 18, which restricts the Chief Electoral Officer's communications with the public to certain specified, limited information. Outreach activities, encouraging people to vote, and educational initiatives would no longer be permitted. An independent officer of Parliament should be able to bring any issue that he or she believes important to the attention of Parliament and the public.

The second is proposed section 20, which will now require the Chief Electoral Officer to obtain Treasury Board approval to "fix and pay...[the] remuneration and expenses" of "persons having technical or specialized knowledge" engaged on a temporary basis. This is clearly an infringement on the independence of the Chief Electoral Officer.

In comparison, the Auditor General Act explicitly states that the Auditor General does not require the approval of the Treasury Board. In addition, the government's contracting policy specifically exempts the officers of Parliament from obtaining Treasury Board approval.

I am also concerned that should this article be adopted, it could create operational difficulties for Elections Canada in managing an election, given the hundreds of people with specialized assistance that it requires.

[*Translation*]

In 2005, the Office of the Auditor General conducted a performance audit on the operations of Elections Canada. At that time, we concluded that Elections Canada plans, manages, and administers the federal electoral process well, according to applicable authorities, and that it plays a key role in supporting the fairness and transparency of the electoral process.

I encourage the committee to ensure that this proposed legislation does not alter that.

● (2010)

[*English*]

In closing, Mr. Chair, I would like to thank the clerk of the committee and House staff for their assistance to me in preparing for this hearing.

I would now be pleased to answer any questions the committee members may have. Thank you.

The Chair: I echo your thanks to the clerk because without her I'd be lost too.

We will go to Mr. Wrzesnewskyj for five minutes or less, and then we'll do questions.

Mr. Borys Wrzesnewskyj (Former Member of Parliament, As an Individual): Thank you, Mr. Chair and committee members.

I'd like to address the issue of preventing electoral fraud. The assumption that organized electoral fraud happens elsewhere in countries we send Canadian observers to, and not in our Canada, can no longer be assumed. The Neufeld report states that in Etobicoke Centre there was judicial agreement that, despite the presence of irregularities, there was no evidence of fraud or ineligible voters being provided ballots.

I support all the recommendations in the Neufeld report; however, the above statement would have been more accurate if it had added that there are legal limitations to the Canada Elections Act and the Privacy Act that practically limit evidence of fraud from being admissible or proven in court—in fact, they make it impossible. As an example, the table in annex C of the Neufeld report points out that, in statistical analysis of three byelections, the incidence of ballots being handed to people not on the voters' list and no registration certificates being completed occurred in 0.4%, 0.5%, and 3.8% of cases. Yet in the court sampling of 10 polls in Etobicoke Centre, the number was 48.2%, almost 1,000% higher.

I've been an electoral observer overseas and have organized electoral observer missions on behalf of NGOs, Canada, and the OSCE, since 1991. When we have found such patterns of statistical anomalies, we've concluded the likelihood of fraud. However, the Canada Elections Act precludes statistical findings of fraud. The standard is to prove that individual ballots are fraudulent. However, the Canada Elections Act and the Privacy Act prevent us from questioning the voters who cast those ballots, nor could we compel election officials to answer questions—a legal Catch-22.

In June of 2011, after being given an anonymous tip that ballots were being handed out in one poll without IDs being shown, we followed up with a statistical analysis of all Etobicoke Centre polls. We found disturbing results. For example, in poll 31, voter turnout increased by 70%, and the Conservative vote percentage increased by 50%. When poll 31 documents were examined at Elections Canada's secure facility, 20% of all votes were by registration certificate, 1 in 5, whereas the overall Etobicoke Centre and Canadian averages were 5%, or 1 in 20. Of the 86 RCs, a majority turned out not to live in the poll. Towards the end of the Superior Court hearing, Elections Canada tabled emails in which both the DRO and registering officer in poll 31 made contradictory and false statements as to whether non-eligible voters were allowed to vote. Has Elections Canada investigated these officials?

There were significant numbers of other similarly problematic polls. To maintain the public's confidence that those elected by the narrowest of margins are in fact a reflection of the people's will, statistical evidence must be allowable and the legal standard ought to be the balance of probabilities and not beyond the shadow of a doubt.

In addition, I disagree that the office of the commissioner of elections' independence be jeopardized by putting it under the wing of a government department. However, I also believe that an arm's length investigative unit should be foreseen in legislation in cases of serious allegations of administrative failures or fraud against Elections Canada officials. Both investigative bodies must have the powers to subpoena and to compel people to give evidence. I also suggest that there be a legal requirement to bring resolution to cases within a one-year timeframe as opposed to the decisions rendered five or more years after the fact, making them moot, as by then the next federal election has occurred.

In Etobicoke Centre, alleged vote additions occurred in an atmosphere of vote suppression, including the disruption and shutting down of two of the strongest Liberal polls by identified Conservative campaign team members, including the campaign manager. Consequential penalties need to be applied in cases of direct vote suppression. Campaigns whose team members engage in such tactics need to face the penalty of having their candidate's election disallowed. A democracy's foundational social contract is that we all have a voice. Young or old, it's one person, one vote. Rich or homeless, it's one person, one vote. White or aboriginal, it's one person, one vote.

● (2015)

If the rules that provide the framework for the act of voting are overly restrictive, the representative nature of a government is questionable. If rules are not followed by officials due to lack of training and resourcing, we have no confidence in the results. If rules are broken by vote suppression or vote addition, a government's legitimacy is called into question. If the government introduces Bill C-23 without serious amendments, it will have facilitated all of the above.

The Chair: Thank you, Mr. Wrzesnewskyj.

We'll go to a seven-minute question round.

Mr. Lukiwski, you're starting tonight.

Mr. Tom Lukiwski: Thank you very much.

Thank you, Mr. Manning, Ms. Fraser, and Mr. Wrzesnewskyj, for being with us today.

My first line of questions will be directed to both Mr. Manning and Ms. Fraser, and it deals with the provisions contained in Bill C-23 to remove the commissioner of elections from Elections Canada and place him within the office of the Director of Public Prosecutions, because our contention is that this would give far more independence to the commissioner of elections.

Currently, although the commissioner himself thinks he does have independence, under questioning from myself at his appearance here, it was ascertained that in fact the Chief Electoral Officer—Elections Canada, in other words—can hire and fire the commissioner of elections. Elections Canada controls the commissioner of elections' budget; Elections Canada can direct and compel the commissioner of elections to conduct investigations whether or not the commissioner himself wants to; and the CEO of Elections Canada can stop an ongoing investigation by just requesting that the investigation be halted. To me, that's not independence whatsoever.

What we are suggesting is that the commissioner of elections be removed from that, so then he would have, number one, the ability to control his own budget, to hire his own staff, to determine what investigations he wishes to conduct, but he is not compelled to do so. I think by anybody's common-sense examination, it would be very apparent that this gives the commissioner of elections far more independence than he has now.

Mr. Manning, I know you suggested that you like that part of the provisions of Bill C-23 and I think, Ms. Fraser, you disagree, so I would like to hear both your comments on why you support your particular position and the position as advocated by the government in Bill C-23.

Mr. Manning, you first.

By the way, Mr. Manning, I should start off by asking a question. Ms. Fraser has voluntary disclosed her remuneration by being on the advisory board for Elections Canada, and I should ask you the same question. Mr. Manning, are you being remunerated by Elections Canada?

Hon. Preston Manning: I think there's a contract that says I am, but I haven't gotten a cheque and I haven't sent a bill. I have only participated, really, in one teleconference. It would be my intention not to bill Elections Canada for whatever advice I could provide.

On your question, I came at it more from the other angle of functionality rather than independence. I felt that the more the Chief Electoral Officer can focus solely on the administration of the election, it would enhance his function and therefore the separation was a good idea.

If people are worried about the independence of the commissioner under this new arrangement, I do think there are ways and means of strengthening that. As I vaguely recall, in the statute that establishes the function of the Director of Public Prosecutions there are a number of provisions in there to guarantee his independence from the Attorney General. One might look at that statute as a way of increasing independence, if that's desired.

Mr. Tom Lukiwski: Ms. Fraser, your comments....

Ms. Sheila Fraser: I think the major difficulty that has been raised with respect to putting the commissioner under the Director of Public Prosecutions is on the exchange of information. It is very important that the commissioner work with Elections Canada in order to get all of the information that they need in order to conduct investigations. In the current legislation around privacy, etc., there are no provisions in the act that would allow for that exchange of information.

Mr. Tom Lukiwski: Are you suggesting that the commissioner of elections would not be able to get information from Elections Canada?

Ms. Sheila Fraser: It is my understanding, yes, that there could be difficulties for the commissioner in obtaining that information from Elections Canada. There are a whole series of legislative requirements within the government about exchanging information between departments. That is certainly something, if the committee continues with this move, that they look at.

I'd like to make the point that it is generally accepted in regulatory agencies that the administration and the investigation go together. That is the case in the Canada Revenue Agency and it is the case at the Ontario Securities Commission, which actually goes much further and into adjudication.

If I could read you an excerpt from the annual report of the Public Prosecution Service. It says:

> The PPSC prosecutes charges of violating federal law laid following an investigation by a law enforcement agency. The PPSC is not an investigative agency and does not conduct investigations. The separation of law enforcement from the prosecution function is a well-established principle of the Canadian criminal justice system.

This would be something new for them.

If there are concerns about the independence of the commissioner vis-à-vis the Chief Electoral Officer, some of the provisions that are being put in around appointment and tenure could certainly be put into that act to strengthen that independence.

● (2020)

Mr. Tom Lukiwski: The independence factor is something that I think is extremely important because, as I said before, right now—from my seat, at least—I don't see any independence that the commissioner of elections has only because everything is controlled by Elections Canada.

Hypothetically, what would happen if, for example, the commissioner of elections was called upon to investigate Elections Canada itself, or an individual within Elections Canada? I think that's a huge conflict right now because, as I said in my opening remarks, the Chief Electoral Officer not only can direct an investigation to begin—whether or not the commissioner of elections wants to commence an investigation, he would be compelled to—but the CEO of Elections Canada can stop an investigation.

I think that's a conflict, at least from a perception standpoint. That shouldn't be allowed to occur.

Ms. Sheila Fraser: I don't know all the specifics of the act. I've certainly not seen anything in the Elections Act that would allow the Chief Electoral Officer to stop an investigation. I can only rely on the testimony of the commissioner who indicated very clearly that he had the necessary operational independence.

If I could just add that if you talk about a question of perception, I don't know that it's any better to have the perception that the commissioner will indirectly report to a minister of the crown.

The Chair: Mr. Christopherson, you have seven minutes.

Mr. David Christopherson: Thank you very much, Chair, and thank you all for being here.

I have to say, Ms. Fraser, seeing you at the end of the committee table is like looking up at the ridge and seeing the cavalry coming over to save the day. I really appreciate your stepping forward.

Voices: Oh, oh!

Mr. David Christopherson: Anybody who spends time with Sheila Fraser is having a good life. Come on.

I very much appreciate your being here because, in my view, you're probably the most trusted Canadian in the country. I think a lot of people rely on you to give them the straight goods.

I want to pick up on some very straightforward questioning. I'm sure you've been following the hearings at least somewhat. I have been finding it very troubling to see the way that the Chief Electoral Officer is being portrayed, at the very best as just a stakeholder and at worst as an enemy or opponent of the best electoral laws we have. Yet that position is equal to the one that you held as Auditor General in terms of being an agent of Parliament.

I'd like you to comment on the importance of the Chief Electoral Officer being seen in the same way that you were when you were the Auditor General—and that we currently see Mr. Ferguson—as a champion of the Canadian people, and not just some stakeholder who's trying to grab as much as they can out of it for themselves, which is the way the government is portraying the Chief Electoral Officer of Canada. Just your thoughts, Madam....

Ms. Sheila Fraser: As I said in my opening remarks, the officers of Parliament really do play a very important role in our democracy. We don't take these jobs to win popularity contests. We do our work with objectivity. I know that there are certain audits that created—I don't quite know how to phrase it, but I'm sure I was not on the Christmas card list of certain people after certain audits. We do our work. We respect our mandates and we do so in an objective and fair way. It troubles me greatly and I would say it disturbs me greatly to see comments that were made—and I will be quite blunt—by the minister today in committee, attacking personally the Chief Electoral Officer. This serves none of us well. It undermines the credibility of these institutions, and at the end of the day, if this continues, we will all pay because no one will have faith in government, in chief electoral officers, or in a democratic system.

We can have differences of opinion. That's what a democracy is for, to be able to express freely our differences of opinion. The officers of Parliament should be able to come to Parliament and explain issues that they see in proposed legislation. I am sure that if the legislation goes through, the Chief Electoral Officer will respect and follow it. But to actually attack him for bringing forward his concerns, I think is totally inappropriate.

● (2025)

Mr. David Christopherson: Thank you, madam.

I don't think that point could be made any better, more emphatically, or with more credibility than it has been coming from you. Thank you for that.

I'll move on to some of the details now.

One of the concerns you raised in your remarks was the need now for the Chief Electoral Officer to get approvals from Treasury Board. That's something, again to go back to the Auditor General to use the comparison, that you never had to go through.

Could you expand a bit on the comments you've made here, please?

Ms. Sheila Fraser: In the administrative policies of government, if we go back, previously the officers of Parliament were included with all the other departments and agencies. The administrative policies all applied to us with no recognition of the independence that was needed for officers of Parliament in the management of their offices.

We began discussions with the Treasury Board Secretariat about this, and we said there were some provisions that were really inappropriate and that didn't recognize the independence that was required. The secretariat was actually very cooperative and worked very diligently with us. A large number of policies were changed on things like requiring approval of ministers or approval, for example, of central agencies on contracting and communications.

I'm sure the member might recall that we appeared before the public accounts committee on the question of the communications policy and that technically all of the news releases of the Auditor General had to be approved by the Privy Council Office. Well, that wasn't going to happen. They had never asked us for it, but that was what the administrative policy was. We worked through all that, and all of those policies were amended. It is very clear now in the contracting policy that the agents of Parliament do not have to have Treasury Board approval.

Mr. David Christopherson: I remember the threat that was there, too, Sheila. That had a lot to do with it.

I have only a little over a minute.

We spent a lot of years together on public accounts dealing with your reports and your findings. You spent a lot of time on proper process and proper procedures, and you recognized the importance of doing things the right way. Given the fact that the Chief Electoral Officer was not consulted, and the commissioner of elections was not consulted, and none of the opposition parties were consulted, and the Canadian people were not consulted...in fact, nobody outside of the Conservative Party of Canada was consulted on this bill before it was tabled in the House, can we have your thoughts on bringing in a complete change to the electoral act as we've seen here with the unfair elections act without any of that consultation at all? I would like your thoughts on that as a process in terms of the public interest.

Ms. Sheila Fraser: Chair, I can really base this only on my experience. When I was Auditor General, we had amendments to the Auditor General Act three or four times. Certainly, each time we were consulted. Our views were sought. We were asked if there were any unintended consequences that could result from that and whether this amendment would really achieve what we were all wanting it to do. I always thought it was a very good process. I would have thought with something as important as the Elections Act that there would have been broad consultation.

● (2030)

Mr. David Christopherson: That is no understatement.

Thank you, Madam.

The Chair: Thank you very much.

Mr. Simms, you have seven minutes.

Mr. Scott Simms: Thank you, Chair.

I just want to read something in for the record. This is from a blog from a gentleman named James Sprague, who had several positions, especially through Elections Canada. Here is what he said, which may dispel some of the myths:

> Currently the only legal authority that the Chief Electoral Officer has respecting the exercise of the Commissioner's investigative and prosecutorial discretion is to be able to require that the Commissioner undertake an investigation in five situations that go to significant aspects of the conduct of an election. This authority does not extend to directing how such an investigation, once started, is conducted nor does it extend to stopping an investigation once underway.

That's the impression we got from Mr. Corbett, as well as from Mr. Côté, commissioners past and present.

I do believe that the exchange of information is one that is essential in this particular situation. To be honest with you, I think this is more an exercise in isolation than it is in independence. I think the independence could have been achieved within the confines of Elections Canada.

If there is one sympathetic view of the separation that I've heard, it may have been from Mr. Manning, who talked about the functions of it. But at the same time there seems to be much of a disconnect between the CEO and the commissioner, such that I don't think it's particularly onerous on the CEO to get too involved in that situation.

We even had one Conservative MP who, in the media tonight, said that it had more to do with the leaks. That was from Mr. Jay Aspin, in *The Hill Times* , as to why they put it to a separate office.

Nevertheless, I put this to you because if you want to comment on that, please do so. But in Senate hearings today there was some confusion over whether you had, in your office as Auditor, the power to compel testimony.

Ms. Sheila Fraser: The Auditor General has the powers of a commissioner, under the Inquiries Act, which in fact means that the Auditor General can compel testimony. He doesn't have to go to a court to order it. The Auditor General can order it himself.

I don't know that it has ever actually been used, but it is a provision. I think it's section 13—I'll have to look it up tonight—that does have that power to compel testimony.

Mr. Scott Simms: Would it be fair to say that you didn't have to use it because it was the hammer that everybody knew you had?

Ms. Sheila Fraser: I'm not sure about that. I have a feeling that often reporting publicly that someone did not talk to us was perhaps more damaging than actually talking to us.

Voices: Oh, oh!

Mr. Scott Simms: Understood.

Mr. Manning, I'm sorry, I used some of your testimony there. Would you like to comment on that?

In particular, I'd like to know your thoughts about the power to compel testimony as was requested by the CEO and commissioner.

Hon. Preston Manning: I can just repeat what I said before.

My angle on that division is more trying to enable the Chief Electoral Officer to focus solely on the administrative aspects of the election. I don't see the big problem in making the separation that others do. Frankly, I don't think it's as big a problem as is being made out.

Mr. Scott Simms: But for the power to compel testimony, certainly would you feel that would be an effective tool, for instance, in the case of the robocalls affair that happened? Do you feel that certainly more evidence would have been put out there and would have led to a more successful conclusion?

Hon. Preston Manning: Yes, I think there is some merit to that, but I don't think that's the sole or the main way of dealing with these election abuses.

One of the things that concerns me.... Any of us who are elected people have heard rumour and rumour after rumour about people doing things—borderline things, illegal things—that influence an election in favour of our opponent. These have been made by all parties over the years and they can point to different ridings. A lot of this stuff is hearsay and a lot of it is after the fact.

I don't know what the answer is, but it seems to me that there should be some way of clearing the air on these types of charges because they float around forever. They become part of the urban legends or the legends in particular ridings.

I wonder, when our country does appoint independent election observers in other countries to endeavour to ensure that elections are fair and that there is not fraud, whether there isn't more room for the appointment of special officers to watch particular ridings where these types of rumours have surfaced for years.

● (2035)

Mr. Scott Simms: Were these officers to have the special investigative tools similar to our own Competition Bureau here or the Auditor General, certainly that would go a long way.

Hon. Preston Manning: Well, it would have the tools that are given to independent election observers in other countries.

Mr. Scott Simms: But the independence there is obviously.... One thing is to be independent, the other thing is to be effective, wouldn't you agree?

Hon. Preston Manning: Yes, yes.

Mr. Scott Simms: Effectiveness, obviously, Ms. Fraser, you touched on it earlier and I want to go back to this, because I think it's a very important point when it comes to the legitimacy of an election and the fact that people have the ability—and I think Mr. Wrzesnewskyj touched on this as well—to investigate. To me it seems like we're focusing too much on the independence issue and the effectiveness of people to investigate potential fraud, dare I say, but also irregularities that are involved here.

A lot of these irregularities are just that, irregularities, and treated as fraud. That's why I think we're doing such a disservice to this country by throwing out the system of vouching when there are alternatives that could help improve the system.

I will ask you both, Mr. Wrzesnewskyj and Ms. Fraser, to comment on that.

The Chair: In the 20 seconds that are left....

Mr. Borys Wrzesnewskyj: In terms of the issue of vouching, it was actually part of the case I brought forward. However, I disagree that vouching should be eliminated. If properly administered, vouching enfranchises, and removing vouching disenfranchises, especially vulnerable demographics. It takes away their voice.

In regard to the issue of irregularities and fraud and how we investigate, Mr. Lukiwski raised a very important point. What if it's Elections Canada officials themselves who perhaps need investigating? I believe that the elections commissioner should not be under the wing of the government. However, in those particular cases, a special investigative unit should exist to help investigate those cases and clear the air, as Mr. Manning said.

These sorts of situations are untenable if they're allowed to continue for years, and there have to be timelines within which these investigations take place.

The Chair: Thank you very much.

Mr. Simms, your time is complete. We'll go to Mr. Lukiwski for four minutes, please.

Mr. Tom Lukiwski: Thank you very much.

I have a couple of quick points for Ms. Fraser. I read, and I'm assuming this is correct, it was regarding your testimony today at the Senate, where you talked about the provisions of the bill and said your daughter under the current provisions of the bill would not be able to vote.

I take it from your comments that she's a university student living at home, so she gets all her correspondence or utility bills, whatever, via email. A couple of things, obviously there are 18 months before the next election. I would assume she would be able to get the proper identification or at least confirmation of address by that time. Second, even though she's getting perhaps all of her information by email, I know you can request written transcripts, hard copy transcripts from the university, which would be sent to her home, would they not? Would that not be able to comply with the regulations contained in Bill C-23?

My point is that when you say she wouldn't be able to vote, with all the greatest of respect, I just can't agree with that, because there are certainly ways that she would be able to vote. She would just have to go that extra mile by asking for a hard copy rather than electronic.

Ms. Sheila Fraser: I agree with you. My point was that today, if an election was called tomorrow based on the information that she had right now, she does not have any of the documents that prove her residency and—

Mr. Tom Lukiwski: One of the things we've been.... I'm sorry.

Ms. Sheila Fraser: —and I think it's a lot to ask. I don't know. Why my daughter would go and get that document is because her mother would be after her to go and get it. I think there are a lot of young people who just...it would be too complicated. There are a lot of people—now we're in a certain category of Canadians—who just would have great difficulty doing that. So I'm just concerned that there will be people who will not be able to vote because of, especially, not being able to prove their residency.

● (2040)

Mr. Tom Lukiwski: Yes. The point I was trying to make is that we've heard a lot of people who say, "Well, it's too difficult. I could probably get the information, but it's just too difficult." Frankly, I think that if someone wants to vote and believes in their right to vote and wants to participate, whatever effort it takes to produce the correct identification at the polls to confirm residency and address, which are both required to vote in a particular poll, I don't think that's too big of an effort to ask of Canadians.

One last point, because I know we're running out of time. When we talked before about the level of cooperation that you see is needed between Elections Canada and the commissioner of elections, you said you don't see anything in the act that really allows that to happen if they're moved out of Elections Canada. Is there anything in the act that you see that excludes Elections Canada from talking about investigations and this dialogue back and forth?

Ms. Sheila Fraser: No, but my understanding of issues like the Privacy Act and others is that there has to be an explicit approval given to be able to share information. You might want to consult the Privacy Commissioner on that, but I think there has to be a specific provision in order to do that.

Mr. Tom Lukiwski: My question would be—because I think there are all indications that they would want to give as much information as possible to assist—if the impediment you foresee occurring were resolved, would that change your view?

Ms. Sheila Fraser: I think that moving the commissioner is feasible. I mean I think that he will be able to carry out investigations. There is the question of exchange of information and the efficiency, and the commissioner raised other issues, but obviously I think that exchange of information and the cooperation between the two agencies is the crux of the difficulties.

The Chair: I could let you start something else, but while I finish these comments your time will run out.

We'll now go to Madame Latendresse for four minutes.

[*Translation*]

Ms. Alexandrine Latendresse: Thank you, Mr. Chair.

Thank you for being here today to assist us in our study of Bill C-23.

I'd like to raise a particular point about the powers of investigation, which hasn't yet been raised this evening. There's another provision that has been ignored in Bill C-23. The CEO and a number of experts have for a long time been calling for the power to require political parties to provide documentation on election spending in order to ensure compliance with the Canada Elections Act.

Currently, Elections Canada can require this documentation from the candidates of political parties, nomination contestants and leadership contestants. However, they cannot require it from political parties.

It has been shown that something along the lines of what a number of experts are calling for could really help Elections Canada to combat fraud and, in general, to investigate various situations.

Do you have any idea why this provision is not in Bill C-23?

Ms. Sheila Fraser: No. That's a question you would have to ask the government, obviously.

I believe such a provision is needed. Political parties receive substantial reimbursements, in the order of $33 million. People are held accountable for far lesser amounts. We live in an age of accountability and transparency. And it seems only logical to me for the CEO to have that option.

Furthermore, if we allow political parties to solicit funds in an election period, how would the CEO verify that calls were made for the purpose of fundraising and not to encourage people to vote? The CEO would need to have the power to consult those documents, to compile information and to look into that issue. The CEO would need to have that option.

Ms. Alexandrine Latendresse: That's an excellent point. We have already identified the provision that will allow political parties contacting former contributors not to declare those expenses. That applies to those who have contributed $20 or more. We feel strongly that the amount should be higher. So, someone who contributes $20 could remain anonymous. In theory, this could apply to almost anyone who is contacted by a political party. The Chief Electoral Officer quite clearly said there would be no way to follow up or monitor what was going on there.

Mr. Manning, this provision affects some $33 million in contributions to political parties without them having to provide any justification or documentation. What do you think of that? Should that be in this bill?

● (2045)

[*English*]

Hon. Preston Manning: I think there's merit in as much transparency as possible, but the transparency has to include not just dollar contributions. It has to include particularly contributions in kind, manpower contributions, which are often made by interest groups, labour unions, and companies. So I do think the more transparency the better, but you have to include more than cash contributions to political parties.

[*Translation*]

Ms. Alexandrine Latendresse: I fully agree.

I am going to give up the rest of my time, if there is any left.

[*English*]

The Chair: You have 15 seconds. You were going to be kind and give it to one of your colleagues, weren't you?

I'm going to go to Mr. Reid instead.

Mr. Scott Reid: Thank you. Do I get her 15 seconds as well?

The Chair: You did have it, you don't now.

Mr. Scott Reid: All right, thank you.

In the interests of the full disclosure that everybody seems to be inspired by right now, I may as well admit that I used to work for Mr. Manning. I was hired about 20 years ago to work as a researcher for the Reform Party caucus.

Mr. Manning, the years I spent working for you were a real delight and a real education.

Mr. Manning, the proposed section 18 changes, the restrictions on Elections Canada advertising, I hope you'll see the problem that I'm struggling with.

Elections Canada, and other electoral authorities including Elections Quebec—I just saw an ad they had on the side of a bus recently—put motivational ads where they can. Posters, they put them on TV, and so on, either trying to encourage you to vote, reminding you that it's your duty to vote, that kind of thing. I've never seen any evidence that it does any good at all in increasing the vote, and I've never seen any report from any of these electoral authorities showing that it works. In all fairness, I have not done a scientific search.

It seems to me the best, most effective way of trying to get people to vote is to try to deal with the basic impediments they face: disabled people who can't get out of their house, people who don't know about advance polls or the fact that they can vote by mail, who are shut in, all that kind of thing.

I'm looking for your thoughts on this in the face of what seems to me to be a request from so many people that they be given a power that the agency has not been able to exercise very effectively, in my view.

Hon. Preston Manning: I agree with you that if these efforts by Elections Canada or the elections offices in the provinces to increase participation simply consist of advertising campaigns and urging the obvious that people don't respond to, if that's all they can do, then that is insufficient. I think most of the elections offices themselves agree with that, but I therefore think that greater and more profound efforts need to be made to try to increase participation.

There is a need for more scientific study to get to the root of people not participating in the process. I think some of that could be done by the elections offices, but I think everybody who's a player in the game—Elections Canada, the parties, the candidates—has a vested interest in increasing this. The reason I am in favour of restricting the vouching provisions is that I think the emphasis should be on getting people to get their name on the list and not on facilitating voting by those whose names are not on the list. I think that's one of the reasons many of the provinces don't allow vouching.

Those of us who have been candidates for public office know that one of the easiest and most credible entrees into the mind of the voter is when you knock on the door, go to a house, and ask if they are on the voters list. When they say they don't know or they're not, then we make the effort to get them on the voters list whether they like you as a candidate or anything else. I'm making a plea. Any and every effort to increase the number of names on the voters list is a good thing.

I also reflect on the fact that in the civil rights movement in the United States, this voter registration business was particularly effective in getting people who had been marginalized, people from minority groups, into the process. Get registered, get your name on the list. As you suggested, I think empowering Elections Canada to pursue that objective in better ways than we had in the past would be a good thing.

One other thing that's occurred to me is that maybe another way for the government to come at this is to put out a genuine request for proposals with some funding behind it asking if anybody in the country can figure out a way to get better participation in elections. Then look at the proposals, let Elections Canada be one of the people making a proposal. This student vote group, which I think has done a good job in trying to do this with young people, may be another route to try to address this problem.

● (2050)

The Chair: Thank you, Mr. Manning.

I thank you all. I thank our whole panel for being here tonight. We're going to call an end to our meeting. Thank you very much.

I will see you all tomorrow here in this very room.

This meeting is adjourned.