STRENGTHENING DEMOCRACY IN CANADA: PRINCIPLES, PROCESS AND PUBLIC ENGAGEMENT FOR ELECTORAL REFORM

Report of the Special Committee on Electoral Reform

Francis Scarpaleggia
Chair

DECEMBER 2016

42nd PARLIAMENT, 1st SESSION

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THE SPECIAL COMMITTEE ON ELECTORAL REFORM

has the honour to present its

THIRD REPORT

Pursuant to the order of reference of Tuesday, June 7, 2016, the Committee has studied the question of voting systems to replace the first-past-the-post system and the questions of mandatory voting and online voting and has agreed to report the following:

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CHAPTER 1
INTRODUCTION

A. Electoral Reform and Canada's Unique Democratic Ecosystem

Over the past six months, the Special Committee on Electoral Reform (the Committee) has consulted broadly with Canadians from coast to coast to coast on electoral reform. This report is the outcome of the Committee's consultations and deliberations.

Three overarching themes emerged which have guided the Committee through its deliberations. The first is to consider our democracy as being an ecosystem, made up of various governance institutions (such as Parliament and the public service), the public, and civil society organizations that all interact and influence each other.[1] As such, it is important for us to consider how changing how we vote will impact other elements of the democratic ecosystem. For example, how should we ensure that there is sufficient civic education to strengthen public engagement through a period of change? What will be the impact of electoral system change on Parliament and assumed rules and conventions? Cabinet and confidence? The public service? The functioning of political parties? The country's political culture?

A second theme that was repeated by witnesses throughout the country is that Canada is unique and any electoral change must take into account Canada's geographic and demographic distinctiveness. For example, towards the beginning of the Committee study, Kenneth Carty observed:

> My first observation, I suppose, is the obvious one that there is no perfect or even best electoral system. That's why no two countries in the democratic world use exactly the same system to elect their parliaments. Each has had to find a unique combination of electoral system parts and the wide range of parts that go into a system to suit their history, geography, social order, and their political life.[2]

A similar observation was made towards the end of the Committee's hearings in Iqaluit, when James T. Arreak, Chief Executive Officer of Nunavut Tunngavik Inc., spoke of the need for changes to the electoral system to reflect the diverse realities across the country and the role of Canada's Aboriginal peoples:

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1   House of Commons, Special Committee on Electoral Reform (ERRE), *Evidence*, 1st Session, 42nd Parliament, 28 July 2016, 1130 (Maryantonett Flumian, President, Institute on Governance).

2   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1400 (R. Kenneth Carty, Professor Emeritus, University of British Columbia, as an Individual):

In conclusion, Canada is a remarkably diverse country with many important and pronounced regional, linguistic, social, and cultural differences. One of the bedrock diversities of our country is the presence and the role of Canada's three [A]boriginal peoples.

Whatever is crafted to improve the representativeness of our political system, it must work effectively and fairly for both [A]boriginal and non-[A]boriginal Canadians, for the Arctic and the south, and for the territories as well as the provinces.[3]

The Committee notes Quebec's unique contribution to Canada's diversity and its status as a nation, within Canada, that is home to the majority of the country's French-speaking population. As a result, the Committee agrees that no change to the electoral system must be made that would have the effect of diminishing Quebecer's voice in the Canadian political discourse. Similarly, the Committee agrees that electoral reform must respect the needs, interests and aspirations of Canada's two official language minority communities.

Finally, the Committee was told numerous times that there is no perfect electoral system as different systems emphasize different values. Designing an electoral system involves deciding what values to emphasize, as observed by Thomas Axworthy:

[T] here is no perfect electoral system. There are advantages and disadvantages to all of them, and it is really a question of values, of differing perspectives, that will inform your own debate. There's no technical solution to the issue of electoral reform. It is basically a political process of deciding your purposes and values and what you value most.[4]

Recognizing that there is no perfect electoral system, the Committee used the values and principles set out in its mandate (detailed below), as informed by the perspectives of expert witnesses, open mic presenters, briefs submitted to the Committee, responses to the Committee's online consultation, and MP town hall reports, to develop its recommendations for electoral reform. The Committee takes particular note of a comment made by another witness, that:

[T]he big challenge that's facing you is to try to figure out a system where the pluses outweigh the minuses, or they do the things that you want them to do.[5]

Some expert witnesses stated that the structure of parliamentary democracy must be seen as an ecosystem. Accordingly, changing the electoral system would also necessitate changes to other aspects of the election laws and parliamentary procedure.

The Committee noted that a number of witnesses advocated for a restoration of public financing as part of electoral reform. As Jean-Pierre Kingsley, former Chief Electoral Officer (1990–2007), emphasized, the annual allowance for political parties is within the scope of electoral reform:

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3   ERRE, *Evidence*, 1st Session, 42nd Parliament, 17 October 2016, 1335 (James T. Arreak, Chief Executive Officer, Executive Services, Nunavut Tunngavik Inc.).

4   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1410 (Thomas S. Axworthy, Public Policy Chair, Massey College, University of Toronto, as an Individual).

5   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1440 (Richard Kidd, as an Individual).

State funding has been more equitable in the past, back when a subsidy of $2 per vote cast for a party was given to that party, every year, on a quarterly basis. I think that was a significant improvement. I personally recommend going back to that formula, but without necessarily keeping it at $2.

At first, the figures we had at Elections Canada easily justified a subsidy of $1.50. That amount may be $2 today, but I would gladly accept $1.50. That is a more equitable way to proceed, even though it's not perfect. It is not possible to establish a perfect mechanism to maintain fairness within the electoral system. Invariably, some people benefit and others are disadvantaged. It's a matter of minimizing that inequality and making the situation acceptable from the perspective of a reasonable Canadian.[6]

B. The Committee's Mandate

In the Speech from the Throne given on 4 December 2015, at the start of the 42nd Parliament, Governor General David Johnston stated that:

> To make sure that every vote counts, the Government will undertake consultations on electoral reform, and will take action to ensure that 2015 will be the last federal election conducted under the first-past-the-post voting system.[7]

On 7 June 2016 the House of Commons adopted a motion establishing the Special Committee on Electoral Reform (ERRE). In the spirit of collaboration, the Committee's mandate provided for a unique membership, which included five government members, three members from the Official Opposition, two members from the New Democratic Party, one member from the Bloc Québécois, and the Member for Saanich–Gulf Islands (Green Party leader Elizabeth May).[8] As such, no one political party had a majority on the Committee.

The Committee's mandate required it "to identify and conduct a study of viable alternate voting systems to replace the first-past-the-post system, as well as to examine mandatory voting and online voting, and to assess the extent to which the options identified could advance" the following five principles for electoral reform:

1) Effectiveness and legitimacy: that the proposed measure would increase public confidence among Canadians that their democratic will, as expressed by their votes, will be fairly translated and that the proposed measure reduces distortion and strengthens the link between voter intention and the election of representatives;

2) Engagement: that the proposed measure would encourage voting and participation in the democratic process, foster greater civility and collaboration in politics, enhance social cohesion and offer opportunities for inclusion of underrepresented groups in the political process;

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6   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1435 (Jean-Pierre Kingsley, Chief Electoral Officer, 1990–2007, as an Individual).

7   Government of Canada, *Speech from the Throne – "Making Real Change Happen,"* 4 December 2015.

8   ERRE, *About*, 42nd Parliament, 1st Session.

3) Accessibility and inclusiveness: that the proposed measure would avoid undue complexity in the voting process, while respecting the other principles, and that it would support access by all eligible voters regardless of physical or social condition;

4) Integrity: that the proposed measure can be implemented while safeguarding public trust in the election process, by ensuring reliable and verifiable results obtained through an effective and objective process that is secure and preserves vote secrecy for individual Canadians;

5) Local representation: that the proposed measure would ensure accountability and recognize the value that Canadians attach to community, to Members of Parliament understanding local conditions and advancing local needs at the national level, and to having access to Members of Parliament to facilitate resolution of their concerns and participation in the democratic process.[9]

As well, according to the motion, the Committee was to "consult broadly with relevant experts and organizations," examine relevant research and international examples, and "conduct a national engagement process that includes a comprehensive and inclusive consultation with Canadians." The Committee's consultation and engagement process included the goal of:

> Strengthening the inclusion of all Canadians in our diverse society, including women, Indigenous [p]eoples, youth, seniors, Canadians with disabilities, new Canadians, and residents of rural and remote communities.[10]

Finally, the Committee was invited to direct "each Member of Parliament to conduct a town hall in their respective constituencies and provide the Committee with a written report of the input from their constituents" with the Clerk of the Committee.

The Committee was required to present its final report to the House of Commons no later than 1 December 2016.

C. The Committee's Study in Numbers

In order to engage with the broadest number of Canadians, the Committee established a unique work plan. In addition to holding formal hearings with expert witnesses and receiving written submissions from the public, the Committee launched an online consultation on electoral reform, held open-mic sessions across Canada, and connected with Canadians through social media using the hashtags #ERRE #Q. The Committee also invited all members of Parliament (MPs) to hold town halls on electoral reform in their ridings.[11] Throughout the study, thousands of passionate

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9   Ibid.

10   Ibid.

11   As well, the Minister of Democratic Institutions and the Parliamentary Secretary for Democratic Institutions conducted a separate cross-country tour on electoral reform during the summer of 2016.

Canadians from coast to coast to coast shared their concerns and hopes regarding Canada's democratic future with the Committee.

1. Formal Hearings

The Committee sought a broad and diverse range of perspectives to ensure that discussions about electoral reform, online voting, mandatory voting and the process for reform were informed by the insights of Canadian citizens from every region, and included academics, stakeholder groups as well as national and international experts.

Specifically, the Committee heard testimony about the history of electoral reform and the use of different electoral systems in certain Canadian provinces. As well, a number of experts offered analysis of the constitutionality and legal framework of electoral reform, including mandatory voting and online voting. Additionally, academic experts and civic organizations emphasized the importance and the challenges of engaging Canadians in democratic reform, and in increasing voter participation in the electoral process. Experts also commented on how to proceed with electoral system reform, including the parliamentary process, citizens' assemblies or other public forums, and/or a referendum. Finally, the Committee had the opportunity to learn from officials and experts from Australia, Germany, Ireland, New Zealand, Scotland, and the United Kingdom.

Over the course of its study, the Committee held 57 meetings with 196 witnesses and 567 open pic participants across Canada. In addition to its meetings held in Ottawa, the Committee consulted directly with citizens and experts in every province and territory. Over a three-week cross-Canada tour, the Committee held hearings in the following locations:

- Regina, Saskatchewan
- St-Pierre-Jolys, Manitoba
- Winnipeg, Manitoba
- Toronto, Ontario
- Québec, Quebec
- Joliette, Quebec
- Whitehorse, Yukon
- Victoria, British Columbia
- Vancouver, British Columbia
- Leduc, Alberta
- Yellowknife, Northwest Territories
- Montréal, Quebec
- Halifax, Nova Scotia
- St. John's, Newfoundland and Labrador
- Charlottetown, Prince Edward Island

- Fredericton, New Brunswick
- Iqaluit, Nunavut

Additionally, the Committee held an informal meeting with local Indigenous leaders on the territory of the Tsartlip First Nation in Brentwood Bay, British Columbia.

2. E-Consultation on Electoral Reform

As part of the Committee's mandate it was directed to conduct a national engagement process that includes a comprehensive and inclusive consultation with Canadians, including written submissions and online engagement tools. As such, the Committee created the E-Consultation on Electoral Reform to solicit Canadians' views both on voting, electoral systems, online voting, mandatory voting and the process for electoral reform. The consultation posed 36 substantive multiple-choice questions and three opportunities to provide short text responses. The objective of the e-consultation was to provide as many Canadians as possible with the opportunity to engage with the committee in a meaningful and efficient manner.

Overall, Canadians from every province and territory provided thoughtful and important commentary. The e-consultation was online from 19 August to 7 October 2016, during which time 22,247 Canadians completed the consultation. It is important to note that the respondents of the e-consultation are not a representative sample of the Canadian population.

The province/territory of residence, gender, age, primary official language and other identifiers of the 22,247 respondents are provided below:

Province/Territory:

Province/Territory of residents	Number of responses	Percent
Alberta	3199	14.4%
British Columbia	5933	26.7%
Manitoba	744	3.3%
Nova Scotia	567	2.5%
New Brunswick	325	1.5%
Newfoundland and Labrador	115	0.5%
Ontario	8615	38.7%
Prince Edward Island	83	0.4%
Quebec	1676	7.5%
Saskatchewan	668	3.0%
Northwest Territories	37	0.2%

Nunavut	5	0.0%
Yukon	120	0.5%
Currently living abroad	161	0.7%

Gender:

Answer	Total	Percent
Female	7281	32.7%
Male	14580	65.5%
Transgender	88	0.4%
Other/Not specified	299	1.3%

Age:

Age	Total responses	Percent
17 and under	188	0.8%
18-24	1379	6.2%
25-34	4229	19.0%
35-44	3156	14.2%
45-54	2830	12.7%
55-64	4242	19.1%
65-74	4652	20.9%
74 and over	1572	7.1%

Primary official language:

Language	Total responses	Percent
English	19876	88.9%
French	1072	4.8%
Bilingual	1390	6.2%

Self-identified as:

Answer	Total	Percent
Indigenous	706	3.2%
Individual with a disability	1441	6.5%
New Canadian	784	3.5%
A resident of a rural or remote community	3787	17.0%

The responses regarding voting, electoral systems, online voting, mandatory voting and the process for electoral reform are incorporated throughout the report. The full report on the e-consultation can be found in Appendix F.

3. Open Mic Sessions

Open-mic sessions were another tool employed by the Committee to broadly consult Canadians from all walks of life. In total, 567 individuals appeared before the Committee in 18 different locations, providing invaluable insights on electoral reform, online voting and mandatory voting. In addition to those who testified at the open mics, hundreds of individuals attended the Committee's hearings across the country to listen. The following table provides the total number of participants at each open-mic session during the Committee's study. The views and ideas of Canadians are incorporated throughout the report, and can be found in the official record of each meeting.

City	Number of Participants
Regina, Saskatchewan	27
St. Pierre-Jolys, Manitoba	10
Winnipeg, Manitoba	35
Toronto, Ontario	77
Quebec, Quebec	10
Joliette, Quebec	14
Whitehorse, Yukon	24
Victoria, British Columbia	70
Vancouver, British Columbia	70
Leduc, Alberta	27
Yellowknife, Northwest Territories	8
Montreal, Quebec	45
Halifax, Nova Scotia	29
St. John's, Newfoundland & Labrador	14

Charlottetown, Prince Edward Island	18
Fredericton, New Brunswick	28
Iqaluit, Nunavut	4
Ottawa, Ontario	57
TOTAL	**567**

4. Written Submissions and Correspondence

The Committee also invited Canadians to submit briefs to the Committee during the study. In total, the Committee received and considered 574 written submissions and over one thousand pieces of correspondence from organizations, academics and individuals citizens. The findings from these submissions are incorporated throughout the report.

5. MP Town Hall Reports

In accordance with its mandate, the Committee invited all MPs to "conduct a town hall in their respective constituencies" on electoral reform and to "provide the Committee with a written report of the input from their constituents"[12] by 14 October 2016. As of that date, the Committee received 172 reports from individual MPs, who held various types of consultations with their constituents, as well a report from the Conservative Caucus and one from the NDP Caucus, for a total of 174 reports in all. Among the reports from individual MPs, the Committee received 135 from Liberal MPs, 1 on behalf of the vacant riding of Ottawa-Vanier, 24 from Conservative MPs, 6 reports from NDP MPs, 5 reports from Bloc Québécois MPs, and 1 from the Green Party MP. A list of the reports submitted to the Committee, hyperlinked to the reports themselves, is provided in Appendix D.

Most of the reports provide summaries of the discussions and opinions on electoral reform, online voting, mandatory voting and related topics raised in their town hall meetings. Some MPs held a single town hall session, while others held a series of town halls in various regions of their ridings. As well, some MPs held joint town halls with colleagues from neighbouring ridings. The reports submitted by MPs detail a number of methods that they used to engage and inform citizens during their meetings, including expert presentations, debates, group discussions, Q & As and open mics. Turnout for the town halls varied significantly across the country, ranging from 7 to 253 participants. In total, the reports indicate that over 12,000 Canadians were involved in town hall discussions.

Of note, a number of MPs submitted reports stating that they chose not to hold town hall meetings due to the vast size of their ridings and/or because they believed that town hall meetings would not provide equal opportunity for all constituents to participate. Instead, a number of MPs sent householders and surveys on electoral reform to their constituents. The Conservative Party of Canada's caucus, for example, used a mail-out

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12   ERRE, *About*, 42nd Parliament, 1st Session.

questionnaire to consult with constituents. The submission provided to the Committee indicated that:

> More than 81,000 Canadians from 59 electoral districts took the time to respond to surveys sent to them by their Conservative MP. Canadians who responded voted overwhelmingly in support of holding a national referendum on a proposed change to how MPs are elected. As of Thursday October 13, 2016, just over 90% of respondents, 73,740 of 81,389 Canadians told us they wanted a referendum.[13]

As well, the MP and caucus reports indicated that the following other methods were used to engage citizens: social media polls, telephone town halls, door knocking and informal discussions in constituency offices. For example, the NDP Caucus report noted that "through town hall meetings, online engagement and mailed surveys, NDP MPs heard from more than 37,000 Canadians about their thoughts on electoral reform."[14] This included:

- More than 40 town hall events with over 3000 participants;

- Telephone town halls and online surveys reaching 12,500 people;

- Over 2600 responses to mail back cards;

- More than 15,000 signatures on our petition calling for proportional representation.[15]

The NDP Caucus report concluded with the following observation:

> Canadians were clear about what they wanted: fairer, more proportional results that actually reflect how they vote; to keep their locally elected representatives; and for all parties to work together to ensure that we move towards a system that makes sense for our modern and diverse country.[16]

As well, the Green Party held public events in 38 locations across Canada, as well as 3 MP Town Halls in Saanich-Gulf Islands.

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13   Conservative Party Caucus, *Submission to the Special Committee on Electoral Reform,* 14 October 2016.

14   New Democratic Party, *NDP Submission to the Special Committee on Electoral Reform,* October 2016.

15   Ibid.

16   Ibid.

CHAPTER 2
ELECTORAL REFORM AND THE CONSTITUTION

A. Constitutional Basis of the Federal Electoral System and Implications for System Reform

The Committee's mandate directed it to "take into account the applicable constitutional, legal and implementation parameters in the development of its recommendations."[17] Indeed, some of the debate around electoral system reform has centred on whether and to what extent such reform could require constitutional amendment, particularly amendment that would necessitate provincial support. While Canada's constitution does not contain any specific reference to what electoral system should be used to elect members to the House of Commons, it does contain sections that have some application to the operation of the electoral system, which are summarized below.

The Committee heard from a number of constitutional experts on the subject of electoral system reform. Overall, most experts suggested that the types of reforms contemplated by the Committee would not necessitate provincial support, provided certain requirements are met. Still, a few experts expressed concern as to whether the Supreme Court of Canada's 2014 decision in the *Reference re Senate Reform*[18] ("Senate Reference"), and in particular its discussion of "constitutional architecture" in relation to the "structure of government that the Constitution seeks to implement" would include electoral reform. One expert suggested that it could be worthwhile for the Government, if and when it proposes a particular model of electoral system reform at the federal level, to seek a reference to the Supreme Court of Canada on this issue.[19]

1. Constitutional Provisions related to the Federal Electoral System and Reform

A number of provisions of the *Constitution Act, 1867* and the *Constitution Act, 1982* are relevant in determining, as noted by Benoît Pelletier, "the extent to which Canada can move to reform a method of voting without a constitutional amendment."[20]

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17   ERRE, *About,* 42nd Parliament, 1st Session.

18   *Reference re Senate Reform*, [2014] 1 SCR 704 ("Senate Reference").

19   ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 September 2016, 1355 (Patricia Paradis, Executive Director, Centre for Constitutional Studies, University of Alberta, as an Individual).

20   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1425 (Benoît Pelletier, Full Professor, Faculty of Law, University of Ottawa, as an Individual).

The constitutional authority setting out the manner in which members are elected to the House of Commons are: sections 37, 40[21], 41, 51, 51A, and 52 of the *Constitution Act, 1867*. As well, section 3 of the *Canadian Charter of Rights and Freedoms* (in the *Constitution Act, 1982*) provides for the right to vote and stand for election to the House of Commons. Finally part V of the *Constitution Act, 1982* outlines the rules for amending the Constitution of Canada.[22] Different amending formulas apply to the relevant sections of the *Constitution Act, 1867*, thereby potentially limiting Parliament's capacity to act on its own initiative to adopt a new electoral system.

Constitution Act, 1867:

- Section 37 lists the number of House of Commons seats allocated to each province and territory. At confederation in 1867, this section listed the total number of seats for each of the four provinces in accordance with section 40. Every time a redistribution takes place under the aegis of section 51 of the *Constitution Act, 1867*, the list of seats in section 37 is automatically updated.

- Section 40, which is now spent (no longer in force), set out the number of seats per province for the first Parliament of Canada in 1867, as well as the initial rules for determining electoral district boundaries. The number of seats in this first allocation conformed, insofar as possible, with the requirement for each province to be represented proportionately, in accordance with its population.

- Section 41 sets out the continuance of existing election laws (at the time of Confederation) until the Parliament of Canada provided otherwise. As other laws have been adopted, this section is spent (no longer in force). Elections are now provided for by the *Canada Elections Act,*[23] and the qualifications and disqualifications of members by the *Parliament of Canada Act.*[24] Other parts of the electoral process are set out in other legislation, primarily the *Electoral Boundaries Readjustment Act.*[25]

- Section 51 sets out the basis for adjusting seats in the House of Commons. As currently enacted it contains a list of six rules under which the number of members of the House of Commons for each province is to be determined, following each decennial census. Parliament has significantly rewritten the

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21   Section 40 of the *Constitution Act, 1867* sets out the electoral districts of the four provinces (Ontario, Quebec, Nova Scotia, and New Brunswick) at the time of confederation. This provision is now spent, as electoral districts are now established by proclamations issued from time to time under the *Electoral Boundaries Readjustment Act*, R.S.C. 1985, c. E-3, as amended for particular districts by Acts of Parliament.

22   Section 52(2) of the *Constitution Act, 1982* defines the Constitution of Canada as including: the *Canada Act, 1982* (which includes the *Constitution Act, 1982*), and the Acts and orders referred to in the schedule (mainly the *Constitution Act, 1867*). The Supreme Court of Canada has reiterated that the definition found in section 52 is not exhaustive.

23   *Canada Elections Act*, S.C. 2000, c. 9.

24   *Parliament of Canada Act*, R.S.C., 1985, c. P-1.

25   *Electoral Boundaries Readjustment Act*, R.S.C., 1985, c. E-3.

rules in section 51 on several occasions. Section 51 may be amended unilaterally by Parliament only as long as the changes to the rules do not violate the constraints imposed by sections 51A and 52 (described below).

- Section 51A, also known as the "senatorial clause," specifies that a province can under no circumstance have fewer seats in the House of Commons than it does in the Senate.[26] Section 51a may only be amended through the "unanimity formula" set out in section 41 of the *Constitution Act, 1982* (described below).

- Finally, section 52 lays out two basic principles intended to guide and limit Parliament's ability to change the composition of the House of Commons. First, it requires that each province be represented by a number of MPs that is proportionate to its population. Second, it assumes that changes to the number of MPs will increase, rather than decrease, the total membership of the House of Commons. It states that: "The Number of Members of the House of Commons may be from Time to Time increased by the Parliament of Canada, provided the proportionate Representation of the Provinces prescribed by this Act is not thereby disturbed."

The term "proportionate representation" refers to the concept of representation by population, and is intended to ensure that the number of citizens represented by each Member of Parliament is roughly the same in each province. This guarantee of "proportionate representation" may be amended only through the general amending formula set out in section 38 of the *Constitution Act, 1982*, described below. Several of the rules adopted by Parliament over the course of the 20th century and incorporated into sections 51 and 51A have provided specific exceptions to the requirement of "proportionate representation", with the collective effect of preventing the number of seats for several provinces from dropping between one redistribution and the next.[27] It is unclear whether it is within Parliament's power to unilaterally add new rules that would further depart from the principle of proportionate representation in the context of electoral system reform.

Constitution Act, 1982:

The *Constitution Act, 1982*, which contains the *Canadian Charter of Rights and Freedoms* (the Charter) and the amending formula for the Constitution (Part V), provides further details with respect to the operation of Canada's electoral system:

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26   This section is the constitutional basis for the allocation of four seats to Prince Edward Island, when adherence to the principle of "proportionate representation" set out in section 52 would otherwise require that the number of seats allocated to the province be lower.

27   For an analysis of recent changes to the redistribution formula, see for example: Michael Pal, "Fair Representation in the House of Commons?" (May 2016). *Journal of Parliamentary and Political Law Special Edition: The Informed Citizens' Guide to Elections* (2015); Ottawa Faculty of Law Working Paper No. 2016-02. Available at SSRN: https://ssrn.com/abstract=2705498.

- Section 3 of the Charter states that "every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein."

- In terms of amending the Constitution, section 44 of the *Constitution Act, 1982* entitles Parliament to amend "the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

- However, Parliament's power to act unilaterally (for example to amend the seat allocation formula under section 51 of the *Constitution Act, 1867*) is tempered by sections 41(*b*) and 42(1)(*a*) of the *Constitution Act, 1982:*

  - Section 41(*b*) requires the approval of <u>all</u> provinces in addition to the consent of the Senate and the House of Commons for amendments to the "senatorial clause" at section 51A of the *Constitution Act, 1867*.

  - As well, section 42(1)(*a*) prescribes that an amendment to the proportionate representation of provinces in the House of Commons[28] must be made using the general amending formula set out in section 38, which requires the support of at least seven provinces representing at least 50% of the population of all of the provinces, in addition to the consent of the Senate and House of Commons.

2. Selected Canadian Jurisprudence: Electoral Reform and the Constitution

While there is a growing body of jurisprudence analysing the right to vote set out in section 3 of the Charter, the courts have very rarely pronounced on the relationship between this right and the possibility of reforming Canada's first-past-the-post electoral system. In two instances, the Supreme Court of Canada's 2003 decision in *Figueroa v. Canada (Attorney General)*[29], and the Quebec Court of Appeal's 2011

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28   At section 51A of the *Constitution Act, 1867*.

29   *Figueroa v. Canada (Attorney General)*, [2003] 1 S.C.R. 912, 2003 SCC 37, at para 37: In this case Supreme Court Justice Iacobucci reviewed the perceived advantages and disadvantages of various electoral systems and what latitude should be given to the Government in determining how to design an electoral system in accordance with section 3 of the *Charter*. [emphasis added]

    Finally, although certain aspects of our current electoral system encourage the aggregation of political preferences, I do not believe that this aspect of the current electoral system is to be elevated to constitutional status. In his reasons, LeBel J. argues that first-past-the-post elections favour mainstream parties that have aggregated political preferences on a national basis. This might, indeed, be true. But the fact that our current electoral system reflects certain political values does not mean that those values are embedded in the Charter, or that it is appropriate to balance those values against the right of each citizen to play a meaningful role in the electoral process. **After all, the Charter is entirely neutral as to the type of electoral system in which the right to vote or to run for office is to be exercised. This suggests that the purpose of s. 3 is not to protect the values or objectives that might be embedded in our current electoral system, but, rather, to protect the right of each citizen to play a meaningful role in the electoral process, whatever that process might be**.

decision in *Daoust c. Québec (Directeur général des élections)*[30], the courts have held that section 3 of the Charter does not guarantee any particular type of electoral system, including first-past-the-post, but rather a right to play a meaningful role in the electoral process.

However, these cases did not contemplate how other constitutional provisions, particularly around proportionate representation of the provinces, could be triggered by electoral system reform. As well, the Supreme Court of Canada's 2014 decision in the Senate Reference[31] has raised questions for some about whether the method of selection, as well as perceived role or nature of MPs, though not explicitly set out in the Constitution, are nonetheless a part of its "architecture." If so, experts have questioned whether or not electoral system reform could trigger the need for constitutional amendment, either the kind that can take place within the sole purview of Parliament, or that would require provincial consent in accordance with the general amending formula (the 7/50 rule) set out in section 38 of the *Constitution Act, 1982*.

B. Witness and Submission Observations on the Constitutionality of Electoral System Reform

Most experts who testified before or submitted briefs to the Committee suggested that the types of electoral system reforms contemplated by the Committee would not amend the Constitution in such a way as to necessitate provincial support, so long as the reforms respected certain constitutional parameters, such as proportionate representation between the provinces. Still, some experts questioned whether the notion of "constitutional architecture" referred to in the Senate Reference could be interpreted to include some elements of the current electoral system or role of MPs in the House of Commons thereby requiring some level of provincial approval.

Constitutional expert and former Quebec cabinet minister Benoît Pelletier observed that while the current electoral system is constitutional, it is not the only system that could

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30 *Daoust c. Québec (Directeur general des élections)*, 2011 QCCA 1634 [unofficial English translation], application for leave to appeal to the Supreme Court of Canada dismissed (2012 CanLII 22108, 26 April 2012): This case involved a direct challenge to first-past-the-post. The Court of Appeal rejected the petitioners' call to declare the system unconstitutional and thus inoperative and followed *Figueroa* in concluding that section 3 of the Canadian *Charter* does not guarantee any particular type of electoral system. Justice Dufresne, writing for the Quebec Court of Appeal (unofficial translation), noted that effective representation of citizens, regardless of the type of electoral system used, satisfies the right to vote enshrined in section 3 of the Canadian *Charter* and section 22 of the Quebec *Charter*. See paras 55 to 57.

31 *Reference re Senate Reform*, [2014] ISCR 704, 2014 SCC 23. In this decision, the Supreme Court determined that all of the reform options contemplated required some form amendment to the Constitution of Canada, as defined by section 52(2) of the *Constitution Act, 1982*. The Court reiterated that the definition found in section 52 is not exhaustive. Indeed, the rules of constitutional interpretation led the Supreme Court to conclude that the Constitution has an "internal architecture" or "basic constitutional structure", such that the "individual elements of the Constitution are linked to the others, and must be interpreted by reference to the structure of the Constitution as a whole" (at paragraph 26).

conform to the Constitution.[32] Indeed, he noted how the Supreme Court, in *Figueroa*, highlighted how the choice of electoral system is essentially a political matter, up to Parliament to decide (within certain parameters).[33] Should the reforms of the electoral system be found to contravene those parameters, constitutional amendment would be required. For example, as discussed above, any change to the principle of proportionate representation between the provinces would be:

> … subject to the 7/50 procedure, meaning the consent of the House of Commons and the Senate, subject to the Senate having only one suspensive veto of 180 days, and at least seven provinces representing at least 50% of the population of all the provinces.[34]

As well, Professor Pelletier identified the following elements as being fundamental to the constitutionality of any electoral system in Canada:[35]

- Effective representation (relative equality between voters);

- The office of the Queen or the Governor General (which require unanimous consent to be amended);

- The "Senate floor" provision, protecting the right of the provinces to have a number of members of the House of Commons that is at least equal to the number of senators;

- The principle of proportionate representation of the provinces in the House of Commons; and

- The principle of responsible government.[36]

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32   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1425–1430 (Benoît Pelletier):

In the light of all that I have read, my analysis leads me to say that, in the eyes of the Supreme Court of Canada, the single member simple plurality system, the "first past the post system", is constitutional, despite its weaknesses. It's good to know that the current system is in conformity with the Canadian Constitution, although it has weaknesses, as we all know. Second, and what I am saying here is still essentially from the perspective of the Supreme Court of Canada, the Constitution does not require any democratic electoral system in particular and does not view the system as immutable. In other words, the Supreme Court has shown itself to be open to a change in the way we vote and has mentioned that our Constitution does not require any particular voting method. So, the first past the post system conforms with the Constitution, but it's not the only system that could conform with the Canadian Constitution and with Canadian values.

33   Ibid. (Benoît Pelletier):

The Supreme Court also seems to mean that the choice of one method of voting over another is a matter of choice between competing political values. The government has a fairly wide latitude in the matter and it is not for the Court to intervene when it comes to reforming the method of voting, or at least, it is not for the Court to intervene too much. This is, in my view, something that is fundamental. What the Supreme Court says is that electoral reform is something that belongs to elected representatives, to Parliament, to the [G]overnment. It's not something that the Supreme Court of Canada would like to intervene in.

34   Ibid., 1425 (Benoît Pelletier).

35   Ibid., 1430–1435.

Professor Pelletier added that "Parliament cannot bring about profound upheaval by introducing political institutions that are foreign to and incompatible with the Canadian system," meaning that, for example, "referenda could not become the only way in which laws are passed."[37] Finally, he said that Parliament could, should it wish, unilaterally abolish or diminish the number of electoral districts in Canada.[38]

Emmett Macfarlane, whose research focuses on legislative responses to court rulings on rights and their implications for public policy, also took the position that, within certain limits, Parliament can undertake electoral system reform without constitutional or legal constraints.[39] He suggested that even if the electoral system could be interpreted as being constitutionally entrenched as part of the "constitutional architecture" (taken to be a part of the Constitution and thus having to follow constitutional rules on amendment), it does not engage provincial interests and thus reform would not trigger the general amending formula.[40]

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36   Ibid., 1435. Professor Pelletier then outlined his understanding of the principles underlying the Westminster model of responsible government:

> The first principle is that executive powers are officially and theoretically conferred on the head of state and that they are concentrated under his purview. Under the second principle, those executive powers are exercised in practice by the prime minister and the ministers. Under the third principle, executive power is part of the legislative assembly. In other words, not only does the executive contribute to the exercise of legislative power, but it is also an integral part of the legislative assembly. According to the fourth principle, executive power must be accountable to the legislative assembly. It must answer for government policies before the legislative assembly. The next principle says that the democratic legitimacy of the executive power depends on, and is granted by, the legislative assembly. Under the final principle, which goes back to the principle of responsible government, the prime minister must tender the resignation of his government to the governor general or must ask for the House to be dissolved if he does not enjoy the confidence of those the people have elected. In my view, this is the definition of British parliamentary democracy that I give. Clearly, of course, other experts may wish to refine or add to this definition.

37   Relying on 1919 decision of the Judicial Committee of the Privy Council *In Re Initiative and Referendum Act*, referred to in 1987 by the Supreme Court of Canada in *Ontario (Attorney General) v. OPSEU*.

38   Ibid., 1440 (Benoît Pelletier):

> Finally, I would say that maybe there will be some experts saying that Parliament cannot affect the fact there are electoral districts in Canada. Section 40 of the *Constitution Act*, 1867, refers to electoral districts. Some experts may say that electoral districts are entrenched and cannot be affected by Parliament unilaterally, but I don't share that point of view. I think that Parliament can abolish or diminish the number of electoral districts unilaterally by virtue of section 44 of the act of 1982.

39   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 0955 (Emmett Macfarlane, Assistant Professor, University of Waterloo, as an Individual).

40   Excerpts from Emmett Macfarlane, "Submission to the House of Commons Electoral Reform Committee," 23 August 2016:

> 1.   Barring radical changes that affect specific constitutional guarantees, there are no legal or constitutional constraints on Parliament's ability to implement electoral reform. As is explained below, electoral reform may count as a constitutional change requiring formal amendment, but it is one that Parliament is free to implement unilaterally under section 44 of the amending formula.
>
> 2.   The electoral system itself is not explicitly set out in the constitutional text or the amending formula. Yet recent Supreme Court jurisprudence on the amending formula – specifically the 2014 Senate Reform Reference and the 2014 *Supreme Court Act* Reference – while not specifically addressing electoral reform, outlined reasoning that strongly suggests the electoral system is part of the "constitutional architecture." The Supreme Court stated that the constitutional architecture includes

Yasmin Dawood also suggested that "electoral reform can likely proceed without a constitutional amendment involving provincial consent, provided that the reform is consistent with certain constitutional limits."[41] However, she noted that the Supreme Court of Canada's 2014 Senate Reference has raised the question as to whether provincial consent could be required.[42]

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aspects not included in the constitutional text. Given its status as an essential feature of the House of Commons, it would seem that the electoral system would be considered part of that basic structure.

3. The Court's reasoning in the *Supreme Court Act* Reference also suggests that parts of ordinary statutes (like the *Canada Elections Act*) might be, in effect, constitutionally entrenched. If this logic applies to the electoral system, then electoral reform should be considered a change of a constitutional nature requiring formal amendment. However, barring very specific changes (see the next paragraph), electoral reform is not a change that implicates provincial interests in the way that reform of the Senate does. Where the regional nature of Senate representation implicates provincial interests, the representational role of the House of Commons is intended to reflect the national will. I therefore conclude that even if electoral reform requires a constitutional amendment, it is one that Parliament is free to implement unilaterally under section 44 of the amending formula (notably, in the same manner it did when reapportioning seats in 1985 and 2011).

…

5. Neither the existing electoral system nor any of the alternative systems typically considered in the Canadian context violate the *Charter of Rights and Freedoms*. The relevant Supreme Court jurisprudence on the Charter's democratic rights has suggested that Parliament should enjoy wide discretion in its choices regarding the electoral system. Further, challenges to the current First-Past-The-Post (FPTP) system on Charter of Rights grounds – the most recent of which was heard by the Quebec Court of Appeal in 2011 – have seen the system upheld as constitutional.

41   ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 August 2016, 1510 (Yasmin Dawood, Associate Professor and Canada Research Chair in Democracy, Constitutionalism, and Electoral Law, Faculty of Law, University of Toronto, as an Individual).

42   Ibid.:

I will say that until the Supreme Court's Senate reference decision, it seemed pretty clear that Parliament could actually make electoral reform decisions or changes to election laws, provided it went through the normal parliamentary process. The court, in many of its cases, has said that the electoral system falls within the domain of Parliament.

The court has recognized a number of constitutional limits on what Parliament can do. These tend to centre around the right to vote, as protected by section 3 of the charter. There are also distributional requirements in section 51A of the *Constitution Act*. Apart from those types of restrictions, it would have seemed, before the Senate reference decision, that Parliament could bring about electoral reform.

As you know, in the Senate reference decision the court said that various proposals to reform the Senate did in fact amount to a constitutional amendment, even though they didn't actually envision any changes to the constitutional text. For example, concerning the consultative elections, the proposal was that these would take place without actually changing any of the language of the Constitution, but the court found nonetheless that this amounted to a constitutional amendment.

The point is that the question now is whether electoral reform it is the kind of amendment to the Constitution that would in fact require provincial consent according to the 7/50 rule, whereby seven provinces that have 50% or more of the population agree to the change.

What I did in the paper I was describing was try to figure out whether there's a way around this. Is there a way for a future court decision to say no, to say that in fact electoral reform does not need to be approved via a constitutional amendment involving provincial consent? In my opinion, there is an argument for that. There is also the argument on the other side that in fact a constitutional amendment involving provincial consent is required.

Matthew P. Harrington went further, suggesting that the use of "constitutional architecture" has "created a great deal of ambiguity and confusion, so much so that I think it's now nearly impossible to determine whether a change in the method of electing members of either branch of Parliament is significant enough to require provincial consent."[43] He suggested that there are two ways that a proposal for electoral system reform might impact the "nebulous" concept of "constitutional architecture" or "significantly alter what it [the Supreme Court of Canada] calls the essential features of the House [of Commons]": altering the relationship or rights of the provinces, or substantially affecting the relationship between the Prime Minister and the House.[44] Thus, Professor Harrington indicated that "eliminating the first-past-the-post system" could "implicate section 42" of the Constitution.[45]

Peter Russell remarked on the possible constitutional implications of specific electoral system reform options, and posited that a mixed member proportional representation (MMP) system could be more likely to risk challenging the "constitutional architecture" than a single transferable vote (STV) system, as MMP "produces two kinds of members of Parliament," and STV has already been used in Canada in the past.[46] As discussed later in this report, however, others have testified before the Committee that there would be no real difference between MPs elected in an MMP system.

Finally, Patricia Paradis, Executive Director for the Centre for Constitutional Studies at the University of Alberta, suggested that depending on what type of electoral system reform is proposed, it might be worthwhile to seek a Supreme Court reference to confirm the constitutionality of the proposal, as a reference would be more definitive and less time consuming than a court challenge.[47] She added that should electoral reform be found to be a constitutional matter (implicating the Constitution), then the appropriate constitutional amending process would need to be applied.

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43   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1420–1425 (Matthew P. Harrington, Professor, Faculty of Law, Université de Montréal, as an Individual).

44   Ibid.

45   Ibid., 1420.

46   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1525 (Peter Russell, Professor Emeritus, Department of Political Science, University of Toronto, as an Individual):

> I think an MP would run the risk there, because it produces two kinds of Members of Parliament. That phrase in the Senate reference about the architecture of the constitution, you would agree with me, is not a precise phrase, and creating two kinds of members might be found to be a deviation from the architecture. However, having multi-member ridings in various versions of the STV system, I think, would be okay. We've actually had that in Canadian history. That's another reason why I've moved from MMP to STV, because I think there's less of a constitutional doubt about the latter.

47   ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 September 2016, 1355 (Patricia Paradis).

CHAPTER 3
LESSONS LEARNED:
A HISTORY OF ELECTORAL SYSTEM REFORM
AT THE FEDERAL AND PROVINCIAL LEVELS

Electoral system reform has been a subject of interest at the federal level for almost a century, since the time when federal elections were contested by more than two political parties. On eight occasions, dating back to 1921, various House of Commons committees, royal commissions, and the Law Commission of Canada have studied elements of electoral system reform.

Between the 1910s and 1970s, British Columbia, Alberta, Saskatchewan, and Manitoba introduced Alternative Vote (AV) or Single Transferable Vote (STV) systems, or a combination of the two, at the provincial and/or municipal levels. More recently, British Columbia, Ontario, Quebec, New Brunswick, and Prince Edward Island have all studied electoral reform.

Together these various studies have all sought to address, among other things, two fundamental questions about how votes get translated to seats in the House of Commons or provincial legislatures. First, when more than two candidates run for election in a particular riding, should the victor have to obtain a majority (more than 50%) of votes cast, or just a plurality (more votes than any other candidate, but not necessarily more than 50%) of votes cast, as is currently the case? Second, should the electoral system, which currently treats each riding as its own contest, and thus does not take into account support for a political party or interests across ridings or across a region, in some way seek to translate this aggregate vote share into representation in the House of Commons or provincial legislatures?

Finally, a number of these studies have also focused on the process of electoral reform – to what extent Parliament or provincial legislatures should consult with the public on options for reform, for example through select deliberative processes such as citizens assemblies or through direct votes in plebiscites or referendums.

In the words of Canadian historian Desmond Morton "cautious people learn from their past; sensible people can face their future. Canadians, on the whole, have been both."[48] These histories of inquiry into electoral reform, and the insights provided to the Committee by those who have taken part in studies of electoral reform over the past 15 years, offer useful lessons to the Committee.

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48   Craig Brown, ed., *The Illustrated History of Canada*, 25th Anniversary edition, McGill-Queen's University Press, Montreal & Kinston, 2012, p. 598.

A. 1921: A Turning Point

From Confederation in 1867 until 1921, federal elections were contests between two political parties. As noted by Peter Russell in his submission to the Committee, in this context the first-past-the-post electoral system worked well:

> As long as federal elections were contested by just two political parties, the first-past-the-post system produced parliaments in which there was a pretty good match between the distribution of seats in the House of Commons and the popular vote for political parties. The majority governments that these parliaments supported on all but one occasion were led by leaders whose party members won a majority of seats in the House and whose candidates won over 50% of the popular vote.[49]

However, since 1921, as Professor Russell noted, federal elections have been contested by at least three parties, which has resulted in one-party majority governments being elected with much less than a majority of the electorate's support (and with individual candidates being elected without majority support in their ridings):

> But that situation changed in the 1921 election that was contested by three parties – the Conservatives, Liberals and Progressives. The Mackenzie King Liberals won the most seats (but not a majority), the Progressives came second, and Arthur Meighen's Conservatives finished in third place. From that 1921 election until today, Canada has had a multi-party political system at the federal level, with three or more political parties competing for seats in parliamentary elections. Elections held since then have rarely resulted in governments with both a majority of seats and a majority of the popular vote. In fact, only 3 of the 30 elections held since 1921 have had that result – Mackenzie King's Liberals in 1940, Diefenbaker's Progressive Conservatives in 1958 and Mulroney's PCs in 1984. A much more frequent outcome has been one-party majority governments supported by much less than a majority of the electorate.[50]

In 1921, as more political parties were entering the fray, alternative methods of voting were gaining popularity, particularly in the Prairie and western provinces. Provincially, from the 1920s to the 1950s, Alberta and Manitoba both adopted the STV for elections held in urban ridings and AV for elections held in rural ridings.[51] As well, in the late 1910s to early 1920s, a number of municipalities in Alberta, British Columbia, Manitoba and Saskatchewan adopted STV systems[52], and in one case an AV system[53]. Some observers cite the extension of the right to vote to non-property owners, the working class and women, and the subsequent growth in popularity of

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49   Peter H. Russell, University of Toronto, "Submission to House of Commons Electoral Reform Committee," 26 July 2016.

50   Ibid.

51   Dennis Pilon, *The Politics of Voting - Reforming Canada's Electoral System*, Emond Montgomery Publications Limited, Toronto, 2007, p. 81. See also: Elections Manitoba, *History of Electoral Process from 1870 to 2011*.

52   Calgary (1916–1961); Edmonton (1922–1928); Regina (1920–1926); Saskatoon (1920–1926); Vancouver (1920–1923); Victoria (1920–1921); Winnipeg (1920–1971). Source: Dennis Pilon, *The Politics of Voting – Reforming Canada's Electoral System*, Emond Montgomery Publications Limited, Toronto, 2007, p. 81.

53   Calgary, from 1961 to 1973.

progressive and united farmers' parties, as the reason for the adoption of these systems.[54] As well, internationally, STV had been adopted throughout Ireland.

It was in the context of these developments that in May 1921, months before the seminal December 1921 federal election that resulted in three political parties being represented in the House of Commons, a special House of Commons committee first reported on the desirability of electoral system reform at the federal level.

1. The House of Commons 1921 Special Committee on Proportional Representation and the Subject of the Single Transferable or Preferential Vote

Towards the end of the 13th Parliament,[55] a special House of Commons committee was created to "consider the subject of proportional representation and the subject of the single transferable or preferential vote, and the desirability of the application of one or the other or both to elections to the House of Commons of Canada."[56]

In its First Report, presented to the House of Commons on 30 May 1921, the Special Committee on Proportional Representation and the Subject of the Single Transferable or Preferential Vote found that the first-past-the-post electoral system only worked as intended when two candidates ran against each other. However, the Special Committee noted that as elections in Canada increasingly had three or more candidates contesting a seat, the candidate ultimately elected often only had the support of a minority of voters. Indeed, the 1921 report observed that "it must be apparent to all that the present system of election in single-member constituencies meets fully the purpose intended only when not more than two candidates are nominated."[57]

While the Special Committee did not recommend the adoption of a means of proportional representation (PR) for the upcoming federal election, it observed that it was impressed by the advocates for reform, and proposed that a plebiscite be held to determine whether voters would wish to apply "the principle of proportional representation with group constituencies"[58] (referring to the STV). However, it did recommend that the AV be adopted for use in constituencies where more than two candidates present themselves, as "a candidate finally declared elected would represent the choice of the majority of the electors."[59]

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54   Law Commission of Canada, *Voting Counts: Electoral Reform for Canada*, Ottawa, 2004, p. 26.

55   Elected in 1917 and led by the Unionist Party pro-conscription coalition.

56   House of Commons, Special Committee on Proportional Representation and the Subject of the Single Transferable or Preferential Vote, First Report, *Journals*, 5th Session, 13th Parliament, 30 May 1921, pp 391–392.

57   Ibid.

58   Ibid

59   Ibid.

B. Subsequent Studies of Electoral System Reform at the Federal Level

1. 1935-1937: The Special Committee on Elections and Franchise Acts

The House of Commons continued to study the subject of electoral system reform in the 1930s. During the 18th Parliament, elected in 1935,[60] a special committee on elections and franchise acts was struck to examine "the proportional representation system; the alternative vote in single member constituencies; compulsory registration of voters; and compulsory voting."[61] However, while the 1921 report was open to reform, the study conducted in the mid-1930s took a more reserved approach. In its 1936 report recommending against electoral system reform at that time, the members of the The Special Committee on Elections and Franchise Acts questioned whether the adoption of either some form of PR [it appears that the focus was still on STV] or the AV would work across the Dominion of Canada and be "conducive to good government." In that sense it appears that the Special Committee's focus went beyond how electoral system change could impact the *representativeness* of Parliament, in terms of how votes were translated into seats, to what could be meant as "good government."[62]

2. A Trio of Task Forces/Royal Commissions: 1979, 1985, 1991

Following the 1930s, electoral system reform was not studied at the federal level for over 40 years, when a flurry of royal commission reports commented on the issue in 1979, 1985, and 1991:

- In 1979 the **Task Force on Canadian Unity (the Pépin-Robarts Commission)**[63] recommended, among many significant proposals, that an element of proportionality be introduced into the electoral system through a form of mixed member proportional representation (MMP).[64]

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60   And in which the new Co-operative Commonwealth Federation (CCF) from the West won 7 seats on a platform of social reform, and new Social Credit Party, also from the West, won 17 seats with its platform of monetary reform.

61   House of Commons, Special Committee on Elections and Franchise Acts, Fourth and Last Report, *Journals*, 1st Session, 18th Parliament, 11 June 1936, pp. 446–448; and Second and Last Report, *Journals*, 2nd Session, 18th Parliament, 6 April 1937, pp. 390–394.

62   Ibid.

63   Task Force on Canadian Unity, *A Future Together: Observations and Recommendations*, Ottawa, 1979.

64   The Task Force recommended switching from the first-past-the-post electoral system to a mixed member proportional system based on the German model ("Electoral Reform and the House of Commons [Chapter 7]"):

> 68. In order to establish a better balance between the number of votes and the number of seats obtained by each political party in different regions and provinces, the current mode of election to the House of Commons should be modified by introducing an element of proportionality to complement the present simple-majority single-member constituency system.
>
> 69. i – The number of members in the House of Commons should be increased by about 60.
>
> ii – These members should be selected from provincial lists of candidates prepared by the federal parties in advance of a general election, with the seats being distributed between parties on the basis of percentages of popular votes.

- In 1985 the **Royal Commission on the Economic Union and Development Prospects for Canada (the MacDonald Commission)**[65], following another comprehensive study, recommended that PR elections should be introduced in the Senate, with electoral reform in the House of Commons being a "second-best" solution.

- Finally, in 1991 the **Royal Commission on Electoral Reform and Party Financing (the Lortie Commission)** recommended maintaining the first-past-the-post electoral system, though it did indicate support for the MacDonald Commission's suggestion for a Senate elected by PR, noting that the MacDonald Commission had made a "persuasive case."[66]

3. Law Commission of Canada, Voting Counts: Electoral Reform for Canada, 2004

Electoral system reform became a topic of interest again at the federal level at the turn of the millennium. In March 2004, the independent Law Commission of Canada concluded a three-year study on electoral reform and submitted its report recommending the adoption of MMP, entitled *Voting Counts: Electoral Reform for Canada*,[67] to the Minister of Justice. In determining that MMP would be a best alternative electoral system at the federal level, the Commission looked at the capacity of electoral systems to "maintain accountable government, most notably a direct link between elected politicians and their constituents." It further noted that there was little support to substantially increase the size of the House of Commons, and that changes to the electoral system "should be made without a process of constitutional amendment."[68]

Of note, over the course of its current study the Special Committee on Electoral Reform had the opportunity to hear from the former President and two commissioners who were part of the Law Commission of Canada's study on electoral reform: Nathalie Des Rosiers[69] and Roderick Wood,[70] and lawyer Bernard Colas.[71] All three expressed continued support for the Law Commission's conclusion that some element of proportionality ought to be incorporated into the federal electoral system. For example,

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65   [Royal Commission on the Economic Union and Development Prospects for Canada](#), [Volume 3](#), Part VI, "Chapter 21 – The Institutions of National Government," Ottawa, 1985, p. 85.

66   [Royal Commission on Electoral Reform and Party Financing](#), [Volume 1](#), Chapter 1, "The Objectives of Electoral Democracy," Ottawa, 1991, p. 21.

67   Law Commission of Canada, *[Voting Counts: Electoral Reform for Canada](#)*, Ottawa, 2004.

68   Ibid.

69   ERRE, *[Evidence](#)*, 1st Session, 42nd Parliament, 22 August 2016, 1805 (Nathalie Des Rosiers, Dean, Faculty of Law, Civil Law, Ottawa University, as an Individual).

70   ERRE, *[Evidence](#)*, 1st Session, 42nd Parliament, 29 September 2016, 1340 (Roderick Wood, Professor, Faculty of Law, University of Alberta, as an Individual).

71   ERRE, *[Evidence](#)*, 1st Session, 42nd Parliament, 22 September 2016, 1835 (Bernard Colas, Attorney, CMKZ LLP, former Commissioner of the Law Commission of Canada, a an Individual).

Professor Des Rosiers indicated: "I continue to think that in whatever system we choose, there should be an added element of proportionality in some fashion."[72] Professor Wood added that today he would be more supportive of open lists instead of closed lists.[73] Mr. Colas strongly encouraged the members of the Committee on Electoral Reform to consider the Law Commission's report in its deliberations.[74] He added that the public would support a reform initiative based on the principle of fairness:

> One basic instinct of a human being is about fairness. If you have young kids, the kids will say it's not fair. The first question you ask Canadians is whether it's fair for someone to be elected with 30% of the vote, or 40%, or whether it's fair if you have 20% of the vote and you get only 10% of the seats. They will answer "no". Then you say, "Okay, we're here to make a proposal to correct this system and to improve its fairness." I think it's a good pitch to start with.[75]

The Committee also had the opportunity to hear from Brian Tanguay, who had served as the lead author on the Law Commission of Canada's report. He noted that the analysis and recommendations of the report "have continued to inform recent

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72   Looking back to the 2004 Law Commission report, Ms. Des Rosiers observed that:

> The one I continue to be absolutely confident in is the assessment of the first past the post system. We may be happy at some point, but we have to look *dans la longue durée*. I think there have been too many instances of distortions. I continue to be confident about that. I also think that the recommendations we made on ongoing attention being paid to this issue are important and should be part of your report… I continue to think that in whatever system we choose, there should be an added element of proportionality in some fashion. We must continue to pay attention to that.

ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1840 (Nathalie Des Rosiers).

73   During his testimony, Professor Wood stood by the conclusions of the 2004 Law Commission Report:

> Twelve years ago, the Law Commission of Canada published its report on electoral reform. I was a commissioner with the Law Commission and I participated in the production of that report. What I wanted to do today was to talk a little bit about how it was that we came to the conclusion that we did. I can say that in the 12 years that have passed since the publication of the report I have not changed my view that the mixed member proportional system is a better choice than the existing system, and is to be preferred over other alternatives. However, there is one element of the report that I have changed my mind about in light of new information that wasn't available at the time of the Law Commission's report. That is the issue of open lists versus closed lists.…

ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 September 2016, 1340 (Roderick Wood).

74   Mr. Colas indicated:

> I encourage you again to read the report, because various problems are raised in it. We wondered, for instance, if a member elected from a list should have the same status as a member elected in a riding. Many other questions were raised and we answered them in the report. In fact, I understand that reforming the electoral system is not easy. You are facing quite a challenge. At the time, I spoke with the Canadian Association of Former Parliamentarians, and I felt a certain resistance on their part. Many of those who were elected in a certain system feel that if this worked for them, why change the system that allowed them to get elected? So you are going to have to deal with the political arm that designs the system, but also with the politicians who work with it.

> The system we proposed is in my opinion easy to sell to the population. There would be two methods: 66% of members would be elected in ridings and 33% would be chosen from lists. In my opinion, that proportion would correct the imbalance and reflect the values of the 21st century.

ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 September 2016, 1835 (Bernard Colas).

75   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 September 2016, 1940 (Bernard Colas).

debates over electoral reform in this country," and that "the only way to address the significant defects in our Westminster model of government is through fundamental electoral reform, by adopting a system that ensures both demographic representation and proportionality in the translation of votes into seats in Parliament."[76]

4. House of Commons Standing Committee on Procedure and House Affairs, Forty-Third Report (Electoral Reform) (tabled 16 June 2005)

In 2005, the year following the publication of the Law Commission of Canada's report recommending MMP, the House of Commons Standing Committee on Procedure and House Affairs tabled a report[77] to "recommend a process that engages citizens and parliamentarians in an examination of our electoral system with a review of all options."

The report recommended a two part process, that would "involve a special committee of the House of Commons, and a citizens' consultation group," and that "the purpose of both the special committee and the citizens' consultation group is to consider and make recommendations on strengthening and modernizing the democratic and electoral systems." The citizens' consultation group was to "make recommendations on the values and principles Canadians would like to see in their democratic and electoral systems," while the special committee "would make recommendations on the specific components of Canada's democratic and electoral systems."[78] The special committee would take into account the report of the citizens' consultation group to then "make recommendations on Canada's democratic and electoral systems"[79] to the House of Commons.

In a supplementary opinion, the Conservative members of the committee indicated that they "would have preferred to establish a national Citizens' Assembly on the model of the one that was used to design electoral reforms for British Columbia," as they found that model to be "distinctly superior, by every measure of inclusiveness and openness (geographic balance, gender balance, etc.) to the process that has been advocated by the committee."[80] As well, the supplementary opinion indicated that "a Conservative government would not implement any proposal for substantial change to the electoral system, until the change is endorsed in a national referendum."[81]

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76   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1415-1420 (Brian Tanguay, Professor, Political Science, Wilfrid Laurier University, as an Individual). Professor Tanguay also expressed support for open lists, stating: "If I were to rewrite or amend the 2004 report, I would try to ensure that these lists we're selecting from are in the most open fashion possible."

77   House of Commons Standing Committee on Procedure and House Affairs, *Forty-Third Report (Electoral Reform)*, 1st Session, 38th Parliament, 16 June 2005.

78   Ibid.

79   Ibid.

80   Ibid.

81   Ibid.

In a second supplementary opinion, the Bloc Québécois indicated that while they supported "most of the report's recommendations, and especially those dealing with the striking and mandate of a special House of Commons committee," they would have appreciated "more time to determine how the consultation and direct participation of the public in the reform process" was to be set out.[82]

5. Government of Canada, *Public Consultations on Canada's Democratic Institutions and Practices*, 2007

Finally, in March 2007, the Government held a citizens forum on democratic reform in each province and territory, along with one national youth forum. From these forums, the Government prepared a report entitled *Public Consultations on Canada's Democratic Institutions and Practices*.[83] The report indicated that, among other things, Canadians appeared to prefer the current FPTP electoral system to a system that includes PR. However, the consultations also found that respondents were open to considering change, including a voting system in which every vote for a party counts.[84]

C. Electoral Reform at the Provincial Level

1. Early Reform Initiatives

As noted above, from the 1920s to the 1950s, Alberta and Manitoba both adopted the STV for elections held in urban ridings and the AV for elections held in rural ridings.[85] As well, in British Columbia, the governing Liberal-Conservative coalition adopted AV for the 1952 provincial election, though the system reverted back to FPTP after the Social Credit Party won the 1953 election.[86] Finally, in the late 1910s to early 1920s, a number of municipalities in Alberta, British Columbia, Manitoba and Saskatchewan adopted STV systems,[87] and in one case an AV system.[88]

In his appearance before the Committee, Harold Jansen provided the Committee with an overview of his research into the use of AV and STV in Canada, and what lessons may be applied to the current process of electoral reform. His comments on the use of AV and STV in Canada are included in the corresponding sections of this report. He noted the political contexts that led to electoral reform (and reversion to FPTP) in Alberta and Manitoba:

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82   Ibid.

83   Government of Canada, *Public Consultations on Canada's Democratic Institutions and Practices*, 2007.

84   Jack Aubry, "Poll shows voters favour winner-take-all system," *Ottawa Citizen*, 16 September 2007.

85   Dennis Pilon, *The Politics of Voting – Reforming Canada's Electoral System*, Emond Montgomery Publications Limited, Toronto, 2007, p. 81. See also: Elections Manitoba, *History of Electoral Process from 1870 to 2011*.

86   Law Commission of Canada, *Voting Counts: Electoral Reform for Canada*, Ottawa, 2004, p. 28.

87   Calgary (1916–1961); Edmonton (1922–1928); Regina (1920–1926); Saskatoon (1920–1926); Vancouver (1920–1923); Victoria (1920–1921); Winnipeg (1920–1971). Source: Dennis Pilon, *The Politics of Voting – Reforming Canada's Electoral System*, Emond Montgomery Publications Limited, Toronto, 2007, p. 81.

88   Calgary, from 1961 to 1973.

The lead-up to this was that in the decade of 1910 to 1920, there were big discussions on the Prairies on this. A lot of the complaints they were having about their electoral system were exactly the kinds of things you've been hearing here and we've been talking about today, around the lack of fairness in terms of representation. The single transferable vote was seen as the British form of PR, so it had a particular popularity, but there was this populist element to western Canada. The idea that it was candidate focused was attractive.

When the liberal progressives came in—actually the Liberal Party in Manitoba brought it in in 1920—they were facing farmers suddenly becoming active, and they figured that if they gave them this one demand, then that would help. So they brought it in to Winnipeg. The other thing in Winnipeg was that there had been the general strike. It also helped, they thought, to contain some of the labour radicalism a bit because the labour parties might have absolutely swept Winnipeg.

In 1922 the United Farmers of Manitoba came in, and they extended AV to the rural areas, which was a bit of a betrayal because everybody had argued about STV. This helped to preserve their power base, and it was a blend of idealism and political self-interest. It was the same with the United Farmers of Alberta [UFA]. They brought in STV in Edmonton and Calgary. They lifted whole parts of the legislation from Manitoba and just copied it in Alberta. It was the same thing. UFA was strong in the rural areas and weak in the urban areas. This fragmented their opposition, but they were partly keeping their promise. Everybody saw that eventually this would get better and that it would switch. This was a stepping stone to STV everywhere, and it never happened.

The big concern was over the size of the districts. At that time, where you're travelling by horse and buggy to places, that's a big concern. You can't use Skype.

The reason it ended was slightly different in each province. In Alberta it was strict political self-interest for the Social Credit. They were starting to lose. The Liberals and CCF [Co-operative Commonwealth Federation] finally figured out that they could use this to defeat Social Credit.

Manitoba is a little more complicated. In Manitoba, the big issue was about the rural overrepresentation. There was a bit of a trade-off. If they solved this problem and started to bring in independent boundary commissions, then they would get rid of this. They had another big complaint, and this is a very important one, because I've seen people come before you and suggest that we should adopt this model. If you do AV in the rural areas and STV in the cities, the problem is that going from 30% to 40% in a group of 10 single-member districts is going to pay off big time in seats. Going from 30% to 40% in Winnipeg, which had 10 districts, is going to get you one more seat.

Where did parties spend their efforts and focus their attention? In the rural areas. Winnipeg complained they were being ignored.[89]

2. Recent Reform Initiatives

Over the past 15 years, electoral reform has been a topic of interest and study at the provincial level, often being spurred on by the frequency of lopsided election results, whereby the seat counts in the provincial legislatures do not match vote share. The Committee heard from numerous witnesses involved in electoral reform in British

89   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1730 (Harold Jansen, Professor of Political Science, University of Lethbridge, as an Individual).

Columbia, Ontario, Quebec, as well as in New Brunswick, and Prince Edward Island, where the issue is currently being considered.

a. British Columbia

British Columbia explored provincial electoral system reform between 2003 and 2009.[90] In 2003 British Columbia's government established a citizens' assembly on electoral reform, an independent, non-partisan assembly of citizens with the mandate of examining the provincial electoral system and making recommendations on reform.[91] In December 2004, the Citizens' Assembly recommended the STV system, termed "BC-STV," as the best choice for the province[92], and in May 2005 the STV proposal was put to the voters of British Columbia as a referendum question in the provincial election. However, in order for the proposal to pass, it needed to be approved by 60% of all voters, and by a simple majority of voters in 60% of the 79 constituencies. In the referendum, the STV proposal received 57% support – short of the required 60% majority – and was therefore not approved. However, as a result of the considerable support across the province for the proposed STV system, the Government indicated that another referendum on STV would be scheduled. In the second referendum, held at the same time as the 2009 provincial general election, the STV proposal was supported by 39% of all voters and received sufficient support in only 7 of 85 electoral districts, far short of the 51 required to ensure its implementation.

The Committee heard from a number of witnesses involved in British Columbia's electoral reform process, as well as from 140 individuals who presented at open mic sessions in Victoria and Vancouver, many of whom spoke about electoral reform in their province. Four main messages emerged from the testimony. First, British Columbians who spoke to the Committee supported the B.C. citizens' assembly process to make recommendations on electoral system reform. For example, as noted by Gordon Gibson, who helped design the structure and mandate of the Citizens' Assembly:

> Central to the B.C. success was the developmental and consultative machinery for the new electoral proposal.… The government … mandated a citizens' assembly and gave

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90   British Columbia's first electoral reform occurred in 1952, when the governing Liberal-Conservative coalition adopted Alternative Vote (AV) for the 1952 provincial election. AV was used for the second and last time in the provincial election of 1953. With the election of the Social Credit Party, first-past-the-post was reinstated. For more information see: Elections BC, *Electoral History of BC*.

91   The Assembly included 160 eligible voters (80 women and 80 men) chosen from each of British Columbia's 79 constituencies and 2 Aboriginal representatives.

92   Under BC-STV, the province would have gone from 85 single-member ridings to 20 multiple-member ridings, while keeping the same number of MLAs. In this system, each electoral district would have between 2 and 7 seats depending on its population and geographic size, and electors would vote for district representatives by ranking candidates on the ballot. The model avoided the use of party lists, which the Assembly felt might be unpopular with British Columbians. Instead, voters would choose among candidates by name and when ranking candidates, could choose candidates from different parties, thus retaining the maximum amount of freedom in choosing whom to elect.

me the honour of designing the machinery. Through the efforts of the chair, the staff, and its members, it worked supremely well.[93]

As well, former B.C. Citizens' Assembly member Diana Byford commented on how the physical space where meetings took place, the Wosk Centre in Vancouver, had a positive impact on the process:

> I don't know how many of you might be familiar with that place, but it's circular. There are circular tiers of seats. Everybody felt equal. There was no head table.… That centre is an amazing place. It enabled us to settle in and to feel that all voices were equal, all voices were heard. I don't think they have anything similar to that facility in a lot of the provinces. I think that would have a big impact on the results.[94]

Second, the Committee heard ongoing support from the witnesses and a number of open mic presenters in B.C. for STV as an option for electoral system reform. As explained by former B.C. Citizens' Assembly member Craig Henschel,

> If we could solve the problems of exclusion and unequal representation, we could solve the problem of disproportionality. The single transferable vote solves this problem directly. STV uses multiple MPs in a district to represent multiple points of view. This greatly reduces the amount of voter exclusion, while at the same time keeping MPs as local as possible. STV is a preferential ballot, so that strategic voting isn't necessary and so that the voter can give the counting system a clear portrait of their desires. STV also uses a fair counting system that elects each MP in a district with about the same number of votes.[95]

Third, the Committee heard numerous criticisms of the 60% threshold set for the B.C. referendum on electoral reform. As observed by Mr. Gibson, the B.C. referendum did not fail, as it "received the affirmative support of almost 58% of the electorate," had a turnout of 61.5%, and "secured an absolute majority in 77 of 79 ridings." Indeed, as Mr. Gibson concluded, the "referendum passed by any reasonable test, but the provincial government had set a 60% hurdle rate, so a marvellous opportunity for a natural experiment in thoughtful electoral reform was lost."[96] Mr. Henschel added that members of the Citizens' Assembly were particularly concerned about the 60% threshold,[97] and

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93 ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1425 (Gordon Gibson, as an Individual). Craig Henschel and Diana Byford, who both served on the B.C. Citizens' Assembly, also expressed their support for the assembly's process and mandate: ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 September 2016, 1520 (Craig Henschel, Member, B.C. Citizens' Assembly on Electoral Reform); and 1650 (Diana Byford, B.C. Citizens' Assembly on Electoral Reform).

94 ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 September 2016, 1650 (Diana Byford).

95 Ibid., 1520 (Craig Henschel).

96 ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1425 (Gordon Gibson).

97 ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 September 2016, 1530 (Craig Henschel). Mr. Henshel noted:

> The referendum was set at the same time the assembly was established. But at that time, we didn't know that it was going to be a double 60% supermajority. When we all signed up, we thought it was a usual 50% majority referendum. We were only told about the double 60% several months into our process, and we all just sat there thinking that this proposal was doomed. We didn't think it would work, although we really did like the requirement to get 50% in the different districts. That forced us to make sure we satisfied the requirements and needs of rural voters, which we could have avoided otherwise.

He added at 1545:

fellow Citizens' Assembly member Diana Byford saw the threshold as a failure on the part of the B.C. government.[98]

Finally, the Committee heard concern about the lack of public education following the Citizens' Assembly process and the recommendation of STV through the conduct of the referendum. As Diana Byford explained, there had not been any funds set aside for public education on the choice of STV, a number of Citizens Assembly members "took it upon themselves to do so":

> Not everyone, of course, could do this. It was done on our own time and money. We spoke to groups and organizations. We debated sometimes and we provided answers to many, many questions. This we did from December 2004, when our report was delivered to the legislature, until the referendum in May 2005. My last speaking engagement was the evening before that election.[99]

Indeed, as noted by Professor Kenneth Carty, who had served as the Director of Research for the B.C. Citizens' Assembly on Electoral Reform (and subsequently served as a senior consultant to the Ontario Citizens' Assembly), the substantial support for reform in the B.C. referendum was due to the trust that voters placed in the Citizens Assembly process, rather than a deep understanding of the mechanisms of electoral system reform.[100]

> I think it's clear to everybody that the double 60% supermajority required was an attempt to stop the reform from happening. It was planned. They had the best intentions when they set up the assembly. Gordon Campbell lost the 1996 election, and I remember that election night. He had the most votes. The Liberals had the most votes and the NDP formed a majority government. He was furious. He said, "Never again." In the next election, the Liberals won 77 of 79 seats. It was a huge majority and it left no official opposition. We knew in British Columbia that the electoral system just didn't work. It got the wrong answers, and it made governance difficult. There was a unanimous vote in the legislature to set up the assembly, and then they got to thinking that maybe that was not such a good idea.

98   Ibid., 1650 (Diana Byford). She stated:

> The government had two 60% requirements, which you've also heard about: 60% of the votes cast in favour, and 60% of the ridings at 50% plus one. The results were: votes cast, 57.69%, ridings, 77 out of 79 or 92%, yet it was declared to have failed. My personal opinion is that the Government of B.C. failed the people. I also believe that our success in reaching these numbers came from the fact that this recommended change came from ordinary citizens as opposed to political groups or institutions.

99   Ibid.

100   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1440 (R. Kenneth Carty):

> The evidence from the referendum—and we did a fair amount of research after it—was that the large majority of people who voted in the referendum really knew nothing about the issue on which they were voting. People who voted for the referendum voted to adopt the system. I think someone said 58% voted in that referendum in favour. The large majority of people who voted for it were people who knew about the citizens' assembly and who approved of that exercise. What they were really doing was signalling their approval of an initiative that had come from their fellow citizens. They understood that their citizens had spent a year going around the province consulting, thinking about it, and working out a range of alternatives, because they devised an MMP system, an STV system, and a first past the post system. All that the evidence suggests, from the polling we did, was that people who voted for it were really people who knew about the system, but more to the point knew about the citizens' assembly and believed they had done a good job. The majority of people who came to the polls who knew nothing about it essentially voted against it. I think the Evidence, certainly from Ontario, suggests that the large majority who come to these referendums really know nothing about the substantive details of the issue.

b. Ontario

Ontario explored provincial electoral system reform between 2003 and 2007. Following British Columbia's lead, in 2006 the Ontario Citizens' Assembly on Electoral Reform was formed to examine the current electoral system and recommend possible changes.[101] In May 2007, the Assembly released a report entitled *One Ballot: Two Votes – A New Way to Vote in Ontario*, which recommended a MMP system. A province-wide referendum to decide whether to implement this new system was held in conjunction with the provincial election in October 2007. The proposal did not receive the requisite voter support – at least 60% of the total referendum ballots cast and more than 50% of the referendum ballots cast in at least 64 electoral districts – as prescribed in section 4 of the *Electoral System Referendum Act, 2007*.[102]

In his testimony before the Committee, Jonathan Rose, who had served as the Academic Director of the Ontario Citizen's Assembly on Electoral Reform, highlighted how a citizens' assembly or "some kind of deep deliberative exercise" is useful as part of the process of engaging in electoral reform.[103] He also stressed the importance of the "public learning component of electoral reform" as part of "the overall strategy of engagement" with the public.[104]

Brian Tanguay, who had served as the lead author on the Law Commission of Canada's 2004 report titled *Voting Counts: Electoral Reform for Canada*, and appeared as an expert witness before the Ontario and Quebec legislatures to discuss electoral reform, noted that a "lack of education, a lack of information, confusing signals put out by the parties themselves, all … led to a less than optimal context for the conduct of the referendum vote itself."[105]

c. Quebec

Quebec explored potential provincial electoral system reform between 2004 and 2007. In December 2004, the Quebec government introduced a draft bill in the National Assembly that, among other reforms, proposed a new mixed electoral system that would combine elements of the existing FPTP system and a new PR approach. In June 2005, the National Assembly adopted a motion to appoint a nine-member special commission to study and make recommendations on the draft bill. The Special

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101 Government of Ontario, Democratic Renewal Secretariat, "McGuinty government moves forward on historic electoral reform initiative," News release, 27 March 2006. The assembly was made up of 103 members (52 women, 51 men) representing each of Ontario's constituencies, randomly selected by Elections Ontario from the Permanent Register of Electors for Ontario. See also the website of the Citizens' Assembly on Electoral Reform.

102 *Electoral System Referendum Act, 2007*, S.O. 2007, c. 1.

103 ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 July 2016, 1040 (Jonathan Rose, Associate Professor, Department of Political Studies, Queen's University, as an Individual).

104 Ibid., 1010.

105 ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1505 (Brian Tanguay).

Commission on Electoral Act was assisted by an eight-member citizens' committee.[106] Public consultations were held across Quebec beginning in January 2006.

The Commission reported its findings to the National Assembly in April 2006. Its report rejected the Government's draft bill and proposed an MMP system similar to that of Germany. The Commission's main criticism of the Government's draft bill was that the proposed one-ballot system did not accurately reflect the wishes of the voters and would encourage strategic voting.

In December 2007, the province's Chief Electoral Officer released a report that discussed the characteristics of a "compensatory mixed system" and compared different scenarios through simulations and analyses.[107] No alteration of Quebec's FPTP electoral system have occurred since the tabling of this report.

Benoît Pelletier, who served as the Quebec Minister for Reform of Democratic Institutions from 2005 to 2008, explained that Quebec's MMP draft bill, which involved a single ballot and a dual candidacy option (allowing candidates to run both in specific districts and on party lists), with subsequent openness to change to a dual ballot option, attempted to reconcile various factors, including regional representation and simplicity.[108] While there was interest in reform, there was disagreement about the details of reform, including the dual candidacy option that had been put forward, and increasing the size of electoral constituencies.[109] Still, Professor Pelletier opined that today Quebecers might "be more open" to the MMP proposal that had been put forward 10 years earlier by the Government of Quebec.[110]

d. New Brunswick

New Brunswick first explored electoral system reform at the provincial level between 2003 and 2006, and is currently undertaking another study of the issue.

In December 2003, the New Brunswick government established the Commission on Legislative Democracy and instructed it to propose an appropriate PR model for New Brunswick. In January 2005, its final report recommended a regional MMP system and advised that a binding referendum be held no later than the 2007 provincial election.[111] The provincial government responded to the Commission's final report and recommendations by issuing *Improving the Way Government Works* in

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106 The Citizens' Committee that assisted the parliamentary committee, which began its work in November 2005, was made up of four men and four women.

107 For more information on the report, see Chief Electoral Officer of Quebec, "Press release No. 2 – Report of the Chief Electoral Officer on the voting system," 21 December 2007.

108 ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1555 (Benoît Pelletier).

109 Ibid., 1530 and 1545.

110 Ibid., 1605.

111 Government of New Brunswick, Commission on Legislative Democracy, *Final Report and Recommendations*, December 2004.

June 2006.[112] After a change of government in the fall of 2006, a new response to the Commission's recommendations was released in June 2007. Entitled *An Accountable and Responsible Government*, it included 20 initiatives the province planned to undertake to improve and enhance legislative democracy in New Brunswick between 2007 and 2012.

Between 1999 and 2005, David McLaughlin served as the deputy minister to New Brunswick Premier Bernard Lord. In this position, he launched and oversaw the province's Commission on Legislative Democracy. In his appearance before the Committee he explained how the Commission arrived at its recommendation for MMP and for a referendum:

> The key principles we used to decide upon a new electoral system included local representation, which is the principle of all geographic areas of the province having a particular representative in the legislature to represent their interests; fair representation, ensuring all New Brunswickers' voices were fairly represented in the legislature; equality of the vote, ensuring each voter's ballot had equal influence in determining the election's winner; and effective government, the ability of the system to result in the easy selection of a stable government that is able to govern the province.[113]

He added that they "recommended a mixed member proportional system as optimal for the province, based on a consideration of all the alternatives in relation to the roster of democratic principles." It was hoped that adopting an MMP system would help correct what "was a peculiar outcome of provincial politics: big majority governments and small, weak oppositions." MMP also seemed appealing to help ensure "equality of representation between the English and French linguistic communities" in the province.[114]

Mr. McLaughlin noted two conclusions from the work of his Commission that could aid in the Committee's work, related to system design and public legitimacy of a new electoral system:

> First, FPTP has good features and is both familiar and legitimate to most voters. After all, we do accept election night results, and Canada has progressed. However, it does have clear drawbacks and inadequacies that an MMP system could mitigate. MMP, we know, is more reflective of the democratic values of fairness, inclusiveness, choice, and equality of vote. However, MMP at the national level has never really been modelled or analyzed in a comprehensive way that I've seen, except for one Law Commission of Canada report. There are real consequences that we found in outcomes, based on the specific design of that system, that you will need to research and consider should you decide to recommend it.
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> Second, public legitimacy of a new electoral system is highly desirable and surmounts party and politician interests. It is about the citizen and voter in a citizen-centred

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112   Government of New Brunswick, Executive Council, "Province releases response to Commission on Legislative Democracy report," News release, 20 June 2006.

113   ERRE, *Evidence*, 1st Session, 42nd Parliament, 1 September 2016, 0945 (David McLaughlin, as an Individual).

114   Ibid.

democracy. A referendum is the simplest, clearest, and most acceptable way of conferring legitimacy for the long term, not just on the system but more importantly on the outcomes it produces.[115]

Finally, Mr. McLaughlin suggested an alternative to holding a referendum before introducing a new electoral system, what he referred to as a "validating referendum."

> I know this is contentious, so let me offer a second best but still viable option to you: provide for a validating referendum after two elections, based on a Parliamentary review of the system, and give Canadians the chance to accept it, perhaps with improvements, or revert back to the previous system.[116]

Lise Ouellette, who served as co-chair of the New Brunswick Commission on Legislative Democracy between 2003 and 2004, also appeared before the Committee. In her testimony she reiterated support for the Commission's study and conclusions, noting that "the discrepancy between the number of votes and the number of seats obtained in the Legislative Assembly or in Parliament" is a "major flaw in our electoral system that needs to be addressed, whatever our convictions are in other respects."[117]

Of note, in July 2016, the New Brunswick government released a discussion paper on electoral reform[118] that is being submitted for further study to a select committee on electoral reform. Additionally, the Government is in the process of establishing a commission on electoral reform to study: barriers to entering politics for underrepresented groups, improving participation in democracy (including preferential ballots and online voting), the voting age, political contribution rules and political spending rules.[119]

e. Prince Edward Island

Prince Edward Island first explored potential provincial electoral system reform between 2003 and 2007, and is currently in the process of exploring different electoral systems to elect the 27 members of its Legislative Assembly.

In December 2003, the Prince Edward Island Electoral Reform Commissioner recommended that the province adopt an MMP system. However, the Commissioner also recommended further study of the issue, including more public consultation and

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115   Ibid., 0950.

116   Ibid.

117   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 October 2016, 1335 (Lise Ouellette, Co-Chair, as an Individual).

118   Government of New Brunswick, *Strengthening New Brunswick's Democracy – Discussion Paper*, July 2016.

119   Government of New Brunswick, "Commission on Electoral Reform." The Commission is to submit its report to the Clerk of Executive Council and Secretary to Cabinet in January 2017.

public education, and he directed that any changes to the province's electoral system be made by "referendum."[120]

In December 2004 the Legislative Assembly established the Commission on Prince Edward Island's Electoral Future, with the task of developing a clear plebiscite question and recommending a date for holding the plebiscite.[121] In May 2005, the Commission released its proposal for an MMP system for the province. The plebiscite was held in November 2005, with a threshold for voter approval set at 60%. The proposal for electoral reform was approved by 36% of the voters.

More recently, following Prince Edward Island's 65th general election, held on 4 May 2015, the new government's June 2015 Speech from the Throne committed to examine electoral reform and democratic renewal.[122] In July 2015, the Government released the *White Paper on Democratic Renewal*, which pledged to create a special legislative committee to explore whether to replace the FPTP system by a preferential ballot or a PR voting system and to "define the plebiscite question to be presented to Islanders with regard to the future voting system … by November 30, 2015."[123]

Following initial consultations, the Special Committee tabled its second report in April 2016, in which it recommended that voters be able to rank the following electoral system options in order of preference in a plebiscite to be held in November 2016:

- Dual Member Proportional Representation;

- First-Past-the-Post (the current system);

- First-Past-the-Post Plus Leaders;

- Mixed Member Proportional Representation; and

- Preferential Voting.[124]

In accordance with the Special Committee's recommendations,[125] the plebiscite on the five electoral system reform options took place in P.E.I. between 29 October

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120   Prince Edward Island Commissioner of Electoral Reform, *2003 Prince Edward Island Electoral Reform Commission Report*, p. 98. Note that the terms "referendum" and "plebiscite" are often used interchangeably, sometimes incorrectly. Generally, the intention of a "referendum" is to be binding on government, while a "plebiscite" means a vote that is advisory or consultative. Indeed, what occurred in Prince Edward Island in 2005 was a plebiscite, and was officially noted as such, though the term "referendum" has often been applied to it as well.

121   Legislative Assembly of Prince Edward Island, *Motion No. 32: Prince Edward Island's Electoral Future*.

122   Prince Edward Island, *Speech from the Throne*, 1st Session, 65th General Assembly, 3 June 2015, p. 3.

123   Prince Edward Island, *White Paper on Democratic Renewal*, July 2015.

124   Elections PEI, *Your Choice PEI*, "The Ballot", 2016.

125   Prince Edward Island, Special Committee on Democratic Renewal, *Recommendations in Response to the White Paper on Democratic Renewal: A Plebiscite Question*, 15 April 2016.

and 7 November 2016.[126] Anyone aged 16 or older was considered eligible to vote. Islanders were able to cast their vote via Internet or telephone, as well as in person.

The Committee had the opportunity to hear from Leonard Russell, who had served as the Chair of the Commission on P.E.I.'s Electoral Future, formed in December 2004, as well as from Jordan Brown, the current Chair of the Special Committee on Democratic Renewal. Both offered the Committee extensive analysis of what had happened around the 2005 plebiscite, and the considerations made in designing the current reform process (the Committee heard from both on 6 October 2016, the month before the plebiscite).

Jordan Brown observed that following the 2005 plebiscite there were complaints that the MMP option was overly complex, that there were not enough polling stations set up for people to vote, and that there was only one day to vote.[127] Mr. Russell added that in addition to the polling station issues, which caused some frustration, there was a realization among the main political parties regarding the potential consequences of reform:

> The other thing that surfaced partway through our educational program was that I think both of the mainline parties in the province realized, for the first time, the ramifications of mixed member proportional.
>
> It was an unspoken issue around our commission table. There were reasons for that. We had party people sitting at the table, nominated by the two main parties. We just didn't talk about that. But again, away from the official spot, several people would talk about what they knew.
>
> The thing that happened was that as the parties realized that it could be possible under mixed member proportional for those who might have the majority under the first-past-the-post portion to indeed not have a majority standing…
>
> …
>
> We began to get undermined by the very folks who put us in place. I don't quite know how to back that up, but I do know it was discussed within parish situations, church situations. Parties collectively were advising the general public about the pitfalls of looking at mixed member proportional.
>
> My own view was that the parties of the day realized that the power they could hold under first past the post might not exist under mixed member proportional, but they indeed had asked that mixed member proportional be pursued.[128]

Turning to the current process, Mr. Brown noted that an appetite for electoral reform remained in P.E.I. following the 2005 plebiscite, given that "in the last seven elections on Prince Edward Island we have had five legislatures in which there has

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126   Elections P.E.I., *Is it Time for Change?*: http://www.yourchoicepei.ca/home.

127   ERRE, *Evidence*, 1st Session, 42nd Parliament, 6 October 2016, 1340 (Jordan Brown, Chair, Legislative Assembly of Prince Edward Island, Special Legislative Committee on Democratic Renewal).

128   Ibid., 1400 (Leonard Russell, Chair, Commission on P.E.I.'s Electoral Future).

been a fairly big imbalance in terms of government versus opposition," including "two occasions out of those seven where we've had one member oppositions."[129] The decision to consider four electoral system options in addition to FPTP related to the different principles that the Special Legislative Committee had heard about. According to Mr. Brown, inviting voters to rank different options was an attempt to "encourage people to go beyond picking their favourite by essentially tipping voters off to the fact that their favourite might not be picked first and that they might want to have a say in the overall choice through a second, third, fourth, or fifth choice."[130] However, Mr. Russell expressed concern that having too many options on the plebiscite ballot could cause confusion both for voters[131] and for the Government (in terms of interpreting the results).[132] He suggested that the public would trust the Committee to come up with a single best alternative option for electoral system reform.

Finally, Mr. Brown emphasized the focus on engagement in the current process. The rationale to allow online and telephone voting in the plebiscite was to increase engagement, with a time frame to vote (spanning 10 days) that would be long enough to enable anyone to vote.[133] Mr. Brown further explained that the vote was opened to 16 and 17 years olds as "they will vote in the next election," they are in school, and "they will be engaged in a setting where, effectively, there's some structure to how they learn about politics and democracy and they're able to participate in it." Ideally, he said,

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129   Ibid., 1340 (Jordan Brown).

130   Ibid.

131   Ibid., 1435 (Leonard Russell):

> If mixed member proportional is the way your committee thinks, on the strength of everything you've heard, then as a taxpayer, I would expect you to make that recommendation, and not have it somehow get caught up in the conglomerate that exists beyond you, to now try to figure out whether that is one of the options or not. Don't challenge me. Not having heard everything, I have to trust you anyway, so don't challenge me with four or five options that I don't know a whole lot about. I'll trust the committee to do that. I hope you will trust yourselves to do that. I don't know if those who exist beyond you in the House of Commons have that level of trust or not.

132   Ibid., 1440:

> If the [G]overnment, however committed, is given too many options to choose from, I think the chances of it being addressed in the manner everybody thought it would be are slimmer than if you took one option to them for consideration. Bear with me on that. There's already been a commitment made in this province that the issue will be looked at. If the issue is looked at by Mr. Brown's committee, and a recommendation goes forward, it will be tougher for the [G]overnment not to do something very constructive in the direction being recommended than it would be if it had four or five incremental types of recommendations.

133   Ibid., 1345 and 1420 (Jordan Brown):

> The e-voting piece is really in response to, as Mr. Russell indicated, the issues that we had in 2005. It's a far cheaper way to conduct a plebiscite. It's a much more engaging way to do it, which is really to say the issues are not as simple as deciding candidate X or candidate Y. You can sit home in front of your computer and take half an hour to read about them and compare one to the other and do some research and make your decision at the end of your research. We felt that was a crucial piece to the e-voting component of it. The time frame is expansive enough that there should really be no excuse. It's over 10 days. If people are away, they might be away for a week, but they're probably not going to be away for 10 days. There are all kinds of different reasons for having an extended time frame, but you can do that if you don't have to pay to have a bum in a seat in a poll for 10 days straight.

"they'll go home and educate their siblings and parents and grandparents and all the rest of it about the process, and carry that forward through their life in a good, structured, educated way."[134]

A total of 37,040 Islanders, representing 36.46% of eligible voters, participated in the plebiscite held over the first week of November 2016. Following four rounds of counting,[135] results showed that 52.42% of voters supported MMP over the current system.[136] In a statement released on 8 November 2016, P.E.I. Premier MacLauchlan indicated:

> In combination with the low voter turnout of 36.5 per cent, it is debatable whether the plebiscite conducted between October 29 and November 7 produced a clear majority. Among the five options on which Prince Edward Island voters were asked to express their preference, Mixed Member Proportional Representation received 52.42 per cent support during the fourth round of counting. During the first three rounds of counting, First-Past-the-Post (the current system) received the highest number of votes. By the fourth and final round of counting, the support for MMP represented 19 per cent of eligible voters, or fewer than one in five. It is doubtful whether these results can be said to constitute a clear expression of the will of Prince Edward Islanders, to adopt the language of the Special Committee on Democratic Renewal.[137]

The statement added:

> When the Legislative Assembly meets in its fall session starting next Tuesday, the question of democratic renewal and the results of the plebiscite will be on the minds of all legislators. We look forward to learning in greater detail the results, including levels of support in various parts of the province, ideally by electoral district, as soon as Elections P.E.I. can provide the information.[138]

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134   Ibid., 1420.

135   In the plebiscite held between 29 October and 7 November voters in P.E.I. were able to rank the following electoral system options in order of preference:

- dual member proportional representation;
- first past the post (the current system);
- first-past-the-post plus the leaders of parties that earn a predetermined minimum percentage of the popular vote;
- mixed member proportional representation; and
- preferential voting.

Results were tallied using the Alternative Vote method. To be selected, an option had to receive a majority of the eligible votes cast. As no option garnered a majority on the first count, the option with the fewest first-preference votes (lowest-ranked) was dropped, and the second-preference votes on the ballots where that option ranked first were assigned to the respective remaining options. This process continued until one option, MMP, received the necessary majority.

136   Elections PEI, "Plebiscite Results," 7 November 2016.

137   Government of PEI, "Statement from Premier MacLauchlan regarding Plebiscite," 8 November 2016.

138   Ibid.

CHAPTER 4
VALUES AND ELECTORAL SYSTEMS: TOWARDS A "MADE IN CANADA" PROPOSAL

The motion creating the Special Committee on Electoral Reform mandated it to "identify and conduct a study of viable alternate voting systems to replace the first-past-the-post system," our current voting system, using the five principles set out in the motion as a guide: effectiveness and legitimacy; engagement; accessibility and inclusiveness; integrity; and local representation.[139]

Two fundamental questions are at the core of the Committee's study of alternative electoral system options:

1. "Why reform the current system?", or, what is the problem that the Committee is "trying to address in which a different change might actually work?"

2. And second, "What might be the consequences if we adopt one system or another? What would it do?"[140]

The Committee heard wide ranging testimony and received numerous submissions on the merits and potential drawbacks of the current voting system as well as various possible alternative voting system options. Underlying the two fundamental questions at the core of the Committee's study of electoral system reform – why change, and what change would do – are the values and principles set out in the Committee's motion.

A. Of Values and Principles

The five principles set out in the motion creating the Committee are elaborated as follows:

1) Effectiveness and legitimacy: that the proposed measure would increase public confidence among Canadians that their democratic will, as expressed by their votes, will be fairly translated and that the proposed measure reduces distortion and strengthens the link between voter intention and the election of representatives;

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139   Extract from House of Commons, *Journals*, 1st Session, 42nd Parliament, 7 June 2016.

140   Expressed most ably by Professor Pippa Norris and other witnesses, see ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1400 (Pippa Norris, Professor of Government Relations and Laureate Fellow, University of Sydney, McGuire Lecturer in Comparative Politics, Harvard, Director of the Electoral Integrity Project, as an Individual); ERRE, *Evidence*, 1st Session, 42nd Parliament, 5 October 2016, 1335 (Amanda Bittner, Associate Professor, Memorial University, as an Individual): "What is the [G]overnment hoping to achieve with electoral reform? What is this committee hoping to achieve? What motivates all this work and all of these hearings? What do we think is actually wrong with the SMP system? Until we clearly establish the answer to that question, it's impossible for us to find a good solution." Professor Bittner identified the under-representation of women, visible minority, and Indigenous Canadians as a fundamental problem to be address, regardless of electoral system.

2) Engagement: that the proposed measure would encourage voting and participation in the democratic process, foster greater civility and collaboration in politics, enhance social cohesion and offer opportunities for inclusion of underrepresented groups in the political process;

3) Accessibility and inclusiveness: that the proposed measure would avoid undue complexity in the voting process, while respecting the other principles, and that it would support access by all eligible voters regardless of physical or social condition;

4) Integrity: that the proposed measure can be implemented while safeguarding public trust in the election process, by ensuring reliable and verifiable results obtained through an effective and objective process that is secure and preserves vote secrecy for individual Canadians;

5) Local representation: that the proposed measure would ensure accountability and recognize the value that Canadians attach to community, to Members of Parliament understanding local conditions and advancing local needs at the national level, and to having access to Members of Parliament to facilitate resolution of their concerns and participation in the democratic process.[141]

Of these principles, numbers one, three, and five speak most to facets of an electoral system, or goals that an electoral system should embody.

The first principle, "effectiveness and legitimacy" is framed in terms of how votes are translated into seats in the House of Commons, and indicates that a proposed electoral system should ensure that votes are "fairly translated" into seats in a way that "reduces distortion" and "strengthens the link between voter intention and the election of representatives." As explained by Professor Byron Weber Becker, "Distortion is introduced when representation in government is significantly different from the level of popular support expressed in the election."[142] Indeed, electoral system reform has been a subject of interest at the federal level for almost a century, since the time when federal elections were contested by more than two political parties, and has been studied numerous times at the federal and provincial levels.[143] At the root of most of these studies is the notion of the legitimacy of the current electoral system's method of translating votes into seats – the link between voter intention and representation in the legislature. In response to the overall query of "why reform the current system," two subsidiary questions necessarily follow:

- First, when more than two candidates run for election in a particular riding, should the victor have to obtain a majority (more than 50%) of votes cast, or just a plurality (more votes than any other candidate, but not necessarily more than 50%) of votes cast, as is currently the case?

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141   Extract from House of Commons, *Journals*, 1st Session, 42nd Parliament, 7 June 2016.

142   ERRE, *Evidence*, 1st Session, 42nd Parliament, 19 October 2016, 1915 (Byron Weber Becker, as an Individual).

143   As noted in Chapter 3: Lessons Learned: A History of Electoral System Reform at the Federal and Provincial Levels.

- Second, should the electoral system, which currently treats each riding as its own contest, and thus does not take into account support for a political party or interests across ridings or across a region, in some way seek to translate this aggregate, proportional vote share into representation in the House of Commons or provincial legislatures?

The third principle speaks both to the elements of a system, in that it should "avoid undue complexity in the voting process," which could be both in terms of how voters cast their ballots and what calculations are used to translate votes into seats, as well as to the inclusiveness of the voting process, in that a system (or voting overall) should "support access by all eligible voters regardless of physical or social condition."

Finally, the fifth principle emphasizes local representation and accountability as fundamental. Indeed, in a country as geographically diverse as Canada, the relationship between local representation and how votes are translated into seats is already rather complex. Our parliamentary system is based on representation by population (that ridings should basically contain about the same amount of voters), though there is huge variance in that regard. For example, the most populous riding in Canada is Brantford–Brant in Ontario, with a population of over 132,000 (including over 95,000 eligible voters). By contrast, Nunavut is both the least populous (it has a population of just under 32,000) and the largest riding in Canada, at over 1,750,000 km^2. By contrast, the riding of Papineau, Quebec is only 9 square kilometres in size (with a population of approximately 110,000 individuals). As noted by one witness in Whitehorse, the three northern territories are "overrepresented population-wise but very under-represented when geographical area is concerned."[144]

By contrast, it appears that the values set out in the second and fourth principles should apply regardless of electoral system, though the choice of electoral system may have an impact on how easy or difficult it is to implement the principles (as certain systems are associated with certain values). The second principle, "engagement," calls on the Committee to identify measures that "encourage voting and participation in the democratic process, foster greater civility and collaboration in politics, enhance social cohesion and offer opportunities for inclusion of underrepresented groups in the political process." As discussed particularly in Chapter 9 "Voter Engagement and Participation", increasing involvement in the greater political process is a goal shared by all members of the Committee. The Committee recognizes that fulfilling the objectives of this principle requires ongoing work and commitment. The fourth principle "integrity," focuses on the reliability and verifiability of the electoral system, and the preservation of the secrecy of the vote. Public trust in the electoral process is high in Canada, and electoral reform should not undermine it.[145]

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144   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 September 2016, 1610 (David Brekke, as an Individual).

145   A discussion of the reliability of election results and the secrecy of the ballot is found in Chapter 7 of this report, in relation to online and electronic voting.

1. Principles and Electoral Systems: A Matter of Trade-Offs

Numerous witnesses observed that different electoral systems emphasize different principles set out in the Committee's motion. As noted by Pippa Norris, "you can't get all of these values in any one particular option. They are all trade-off values."[146] Essentially, as posited by Professor Thomas Axworthy, the choice of an electoral system for Canada is about determining what values ought to be emphasized, how, and to what extent:

> … [T]here is no perfect electoral system. There are advantages and disadvantages to all of them, and it is really a question of values, of differing perspectives, that will inform your own debate. There's no technical solution to the issue of electoral reform. It is basically a political process of deciding your purposes and values and what you value most.[147]

In other words, as observed by Amanda Bittner, "[a]ll systems have trade-offs … and at the root of each is a normative idea about how politics should be."[148]

Another witness, Richard Kidd, expressed it thusly:

> No system is perfect. If we could find a perfect system, every country in the world would be using it right now. All systems have their pluses and their minuses, and the big challenge that's facing you is to try to figure out a system where the pluses outweigh the minuses, or they do the things that you want them to do.[149]

The fact that there is no perfect system is not a cause for alarm or inaction. Jonathan Rose suggested:

> While … others have argued that there is no one perfect system, I want to quote Richard Katz, who argued that there is a perfect system. He argued that the best electoral system, depends on "who you are, where you are, and where you want to go."[150]

Indeed, the principles provided for in the Committee's mandate have proven most useful to demonstrate how no one system incorporates them all, and to focus the Committee on evaluating how the principles should interrelate with each other to create a

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146   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1400 (Pippa Norris).

147   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1410 (Thomas S. Axworthy); ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 July 2016, 1400 (Leslie Seidle, Research Director, Canada's Changing Federal Community, Institute for Research on Public Policy):

> Now turning to your terms of reference, you are asked to study viable alternate voting systems to replace the present system and "to assess the extent to which the options identified could advance" the principles for electoral reform that are enumerated in the terms of reference. When I read them over, it seemed to me—and I concluded this quite quickly—a logical impossibility for your committee to identify one alternative system that would serve all the principles equally well. But maybe you're not working to that end. After all, your terms of reference referred to options with an "s", not a single option. This leads me to my first main point today, that there's a need to prioritize the principles that alternative electoral systems are meant to serve. If you present one alternative, you should know what that alternative is meaning to do. If you present more than one, the same argument follows for the other systems.

148   ERRE, *Evidence*, 1st Session, 42nd Parliament, 5 October 2016, 1335 (Amanda Bittner).

149   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1440 (Richard Kidd). Mr. Kidd designed a system called "Every Vote Counts."

150   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 July 2016, 1010 (Jonathan Rose).

more robust electoral system for Canada. As witness Matt Risser suggested, while no electoral system may be perfect, some systems may be more in accord with expressed values and principles than others:

> I did want to make one point, though, in reference to a point you made about there being no perfect system, because this is something the committee says a lot. I just want to say that just because there's no perfect system, which there isn't, obviously, it doesn't mean that some systems aren't better than others.[151]

In order to evaluate the relative strengths and weaknesses of various electoral systems, what follows is an overview of electoral system families, and the key principles and elements that distinguish them from each other.

B. Electoral System Families: Majoritarian, Proportional, and Mixed

1. Electoral System Components

At its most basic, an electoral system sets out how votes get translated into seats in a legislature. In majoritarian electoral systems, the winning candidate is the individual who garners the most votes in an electoral district. A political party's seat share depends on the individual district results across the country; a party has as many seats in the legislature as candidates elected. By contrast, proportional systems seek to match a political party's vote share with its seat allocation in the legislature. A system is referred to as "mixed" (the most discussed is mixed member proportional representation (MMP) when it combines elements of both majoritarian and proportional systems in terms of how votes are translated into seats. The objective of mixed systems is to achieve more proportionality by using compensatory seats to reflect a party's overall vote share while at the same time maintaining local ridings with single representatives.

Some important characteristics that differentiate electoral systems from one another are the following:[152]

- **Number of candidates per constituency (district magnitude):** In each constituency, is one candidate elected or are multiple candidates elected? The number of candidates per constituency, also called "district magnitude," is what distinguishes majoritarian systems from proportional systems. Majoritarian systems ("a family of systems that includes first past the post, the Australian alternative vote system, and the French two-round system"[153]) have a district magnitude of one, "which means there is one winner per district." Proportional systems, on the other hand, elect multiple candidates

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151 ERRE, *Evidence*, 1st Session, 42nd Parliament, 4 October 2016, 1530 (Matt Risser, as an Individual). Mr. Risser is part of a team that designed a system called "Single Member District Proportional Representation."

152 Adapted from Andre Barnes, Dara Lithwick, and Erin Virgint, *Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview*, Publication No. 2016-06-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, revised 23 June 2016.

153 ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 September 2016, 1625 (Christopher Kam, Associate Professor, Department of Political Science, University of British Columbia, as an Individual).

per constituency (in mixed systems, the compensatory seats are based on multiple member regions). Indeed, "If you have one winner per district, you cannot be proportional, because the winner takes all. You cannot divide the one seat among multiple contenders, so it is not a proportional system."[154] In other words, if there is only one seat per constituency, it is not possible for that one seat to reflect the share of votes cast for different parties/candidates.

- **Ballot:** Does the elector place a mark beside a single candidate's name (making more than one mark spoils the ballot), or must the elector rank or order candidates or parties from a list on the ballot? It is important to note that ranked ballots are a tool that can be used either in majoritarian (such as the Alternative Vote (AV)) or proportional electoral systems (such as the Single Transferable Vote (STV), in open lists in an MMP system, etc.)

- **Threshold for determining winners:** What is the percentage of votes needed for a candidate or party to obtain a seat? For example, in single-member constituencies is a plurality of votes sufficient (more than any other candidate, but not necessarily more than 50%), or is a majority (more than 50%) required? In multiple member constituencies, what is the minimum threshold or quota to be elected (for example in a constituency with three members, a threshold of 33% would guarantee a seat)?

- **Procedure to determine winners:** How many steps are there, and therefore how simple or complex is it to determine how many seats each party has won and which candidate has won which seat? For example, in proportional systems, a first step is to determine a political party's overall vote share (within the country or a region of the country) and then the second step is to allocate seats based on the vote share (which could be determined through a set list of candidates, or based on individual votes for specific candidates). In majoritarian systems using ranked ballots, what is the process used to determine which candidate wins?

Discussion of these characteristics, how they relate to the principles set out in the Committee's mandate, and how they can be applied to create different electoral systems permeated the testimony heard by the Committee.

C. Our Current Electoral System: Single-Member Plurality, aka First-Past-the-Post

Canada's single-member plurality electoral system, commonly called first-past-the-post (FPTP), the winning candidate is the individual who garners the most votes (though not necessarily a majority) in an electoral district. A political party has as many seats in the legislature as it has candidates elected. In other words, its seat share in the legislature is the result, the sum total, of the individual contests that take place across the country. With

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154   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 September 2016, 1305 (Csaba Nikolenyi, Professor, Department of Political Science, Concordia University, as an Individual).

regard to forming government, the leader of the party that secures the largest number of seats in the House, and can therefore hold its confidence, is generally invited by the Governor General to be the prime minister and form government.[155]

1. FPTP's Perceived Strengths

While the focus of the Committee's study was on alternatives to replace FPTP, the following attributes were noted as being the perceived strengths of Canada's FPTP system:

Canadian democracy ranks highly internationally

Thomas Axworthy, in observing that there is no crisis in Canadian democracy, noted how strongly Canada's government and electoral system compares internationally:

> When we look at the various assessments internationally, we see that the World Bank, for example, which sponsors a worldwide governance indicator project, indicated that in 2014 Canada had ratings of 96% in accountability, 91% in political stability, 95% in government effectiveness, 98% in regulatory policy, 95% in the rule of law, and 94% in the control of corruption. That's absolutely in the top ten of attainment.
>
> Professor Norris's own electoral integrity project had Canada again as probably—and she can correct me on this—at the top of the majoritarian practitioners of electoral systems, with a rating of around 75% to 80%, ahead of the United States and so on. Again, it was in that absolute top rank.
>
> This international assessment about the value of Canadian government practice and electoral practice has led, as we all know, famously to the human development index of the United Nations, where Canada has always been in the top 10 and sometimes has been number one. I think in 2014 we were number nine.
>
> The strength of our government system and our electoral system has certainly had a positive impact on those achievements in the human development index. That is because— pride of position here—the Westminster system, with its combination of a concentration of power to get things done and an accountability related back to what David Smith, the brilliant scholar from Saskatchewan, calls "the people's House of Commons"—that combination of [the]people's sovereignty as represented in the House and the concentration of power for effective government—is really the secret of the Westminster system when it is working correctly. For most of our history, it has been working correctly in Canada.[156]

a. FPTP is efficient and simple for both voters and election administrators:

In examining options for reform, former Chief Electoral Officer Jean-Pierre Kingsley noted "the relative simplicity of the system or the ballot that we would replace, if we replace the present system" and observed that "nothing will be viewed as being as simple as the present system, because we've been at it for 149 years.… This is part of the DNA of being

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155   See Andre Barnes, Dara Lithwick, and Erin Virgint, *Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview*, Publication No. 2016-06-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, revised 23 June 2016.

156   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1410 (Thomas S. Axworthy). He then added "Even as I would argue that our Westminster system is superior, everything can be improved."

Canadian and being born Canadian."[157] Currently Chief Electoral Officer Marc Mayrand noted how the current system is "relatively simple and easy to understand."[158]

As well, the ballot counting process is relatively straightforward. Mr. Mayrand added that changing systems "may make it difficult to publish the outcome of the election on election night by completing the counting of ballots manually at voting sites, as is currently the case." He added that "Canadians are accustomed to learning the results of elections quickly, and any possible delay should be considered carefully by the Committee."[159]

A number of open mic participants expressed their view that the current system is simple, works well, has held up for 150 years, and should be maintained. In the words of one participant, "first past the post has served us well for nearly 150 years. It is simple, and it is easy to understand. Please don't change it."[160] Another participant observed, "if the system isn't broken, don't fix it."[161]

b. FPTP focuses on local representation:

The importance of local representation was raised numerous times as a key value for various witnesses. Former Chief Electoral Officer Jean-Pierre Kingsley referred to "the rapport, the link, between the elector and the elected, both for the representation of the electors, collectively and individually, and for the accountability of the elected representatives." He added that "Canadians are well accustomed to that rapport, that link. It has to be weighed very carefully if there's going to be any change."[162]

The importance of local representation was also reflected in responses to the Committee's online consultation, where 72.5% of respondents either strongly agreed or agreed with the statement that "Canada's electoral system should ensure that voters elect local candidates to represent them in Parliament."[163]

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157   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1405 (Jean-Pierre Kingsley).

158   Ibid., 1145 (Marc Mayrand, Chief Electoral Officer, Elections Canada).

159   Ibid., 1000.

160   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 September 2016, 2105 (Norman Franks, as an Individual); at 2020 (William Dunkley, as an Individual); and at 2150 (Ivan Filippov, as an Individual).

161   Ibid., 28 September 2016, 2000 (Ariane Eckardt, as an Individual).

162   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1405 (Jean-Pierre Kingsley).

163   In response to the statement "Canada's electoral system should ensure that voters elect local candidates to represent them in Parliament": 48.6% (10808) of respondents strongly agreed; 23.9% (5323) agreed; 15.8% (3516) neither agreed nor disagreed; 5.0% (1117) disagreed; 2.9% (636) strongly disagreed; and 3.8% (848) did not respond.

c. FPTP tends to produce majority governments:

FPTP is more likely to produce majority governments.[164] As noted by political scientist Christian Dufour, FPTP "delivers the most important elements. It delivers governments that are strong, but that can also be voted out, and that's not nothing. In the context of globalization, which is dangerous, the powerlessness of democracies is something to be avoided. Our system ensures that governments often enjoy a majority."[165] This point was echoed by Kenneth Dewar in his submission to the Committee. He stated,

> The "single member plurality" system has historically provided Canada effective government, resulting often in strong majority governments (usually based on a plurality of votes) and occasionally in effective minority governments.[166]

In addition, Kenneth Carty observed how Canadians are used to majority governments, and change would require adaptation.

> I think it's fair to predict that under most other electoral systems, majority governments of the sort that Canadians have been generally most used to will disappear. We have so little experience with multi-party governments in this country that we don't have any clear idea how they'll work either in the short term or in the longer term or what they will look like.[167]

Finally, related to the notion of being able to produce majority governments is the understanding that the FPTP system is also conducive to being able to vote governments out once they are no longer in favour, what Bryan Schwartz called "alternation":

> I'm in favour of alternation. I like the idea of different people, different voices having a turn. I like the idea of policies being evaluated and given a fresh thinking. I like the idea that one team of patronage seekers doesn't always win. I like the idea that people who disagree get a turn in office, and they can live with the problem.[168]

2. FPTP's Perceived Shortcomings

As elaborated below, the primary critique of FPTP is that in ridings with more than two candidates, and electoral contests with more than two political parties, FPTP fails to accurately represent the will of voters, both at the riding level and in terms of overall vote share in the House of Commons. A further critique is that by failing to accurately represent

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164 There have been 18 majority governments since 1921, when more than three political parties started to elect members to the House of Commons. All of the 13 Parliaments from Confederation in 1867 until 1921, when only two political parties contested election, had majority governments. Source: ParlInfo, *Duration of Majority Governments 1867 to Date*, Library of Parliament, Ottawa, revised on 20 October 2015. There have been 11 minority governments since 1921. Source: ParlInfo, *Duration of Minority Governments 1867 to Date*, Library of Parliament, Ottawa, revised 3 May 2011.

165 ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1830 (Christian Dufour, Political scientist, Analyst and Writer, as an Individual).

166 Kenneth Dewar, *Submission to the Special Committee on Electoral Reform,* 4 October 2016.

167 ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1400 (R. Kenneth Carty).

168 ERRE, *Evidence,* 1st Session, 42nd Parliament, 20 September 2016, 1550 (Bryan Schwartz, Law Professor, University of Manitoba, as an Individual). Though as discussed below, a criticism of the alternation in FPTP is that it can result in "policy lurch".

the will of voters, FPTP may discourage people from voting, possibly leading to voter apathy and dissatisfaction with the system, and resulting in lower voter turnout. Finally, a number of witnesses suggested that the nomination process in individual ridings, where some ridings are considered "safe," could "contribute to the challenges faced by women, Aboriginal people and minority groups in being nominated as candidates and elected as members of the House of Commons."[169] Roderick Wood, law professor, who had served as a commissioner with the Law Commission of Canada when it published its report on electoral reform in 2004, summed up the various perceived shortcomings of FPTP as follows:

> … the existing system results in disproportionality, the creation of artificial majorities, regional imbalances, and what the Jenkins commission referred to as the creation of electoral deserts, in which whole regions of Canada may have little or no representation in the [G]overnment. It results in the under-representation of women, minorities, and first nations peoples. It gives a sense of the lost vote—"Why should I vote? It's not going to be counted. It's not worth anything"—and may even lead to strategic voting, the feeling that you have to vote for a less preferred candidate because otherwise your vote simply wouldn't count. It can also lead to what is viewed as a hyper-partisan adversarial political culture in the country.[170]

a. FPTP in a Multi-Candidate, Multi-Party Context

From Confederation in 1867 until 1921, federal elections were contests between two political parties, and it was understood that in this environment Canada's FPTP electoral system worked fairly well in terms of translating votes into seats:[171]

> As long as federal elections were contested by just two political parties, the first-past-the-post system produced parliaments in which there was a pretty good match between the distribution of seats in the House of Commons and the popular vote for political parties. The majority governments that these parliaments supported on all but one occasion were led by leaders whose party members won a majority of seats in the House and whose candidates won over 50% of the popular vote.[172]

However, towards the end of the First World War new political parties entered the fray, and in the December 1921 federal election, three political parties elected members to the House of Commons. Since then all federal elections have been contested by three or more political parties.

This shift in political reality, with multiple parties contesting seats in the House of Commons, began to raise questions about the legitimacy of the FPTP electoral system whereby candidates began to be elected with a minority of the votes cast in a riding. As observed by the Special Committee on Proportional Representation (PR) and the Subject of the Single Transferable or Preferential Vote in its 1921 report:

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169   Andre Barnes, Dara Lithwick, and Erin Virgint, *Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview*, Publication No. 2016-06-E, citing Law Commission of Canada, Voting Counts: Electoral Reform for Canada, Ottawa, 2004, p. 10.

170   ERRE, *Evidence,* 1st Session, 42nd Parliament, 29 September 2016, 1340 (Roderick Wood).

171   Chapter 3. Lessons Learned: A History of Electoral System Reform at the Federal and Provincial Levels.

172   Peter H. Russell, University of Toronto, "Submission to House of Commons Electoral Reform Committee," 26 July 2016.

It must be apparent to all that the present system of election in single member constituencies meets fully the purpose intended only when not more than two candidates are nominated. Recent experiences in elections in Canada have brought home to our people the fact that where three or more candidates present themselves in single member constituencies, the candidate declared elected may, and often does, represent merely a minority of those voting in the constituency.[173]

This question of the ongoing appropriateness of FPTP in an environment with more than two political parties vying for power, and more than two candidates running in any riding, was reiterated by Peter Russell, who indicated that "The FPTP system, which Canada has had at the federal level from Confederation until today, no longer fits the political circumstances of the country and has not done so since 1921."[174] He added that since 1921 "we've had a multi-party system, mostly four or five parties, and that kind of party system is really torpedoed, undermined, by the first past the post system."[175]

Jean-Pierre Derriennic, in his book titled *A Better Electoral System for Canada* (which formed the basis of his testimony and submission to the Committee), described the distortions caused by FPTP when multiple parties and candidates run for election:

In Canada, three, four, or five parties can get MPs. We are not in a two-party system, and the plurality voting system has much more detrimental effects, as may be seen in the outcomes of the last election and the previous ones.

With more than two big parties, the plurality voting system becomes a machine for making parliamentary majorities out of electoral minorities. On October 19, 2015, the Liberal Party received 54% of the MPs and 100% of the decision-making power in the House of Commons. It got 39.5% of the popular vote, but much of that vote went to defeated Liberal candidates. Therefore, probably 39.5% of all Canadians are rather happy with the Liberal Party's victory, but only 26.1% voted for one of the 184 elected Liberal candidates. Given a 31.5% abstention rate, these Liberal MPs have 100% of the legislative power and support a government that has 100% of the executive power, despite being elected by only 17.9% of all Canadians of voting age.[176]

Deciding whether or not FPTP continues to be legitimate is a question of values and principles, rather than "empirical" facts, as argued by Emmett Macfarlane, who stated that "[t]he implication is that the first-past-the-post system is, obviously, illegitimate because it's producing undemocratic results, but that's a value proposition, not an empirical statement."[177]

Finally, respondents to the Committee's online consultation overall expressed lukewarm support for FPTP. In response to the statement "Seats in the House of

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173   House of Commons, Special Committee on Proportional Representation and the Subject of the Single Transferable or Preferential Vote, First Report, *Journals*, 5th Session, 13th Parliament, 30 May 1921, pp. 391–392.

174   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1405 (Peter Russell).

175   Ibid.

176   Jean-Pierre Derriennic, *A Better Electoral System for Canada,* Presses de l'Université Laval, Québec, 2016, pp. 12–13.

177   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1020 (Emmett Macfarlane).

Commons should be filled by the candidates who receive the most votes in their ridings, even if they receive less than 50% of the total votes cast," a majority disagreed (51.7%), while just over a third agreed (34.5%):[178]

Seats in the House of Commons should be filled by the candidates who receive the most votes
Scale: 1(Strongly Disagree) – 5 (Strongly Agree); NA

34.1%	17.6%	9.8%	8.6%	25.9%	4.0%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
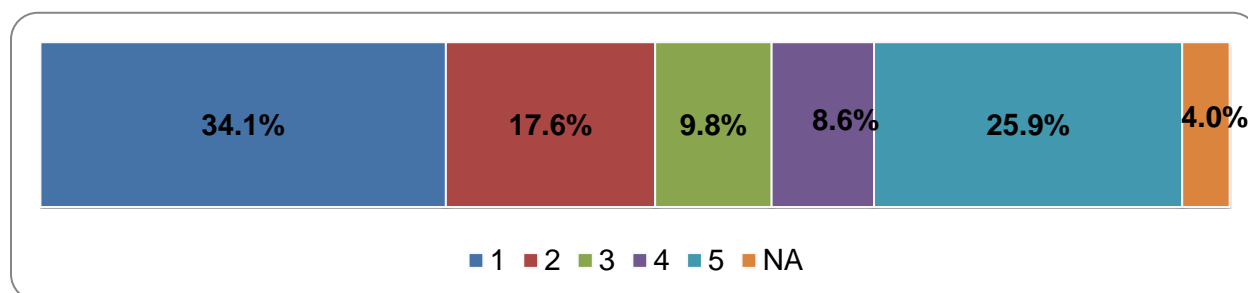
b. FPTP, Voter Apathy, Strategic Voting, Policy Reversal, and Lack of Diverse Representation

A number of witnesses identified a variety of secondary problems associated with how FPTP translates votes into seats, and seats into government.

Brian Tanguay[179] and Craig Scott (former MP)[180] commented on how FPTP can result in "artificial" or "false" parliamentary majorities that can have a negative impact on Parliament and on governance (in terms of the power given to the executive branch).

Nathalie Des Rosiers, who served as the President of the Law Commission of Canada during the period of its study of electoral reform, opined that the preference for stability under FPTP was not sufficient to overcome the system's lack of representativeness:

> The preferences of some systems come at too high a price. That was our conclusion regarding the first-past-the-post system. Its preference for stability was too costly, as it deprived us of a more adequate representativeness in terms of ideas and people.[181]

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178   Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", Table 22.

179   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1415 (Brian Tanguay): "One of the biggest flaws in the Westminister model is that it allows the governing party with its artificially or mechanically swollen legislative majority to dominate the political agenda almost completely for a period of four or five years thereby contributing to the marginalization of Parliament."

180   ERRE, *Evidence*, 1st Session, 42nd Parliament, 1 September 2016, 1135 (Craig Scott, Professor of Law, Osgoode Hall Law School, York University, as an Individual):

> We tend to address the false majority notion as in a party simply gets more seats in the legislature than their popular vote would warrant, and that seems unjust; and it's a voter-centred perspective and that's good, that's fine to say that's a problem. But the fact is you're giving the majority of seats to a single party in a system where there's a fused executive-legislative arrangement that in any Westminster system already gives a lot of power to the executive.

181   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1810 (Nathalie Des Rosiers).

As well, Lise Ouellette, who served as co-chair of the New Brunswick Commission on Legislative Democracy between 2003 and 2004, observed, "Here we are 12 years later, and I think that change is even more necessary federally than it was, or than at the provincial level" due to the "risk of an unrepresentative federal government or of an unrepresentative Parliament, be it geographically, ideologically or demographically."[182]

Eric Maskin, Nobel laureate, set out five problems with FPTP in his appearance before the Committee, beginning with the lack of a majority of votes for a candidate in a riding and culminating in a sense of voters feeling disenfranchised, that their vote is wasted, and potential candidates being discouraged from standing for election:

> The first problem is that it's often the case that the MP representing a particular electoral district is a minority MP, in the sense that most voters in the district didn't vote for that person.
>
> Second, first past the post often leads to a serious discrepancy in Parliament, by which I mean that the majority party often receives much less than a majority of the votes. For example, in 2011 the Conservative Party had 53.9% of the seats but only 39.6% of the vote. There are many other examples of such discrepancies.
>
> Third, the candidate elected in a district can often be wrong….
>
> Fourth, a voter is in effect disenfranchised if she votes for an unpopular candidate, a candidate who is not likely to win the seat. If candidates A and B are the candidates who have a serious chance of winning, and I vote for candidate C, then in effect I have no say in the choice that really matters. I'm wasting my vote. I could vote strategically—that is, even though I prefer C, I could vote for A or B—but strategic voting itself is problematic for reasons that perhaps I can come back to in the question period.
>
> Fifth, unpopular candidates or parties may be discouraged from standing. For example, suppose I'm a candidate on the right but one who disagrees with the Conservative Party on some important policy points. I may hesitate to stand for office, because if I do stand, I run the risk of splitting the vote on the right, and by doing so I may help to elect a left-wing candidate. For that reason, I may deliberately not stand, and through that decision I'm not only depriving myself of a political candidacy but I'm also depriving the electorate of another political voice.[183]

Numerous open mic participants expressed what it felt like for them to vote strategically rather than for a candidate that they preferred in order to avoid electing someone else. For example, Mary Cowper-Smith explained:

> I have voted in every federal and provincial election since I was old enough to vote, and almost every time I either felt my vote was wasted or I felt compelled to vote strategically. As a voter, I have felt frustrated and cheated.[184]

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182   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 October 2016, 1335 (Lise Ouellette). She then cited the current lack of opposition representation from New Brunswick in the federal Parliament.

183   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 0945 (Eric Maskin, Adams University Professor, Department of Economics, Harvard University, as an Individual).

184   ERRE, *Evidence*, 1st Session, 42nd Parliament, 6 October 2016, 1640 (Mary Cowper-Smith, as an Individual).

As well, the perception of votes being "wasted" or "lost" under FPTP (primarily in comparison with proportional electoral systems) was raised by various witnesses, in submissions to the Committee, and was noted in responses to the Committee's online consultation.[185] Matt Risser explained the perception of a vote being "wasted" in the following way:

> When we talk about wasted votes, we should really distinguish between input fairness and output fairness. Canada has input fairness — nobody disputes that; every vote is counted fairly—but output fairness is that every vote counts fairly.[186]

Jean-Pierre Derriennic used the following figures from the 2015 federal election to describe his understanding of "lost votes" and the sense of cynicism that can result:

> Less than half the voters elected all of the MPs of all parties in 2015: 47.6% of all valid votes. Conversely, 52.4% of all valid votes failed to elect anyone. They were lost votes. Votes for second-place candidates were not completely useless, being the best means to prevent election of the winning candidate, but votes for candidates who came neither first nor second were wasted. And those were 23.2% of all valid votes.

> This is clearly a very serious problem. There are several reasons for low election turnouts and the cynicism that many of our fellow citizens feel towards democratic institutions. One of them is the electoral system. Many Canadians feel that their vote is useless, that nobody represents them in Parliament, and that politicians can get into power with the support of minorities and then rule while ignoring the needs of large parts of the population. This feeling has a basis in reality and comes from their experience as disappointed voters. To correct this feeling and to end this cynicism every vote should count.[187]

Additionally, a number of witnesses raised the issue of "policy lurch" occurring under FPTP, as a negative consequence of alternation in governance between parties with different policy views and approaches. For example, James Bickerton explained:

> [T]here has emerged in Canada a relatively recent problem, at least in terms of its severity, that has been referred to as "policy lurch". I say it is relatively recent, because for decades prior to the 1990s Canadian governance was shaped by centrist, brokerage-style politics that moderated the policy shifts that are the normal expectation of a change in government. However, the more ideologically polarized environment that has emerged in Canada since that time has given rise to concerns about more severe instances of policy lurch that are evident in other first-past-the-post jurisdictions with more ideologically polarized party systems. Indeed, it has been cited as one of the main reasons for New Zealand's decision to change its electoral system.

> To illustrate the problem, the current Trudeau government has spent much of its first year in office, and will no doubt do the same for a good part of its second year, undoing many of the changes introduced by the previous government, at which point in time they will begin taking steps to prepare the way for the next federal election campaign. Yet a relatively minor shift in votes of five or six percentage points in that election could result in a new government that

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185 Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", Table 19 and Figure 16.

186 ERRE, *Evidence*, 1ˢᵗ Session, 42ⁿᵈ Parliament, 4 October 2016, 1605 (Matt Risser).

187 Jean-Pierre Derriennic, *A Better Electoral System for Canada,* Presses de l'Université Laval, Québec, 2016, p. 13; ERRE, *Evidence*, 1ˢᵗ Session, 42ⁿᵈ Parliament, 22 September 2016, 1535 (Jean-Pierre Derriennic, Associate professor, Department of political science, Université Laval, as an Individual).

engages in another round of policy lurch, undoing much of the undoing that this government has been doing. This kind of roundabout "now it's our turn" policy-making can hardly be thought of as beneficial for stable long-term governance that is built on a solid foundation of a reasonably broad societal consensus.[188]

Arend Lijphart commented on the lack of policy coherence that results from alternation between governments:

> For one thing, as we all know, fast decisions are not necessarily wise decisions. Also, a great deal of coherence in policy is lost in the alternation between governments of the right and governments of the left, and then back again to governments of the right. This was the main reason why the famous British political scientist Samuel Finer, who had been a strong supporter of FPTP, changed his mind and advocated PR in an influential book published as early as 1975. Finally, policies supported by a broad consensus are more likely to be successful and to remain on course than policies made by a so-called decisive government against the wishes of important sectors of society.[189]

Furthermore, a consequence of FPTP's local focus is that it "tends to favour parties with regional, rather than national, appeal."[190] And, as noted above, there is a tendency for FPTP to result in "regional deserts," where entire regions of the country are either not represented by the governing party or the opposition. Jean-Pierre Derriennic described the regional challenges of FPTP as follows:

> The plurality voting system usually increases the gains of whatever party gets the most votes in the country and decreases the gains of other parties. It does the same in each region, thus making the differences of opinions and interests between people in different parts of the country appear greater than they really are. Concern for Canadian unity is not as serious now as it was in 1993, but the voting system is still exaggerating antagonisms between regions: in 2015, the Conservative Party got no MPs in the four Atlantic Provinces despite receiving 19% of the votes; in Alberta, the Liberal Party and the NDP together received 36% of the votes and only 14% of the MPs.
>
> This is one of the most dangerous consequences of our electoral system. In a very large country where people, natural resources, and climate are diverse, it is unwise to keep a voting system that exacerbates antagonisms between regions. This is probably the strongest argument for electoral reform and is well known.[191]

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188   ERRE, *Evidence*, 1st Session, 42nd Parliament, 4 October 2016, 1340 (James Bickerton, Professor, as an Individual).

189   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1410 (Arend Lijphart, Research Professor Emeritus of Political Science, University of California, San Diego, as an Individual).

190   ERRE, *Evidence*, 1st Session, 42nd Parliament, 6 July 2016, 1410 (Maryam Monsef). She added:

> Under first past the post, parties achieving similar or same percentages of the vote may not always garner a similar number of seats. Look at the election in 1997 as an example, in which the Reform Party garnered 18.7% of the vote and received 60 seats, whereas the Progressive Conservatives garnered 18.8% of the vote—virtually the same—but received only 20 seats. The Reform Party garnered the same percentage, but 40 less seats. In the previous election, in 1993 the Progressive Conservatives won 16% of the vote but only two seats; meanwhile, the Bloc Québécois received 13.5% of the popular vote and 54 seats.

These election results were raised by other witnesses over the course of the Committee's study.

191   Jean-Pierre Derriennic, *A Better Electoral System for Canada,* Presses de l'Université Laval, Québec, 2016, p. 16.

Finally, numerous witnesses associated the lack of women's, minority (including racial minorities and Canadians with disabilities) and Indigenous representation to FPTP. As Brian Tanguay said:

> In terms of producing a Parliament that is a mirror of the nation, the present electoral system does a very poor job indeed. It poses significantly high barriers to the election of women, minority, and [I]ndigenous candidates … something that detracts significantly from the effectiveness of this body as a forum for the generation of new ideas and policies to cope with the challenges posed by this rapidly changing world.[192]

Pippa Norris suggested that it is "far more difficult for women and other minorities to get elected on the first past the post in single member districts than it is under the party list."[193] As discussed in Chapter 7, the underrepresentation of women and minorities is not necessarily due to a particular political system, but rather attributable to how the nomination process works and how political parties operate. For example, as noted by Antony Hodgson:

> With the way we do nominations in this country, we end up putting one person forward from each party. On average, that is biased in favour of the "male, pale, and stale" stereotype. I am very pleased to see that this is not true here at this table, but statistically there certainly is that bias. I think young people in particular are not represented in government as much as they should be.[194]

The challenge with ensuring diversity of candidate representation, as one witness suggested, is that it is hard to manage the individual nomination processes in all 338 ridings in Canada.[195] By contrast, it is more obvious in list-based electoral systems for voters to see the relative numbers of women and minority candidates.

D. Electoral System Change: What Alternatives Would Work in Canada?

The five principles set out in the Committee's mandate have enabled the Committee to focus on certain electoral system options to the exclusion of others. For example, pure List Proportional Representation (List PR)[196] would not be suitable for

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192   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1410 (Brian Tanguay).

193   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1450 (Pippa Norris).

194   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 September 2016, 1705 (Antony Hodgson, Fair Voting BC).

195   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 October 2016, 1840 (Kelly Carmichael, Executive Director, Fair Vote Canada). She said: "If you think about our ridings, the way that they are silos right now, we vote for certain members, and we don't know outside of our silo if a party is running a lot of men or a lot of women."

196   Andre Barnes, Dara Lithwick, and Erin Virgint, *Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview*, Publication No. 2016-06-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, revised 23 June 2016:

> There are two main forms of List PR: closed-list and open-list. Both forms use a regional or national list of candidates in each constituency drawn up by each party before election day. In closed-list PR, the party ranks the names on the list, and citizens vote for a party, not a specific candidate. Once all votes have been counted, each party is awarded seats in proportion to its share of the national vote. Individual seats are then allocated to candidates of each party in the order in which they are ranked on the party list. In open-list PR, voters choose a preferred candidate (or candidates) from the list of the party for which they wish to vote. This means that voters effectively determine the order in which the candidates on the list will be awarded seats.

Canada because it does not focus on electing local representatives but rather on political parties (though moderate variants with provinces divided into regions with small open lists could be considered). As noted by Brian Tanguay:

> [W]hat is not acceptable in Canada? Well, "list PR" is not acceptable. Also the Israeli system is not acceptable, nor that of the Netherlands. Anything that simply offers voters a single choice for a party is not acceptable.[197]

Pure List PR was not an option often raised for consideration by witnesses and individual participants,[198] and received limited support in the Committee's online consultation.[199]

Two-round voting, within the majoritarian electoral system family, also was not discussed to any extent by witnesses or individual participants[200] and received limited support from respondents to the Committee's online consultation.[201] This system, used in France, has been associated with significant cost (of holding two rounds of voting) without much attendant benefit in overall representation.[202]

The individuals who engaged with the Committee (either through submissions, testimony, or in the e-consultation) and recommended reform overwhelmingly favoured the addition of some element of proportionality to Canada's electoral system.

The options commonly discussed[203] include (organized in order from majoritarian to proportional to mixed systems):

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197   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1620 (Brian Tanguay).

198   One prominent exception being Professor Larry LeDuc, who noted: "I believe that list PR is the system that most efficiently performs that core task of an electoral system; also because it is the most widely used electoral system in the world and therefore we ought to take a look at it. Why start with hybrid models or models that are not used in very many places?"

      ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 July 2016, 1615 (Larry LeDuc, Professor Emeritus, University of Toronto, as an Individual).

199   Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", Tables 26–28, and Figures 23–25.

200   Except Rémy Trudel, who professed his support of the French system: ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 1550 (Rémy Trudel, Guest Professor, École nationale d'administration publique, as an Individual).

      ERRE, *Evidence*, 1st Session, 42nd Parliament, 17 October 2016, 1345 (James T. Arreak): As he noted, "France has a variation on the ranked candidate system, using run-off elections several weeks after general elections to choose between the top two candidates where no candidate secured a majority of votes in the general election. This variation may deserve some further examination, although the extra costs might be quite considerable."

201   Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", at Table 25 and Figure 22.

202   Jean-Pierre Derriennic argues that "In Canada, a two-round system would be unadvisable, being costlier than a ranked voting system and less conducive to letting citizens fully express their political preferences," in *A Better Electoral System for Canada,* Presses de l'Université Laval, Québec, 2016, p. 24.

203   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1620 (Brian Tanguay): "The options are fairly clear: alternative vote in single-member ridings, some combination of alternative vote with STV in larger ridings, mixed member proportional, or no change."

- The Alternative Vote and other ranked ballot variants within the majoritarian system family (note that most individuals who engaged with the Committee and discussed this option were against it);

- The Single Transferable Vote and other candidate-focused multiple member riding proportional options;

- Mixed Member Proportional Representation (note that most individuals who favoured reform expressed support for this system) ; and

- Variations between the above to account for the significantly different geographical realities found across the country (such as the use of ranked ballots with a mix of both single-member and multiple-member constituencies, depending on population concentration).[204]

Brian Tanguay suggested that if the Committee has "the broad alternatives available to voters and discuss and debate them fairly and transparently, that will serve this Committee and the [G]overnment well."[205] It is the Committee's hope that the following pages present the primary electoral system reform options "fairly and transparently."

Finally, as electoral system options are set out below, it is important to keep in mind the impact that reform will have on Canada's overall governance ecosystem, as noted by Maryantonett Flumian, President of the Institute on Governance:

> This [is] my fundamental message: whatever recommendations your deliberations take you to, rest them on our entire governance ecosystem. People want some change. People want evolution. Our system has to evolve in order to maintain that primordial connection directly with citizens, which I think is fundamental to our democratic system of governance, but understand the whole system.[206]

1. The Alternative Vote and Other Ranked Ballot Variants in Single-Member Constituencies

One electoral system reform option proposed to the Committee would be to introduce ranked ballots in single-member constituencies. The problem or issue that this reform would try to solve is that of candidates in ridings being elected without a majority of support from voters, for example as expressed by Eric Maskin:

> Under the current system, the first-past-the-post system, there are many, many cases of MPs being elected without absolute majorities. What's worse is that we don't know, because we aren't finding out from voters, whether there are other candidates whom a majority would have preferred. That's why switching to a voting system under which voters can express themselves more fully is a way to ensure that the right MPs get elected.[207]

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204 Fair Vote Canada's Rural Urban Proportional proposal is one such alternative.

205 ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1620 (Brian Tanguay).

206 ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 July 2016, 1130 (Maryantonett Flumian).

207 ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1020 (Eric Maskin).

On the ballot, instead of marking an "x" or equivalent, voters would rank the candidates running in their electoral district in order of their preference. Results would then be tallied to determine which candidate is preferred by the majority of voters in the district. The Committee heard testimony about three possible counting methods that could be used to determine the result. These variations are described below.

It is important to note that in Australia voters are required to "complete all boxes on the ballot paper for the vote to be formal and included in the count."[208] In other words, if a voter in Australia does not rank all of the candidates on the ballot, his or her vote would be considered "informal" and would not be counted. Should the use of ranked ballots be adopted in Canada (in either single or multiple member constituencies), it is not recommended that voters be forced to rank all candidates listed. As was noted in testimony, this requirement would add complexity to the voting process, would limit voter choice, and would not significantly alter the results.[209]

As elaborated below, the main arguments put forward in favour of using ranked ballots in single-member constituencies is that election results would be more legitimate by more closely reflecting voters' preferences (in relation to the first principle set out in the Committee's mandate); that the proposed measure would be relatively simple to understand and to implement (as it would involve no change to riding boundaries and candidates could continue to seek election as under FPTP); and that it would encourage moderation and consensus-building (as candidates and political parties would be incentivized to be voters' second, if not first, preference).

The fundamental critique of introducing ranked ballots in single-member constituencies is that the proposed measure would do nothing to correct the perceived issues with majoritarian electoral systems: namely, that it would not take into account support for a political party or interests across ridings or across a region, and in some way seek to translate this aggregate, proportional vote share into representation in the House of Commons or provincial legislatures. As well, by favouring moderation and consensus, it was suggested that the use of ranked ballots in single-member constituencies would effectively discriminate against smaller parties and minority viewpoints, resulting in less representational diversity. This, in turn, could actually increase distortion between voter preferences and outcomes. Finally, it was argued that moving to ranked ballots while maintaining single-member constituencies would result in such minor change that it would not be worth the effort.

a. Tallying Methods: The Alternative Vote, the Borda Count, and the Condorcet Method

The Committee heard of three main variants that could be used to tally the rankings to determine the winning candidate in an electoral district: AV, also referred to as Instant Runoff Voting, the Borda count method, and the Condorcet Method. As described below,

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208   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1905 (Tom Rogers, Electoral Commissioner, Australian Electoral Commission, as an Individual).

209   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 September 2016, 1555 (Jean-Pierre Derriennic).

different tallying methods may lead to somewhat different results. It is important to note that any of the following tallying methods could be applied to the use of ranked ballots in multiple member constituencies.

i. The Alternative Vote (also referred to as Instant Runoff Voting)

The most commonly known ranked ballot system in single-member constituencies is AV, currently used to elect members of the House of Representatives in Australia, and previously used at the provincial and municipal levels (along with STV) in certain areas in Alberta, British Columbia, and Manitoba.[210]

Essentially AV works as follows: on the ballot, voters rank the candidates running in their electoral district in order of their preference. To be elected, a candidate must receive a majority of the eligible votes cast. Should no candidate garner a majority on the first count, the candidate with the fewest first-preference votes (lowest-ranked) is dropped, and the second-preference votes on the ballots where that candidate ranked first are assigned to the respective remaining candidates. This process continues until one candidate receives the necessary majority.[211]

ii. The Borda Count

In the 18th century, French mathematician, political scientist, mariner and physicist Jean-Charles Borda devised a preferential voting system, called the "Borda count" to correct the perceived issues with the plurality system used to elect members to the French Academy of Sciences.[212] The Borda count system for ranked ballots assigns points (the number of points awarded is based on the total number of candidates) "according to its preference position." As explained by witness Russ Husum:

> The Borda count method is simple to use, and for the reasons that follow, it gives a more accurate result than simply dropping people off if they are the lowest first-preference candidate.

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210   Provincially, from the 1920s to the 1950s, Alberta and Manitoba both adopted the Single Transferable Vote (STV) for elections held in urban ridings and the Alternative Vote (AV) for elections held in rural ridings. As well, AV was used in Calgary from 1961 to 1973: Dennis Pilon, *The Politics of Voting – Reforming Canada's Electoral System*, Emond Montgomery Publications Limited, Toronto, 2007, p. 81; Elections Manitoba, *History of Electoral Process from 1870 to 2011.*

211   Andre Barnes, Dara Lithwick, and Erin Virgint, *Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview*, Publication No. 2016-06-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, revised 23 June 2016; ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1905 (Tom Rogers):

> In the House of Representatives, we have a full preferential voting system. It requires voters to individually number and rank all candidates according to their preferences. A candidate is elected if he or she gains more than 50% of the formal vote. If a candidate doesn't gain 50% of the vote based on first preferences, the candidate with the least number of votes is excluded, and the candidate's preferences are then distributed. The process of preference distribution continues until a candidate achieves more than 50% of the vote.

212   Borda's concern was that with the plurality method, the winner could actually be someone who is disliked by a majority of voters. The French Academy of Sciences adopted Borda's method until Napoleon Bonaparte introduced his own, some 20 years later.

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First off, no candidate is dropped. Second, every preference level of every ballot is used to calculate the total. Third, every preference on a ballot is given a value according to its preference position.

For example, if you had six candidates, the first vote would be worth six points to a candidate. Then the second vote would be worth five points, then four, then three. If there were eight candidates, the first would be worth eight points and then seven points, and so on.

Let's say you have five candidates running. A first preference vote is worth five points to each candidate. Let's say Mary Smith gets 10,000 first-place votes. She gets five times 10,000. If she gets 5,000 second-place votes, she gets four times 5,000. Those are totalled up for each candidate, so in the end you get a more accurate total then simply dropping people off.[213]

Mr. Husum argued that using the Borda count to tally voters' ranked ballot preferences would address certain perceived shortcomings with the AV method of counting:

There are some concerns with the regular ranked ballot counting, and the Borda count method takes care of them. I'll go over three of them right now.

Sometimes, when you drop the first candidate—the lowest candidate with the least first-choice preferences—you can drop the candidate who is actually most preferred.…

Also, the regular accounting method can sometimes inadvertently pick a majority winner when in reality they are not the most preferred candidate.

Finally, one of the criticisms of the ranked ballot is that second and third preferences that are reassigned should not be worth as much as the first preference.[214]

One can compare the plurality vote, AV, and the Borda count to how students are ranked in school. Under our current plurality system, where only one preference is indicated, candidates are essentially ranked based on who gets an "A", while ignoring any lower grades. AV tweaks this by first counting "A"s, then if necessary looking at "B" grades, and so on. By contrast, the Borda count operates like a grade point average, whereby the winning candidate is the one with the highest total number of points.[215] Of note, a modified Borda count system, applied to multi-member constituencies, is used in the Republic of Nauru (which became independent from Australia in 1968).[216] It is a popular counting

213   ERRE, *Evidence*, 1st Session, 42nd Parliament, 19 September 2016, 1845 (Russ Husum, as an Individual).

214   Ibid.

215   This is a variation of an explanation provided by Donald G. Saari in "The Symmetry and complexity of elections," Department of Mathematics, Northwestern University, Evanston, Ill (undated):

   A way to compare the Borda Count and the plurality vote is to recall how students are academically ranked in schools and universities. The plurality vote, which recognizes only top-ranked candidates, is similar to ranking students by counting the A's while ignoring all lower grades. So, if Rose has A's in five classes and B's in all others while Claudia has A's in six classes and fails all others, then this procedure, like the plurality vote, ranks Claudia above Rose! The Borda Count, however, resembles the standard 4.0 system where A's are assigned four points, B's three points, and so forth; here Rose would have the higher ranking. So, personal experience explains why the Borda Count is more reliable. Yet, in critical decisions affecting our personal finances (as reflected by economic policy) and even our lives (as reflected by foreign policy), we use the inferior approach!

216   IPU Parline database, "Naura Parliament."

method for granting sports awards, such as Major League Baseball's Most Valuable Player award and US college football's Heisman Trophy.

iii. The Condorcet Method

Returning to 18th century France, the Marquis de Condorcet, disagreed with Borda (his contemporary) in terms of ranking preferences. He instead proposed an alternative system whereby a ranked ballot would be used to compare candidates in head to head matchups. The winning candidate is the one who comes out ahead in the various paired contests. Eric Maskin from Harvard proposed a Condorcet system called "Majority Rule."[217]

Professor Maskin explained "Majority Rule" as follows:

Under Majority Rule, voters now have the opportunity to do more than just vote for a single candidate: they're allowed to rank candidates. Candidate A is best, candidate B is second best, and so on. The winner is the candidate who is preferred by a majority, according to the rankings, to each opponent. The candidate is the true majority winner. The candidate would beat each opponent in a head-to-head contest.

I have a slide to illustrate this. Let's imagine that the electorate divides into three different groups: 40% of the electorate likes candidate A the best, then B, then C; 35% put C at the top, then B, then A; and then the remaining 25% like B best, then C, then A. This is just an example. It's not meant to correspond to any real-life situation.

What happens under Majority Rule? Under Majority Rule, candidate B beats A by a majority because the group in the middle, the 35% group, prefers B to A, and the group on the right, the 25% group, prefers B to A. That's a majority. That's 60%.

Candidate B also beats C by a majority because the first group, the 40% group, prefers B to C, and the third group, the 25% group, prefers B to C. That's 65%, so B is the true majority winner.

Let's contrast that with what happens under first past the post. Under first past the post, you just vote for a single candidate. Presumably the people in the first group will vote for A, the people in the second group will vote for C, the people in the third group will vote for B. A is the winner because 40% is the highest vote total, and so we get the wrong candidate elected. A is elected under first past the post, but a majority, 60%, prefer B. For that matter, in this example, a majority also prefers C to A, so A is really quite a terrible choice from the standpoint of majority will.

Majority Rule solves all five problems that I described because the winner represents a majority of voters.[218]

He added that "Under Majority Rule, voters have no incentive to strategically vote anymore. They have every incentive to vote according to their true preferences."[219]

Maskin then described the difference between "Majority Rule" and AV:

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217 MP Ron McKinnon proposed a fundamentally identical system called "Ranked Pairs": ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 October 2016, 1950 (Ron McKinnon, Coquitlam—Port Coquitlam, Lib.). See also Mr. McKinnon's website, http://ranked-pairs.ron-mckinnon.ca/.

218 ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 0945–0950 (Eric Maskin).

219 Ibid., 1010.

I think the easiest way to see the difference between alternative voting, which is sometimes called instant runoff voting, and what I was talking about, Majority Rule, is to use the example that is on the screen.

As I showed you in that example, candidate B is the majority winner because B beats A by a majority, and B also defeats C by a majority.

However, if we use alternative voting, instant runoff voting, then we'd look only at first-place votes, so 40% vote for A, 35% vote for C, and 25% vote for B, we notice that B, who is actually the true majority winner, is eliminated under alternative voting. That's because under alternative voting, if no candidate gets a majority of first-place votes, you eliminate the candidate who has the fewest first-place votes, and that's B in this case.

This example encapsulates the difference between Majority Rule and Alternative Voting.[220]

While he proposed Majority Rule as being preferable to AV, he argued that either would be an improvement over FPTP:

I think either alternative voting or majority rule, or some other similar variant in which voters have the opportunity to express themselves by ranking rather than just voting for a single candidate, would be a considerable improvement over the current first-past-the-post system.[221]

One issue acknowledged by the Marquis de Condorcet himself was the possibility that no one candidate would emerge as the overall Condorcet winner in head to head matchups. In that case, which Professor Maskin argued would be rather remote in the Canadian political context, a tie-breaking mechanism could be applied.[222]

Finally, Professor Maskin noted that as the Majority Rule voting method requires computational capacity, it was not a system that could be considered until recently:

I think an important reason that until fairly recently Majority Rule, rather than alternative voting, was not on the table is simply that counting ballots under Majority Rule was somewhat more complicated. You have to look at all pairwise comparisons. With modern computers, that's not a problem, but before modern computers were around, it certainly was.[223]

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220   Ibid., 1130.

221   Ibid.

222   Professor Maskin suggested that the FPTP result could be used to break a tie. ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1135 (Eric Maskin):

There is a possibility that no candidate will emerge as the true majority winner in the sense that the candidate beats each of the other candidates by a majority. This was a possibility recognized by the creator of majority rule, the Marquis de Condorcet, who was an 18th-century philosopher and political theorist who proposed Majority Rule but noted that it wouldn't always produce a majority winner. If that should happen, then there would have to be a tiebreaking mechanism. One way to break the tie, perhaps the simplest way, is then to apply first past the post. You wouldn't have to have voters re-vote. You already have their ballots, so you would just take the first-past-the-post winner. There are other tiebreaking methods that could be used as well. The point I'd like to make, though, is that from what I understand of the Canadian situation, the possibility of not having a majority winner is quite remote. Practically speaking, I believe you would almost always have a true majority winner emerge for each seat.

223   Ibid.

b. Perceived Strengths of Ranked Ballots in Single-Member Constituencies

Some suggested that introducing ranked ballots in single-member constituencies (no matter the tally method) would increase the perceived legitimacy of election results by better reflecting the overall preferences of voters in a riding and requiring candidates to obtain a majority of support in their riding. As noted by André Blais (in comparison to FPTP):

> Basically, the system is not too different from first past the post, but a party that is the second choice of many would get more seats. That would be the biggest difference. It's up to you to decide which is the party that is the second choice in a given context, and then you'll see which party is most likely to be favoured at a given point in time.

> That's the main difference. It's more legitimate, in the sense that every candidate who is elected gets at least 50% of the vote. In my view, that's more legitimate. It is still not proportional and so on in many different aspects, but it is, in my view, more acceptable.[224]

And as observed by Professor Derriennic:

> Every MP would be elected by a majority, there would be less risk of a party winning with less of the popular vote than that of its main rival. Citizens could vote the way they wish, without fear of wasting their vote or having to vote strategically. Each party's real popular support would be known, and the big parties would want to heed the opinions and needs of supporters of other parties.[225]

As well, by maintaining local representatives in single-member constituencies, a change to ranked ballots would be considered a relatively "innocuous" innovation in comparison to other proposals presented to the Committee, for example as noted by Royce Koop:

> The alternative vote doesn't really affect what I was talking about with local representation. There would certainly be a local representative. That would be preserved, so it would be a real plus of the alternative vote as well.

> We would perhaps see that people feel like they have more input into the choice. Because of the ranking nature of the ballot, more votes are included in the overall result. We might see increased democratic satisfaction as a result of that, but beyond that I am not sure. It wouldn't be a huge change. It is a relatively innocuous change to the electoral system compared to some of the other alternatives that we are talking about today.[226]

The Hon. Paul Okalik commented on how introducing ranked ballots while maintaining single member constituencies would be a clear and simple innovation:

> If it's the desire and the will of the committee to move forward with a different model, I stress that it should be as simple and as clear as possible for all concerned. The alternative vote

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224   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 July 2016, 1030 (André Blais, Professor, Department of Political Science, Université de Montréal, as an Individual).

225   Jean-Pierre Derriennic, *A Better Electoral System for Canada,* Presses de l'Université Laval, Québec, 2016, p. 27.

226   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1430 (Royce Koop, Associate Professor and Department Head, Department of Political Studies, University of Manitoba, as an Individual).

model would be my preference, as it maintains the clarity and simplicity to the voters and is in keeping with their wishes.[227]

James T. Arreak, Chief Executive Officer of Nunavut Tunngavik Inc., spoke about how introducing ranked ballots would favour consensus, and in that sense would be consistent with Inuit culture:

> One alternative to the first-past-the-post system is the ranked candidate system, with each elector numbering candidates in order of preference, and then the votes of candidates with fewer first preferences being tabulated and redistributed until one candidate is the ranked choice of at least 50% of the electors. This system has the virtue of overcoming one defect of the first-past-the-post system: in a first-past-the-post contest, a person can be elected having extreme positions that may appeal to a minority of voters that are heartily rejected by a majority. The ranked candidate system appears to be more in keeping with the premium placed on consensus-building and the preference for inclusiveness that is characteristic of Inuit culture.[228]

Finally, Joel Howe, also speaking in Fredericton, New Brunswick, noted how ranked ballots would encourage moderation:

> With ranked ballot, for example, you allow for many parties, but they must each jockey to be voters' second or third choice. This means they cannot simply pander to their existing limited base if they want to get elected. This is the incentive toward moderation that a 5% or 10% threshold under PR can't hope to provide.[229]

c. Perceived Shortcomings of Ranked Ballots in Single-Member Constituencies

The greatest perceived shortcoming of the use of ranked ballots in single member constituencies is that it is a majoritarian system that can effectively squeeze out smaller parties while benefitting "big tent" political parties. For example, as posited by the Hon. Ed Broadbent:

> A ranked ballot system can have the effect of eliminating particularly very small parties. They can be ranked out of the system. The advantage of either MMP or strict PR is that every vote will count and you don't need to have a ranking to make it count.[230]

For example, one participant made the following statement:

> If we adopted a preferential vote system, how would we make sure that our country did not always elect a centrist party like the Liberal Party? That is to say, going forward, a party that benefits from being a second choice for everyone could win every time. What sort of

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227 ERRE, *Evidence*, 1st Session, 42nd Parliament, 17 October 2016, 1840 (Paul Okalik, Member of the Legislative Assembly, Constituency of Iqaluit-Sinaa, as an Individual).

228 Ibid., 1335 (James T. Arreak).

229 ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 October 2016, 1715 (Joel Howe, as an Individual).

230 ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 August 2016, 1520 (Ed Broadbent, Chair and Founder, Broadbent Institute).

systems and fail-safe measures will we have in place to protect the country from that happening all of the time?[231]

Brian Tanguay argued that introducing a ranked ballot in single member constituencies would only replicate problems found in FPTP:

> I personally am not a fan of the alternative vote. Although it does give greater choice to the voters, it seems to replicate all the problems that we find in first past the post. The ranked ballot by itself would not address the issue that we certainly heard from citizens at the time of the law commission and at the time of the Ontario referendum. That system would not address the flaws in the current system that are so in need of resolution.[232]

In a similar vein, Nelson Wiseman noted how introducing a ranked ballot itself could also cause distortion: "The ranked ballot, which I do not oppose, may also cause distortion. A party could receive 40% of all the first-choice votes and not win a single seat."[233]

Indeed, in his presentation to the Committee, Byron Weber Becker demonstrated how he assessed various electoral systems. A "well-behaved" system is one that, in his assessment, "reduces distortion[234] and strengthens the link between voter intention and the election of representatives." In other words "in a well-behaved system, the number of MPs awarded is proportional to the number of votes earned."[235] According to Mr. Becker, AV "misbehaved" more than FPTP.[236] He explained why by using an analogy to the "tragedy of the commons":

> I think that alternative vote makes a lot of sense at the individual riding level. Let me say that I can appreciate why it would be attractive at the individual riding level, but I think there are also some problems at that level.
>
> In each individual riding, the decision is made independently of all the other ridings, the same as with first past the post. It's when you aggregate all of those individual decisions that it breaks apart and becomes a disadvantage for Canada as a whole. I have sometimes compared it to the economic theory of the tragedy of the commons, where a village has a common pasture and everybody grazes their cow on that common pasture, and it works out wonderfully, as long as everybody obeys the rules. But then some bright soul says, "Ah, I can graze two cows on that pasture." They make a locally optimal decision just for themselves. It's like the individual riding saying that it's best for it to use alternative vote. If everybody does that, the pasture gets over-grazed and everybody fails. If all of the ridings use alternative vote, then the system as a whole becomes very disproportional and Canada as a whole suffers.[237]

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231 ERRE, *Evidence*, 1st Session, 42nd Parliament, 19 September 2016, 2025 (Rachel Morgan, as an Individual).

232 ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1520 (Brian Tanguay).

233 Ibid., 1430 (Nelson Wiseman, Director, Canadian Studies Program, and Professor, Department of Political Science, University of Toronto, as an Individual).

234 He noted that "Distortion is introduced when representation in government is significantly different from the level of popular support expressed in the election."

235 ERRE, *Evidence*, 1st Session, 42nd Parliament, 19 October 2016, 1915 (Byron Weber Becker).

236 Ibid., 2020.

237 Ibid., 2100.

Henry Milner further argued that preferential ballots in single member constituencies would result in less diversity in the House of Commons:

> I've never understood the advantage of preferential systems per se. It seems to me that we know the disadvantages, which are that these systems make it difficult for parties that are not within the mainstream — even harder than it is under our system — to get elected, so you have less diversity.[238]

In his appearance before the Committee, Harold Jansen noted that his research into the historical use of AV and STV suggested that electoral results under AV did not differ much from FPTP. By contrast, the use of STV, a proportional system, did have a significant impact:

> My research into the uses of preferential balloting in Canadian provincial elections has led me to conclude that the alternative vote is probably not the best option for Canada. The historical experience with AV suggests that it results in election outcomes that differ little from those we would encounter under the first past the post system, and it wouldn't do anything to address the most serious shortcoming of first past the post: the failure to produce a legislature that accurately reflects the preferences of Canadians. In Alberta and Manitoba, the system had no impact on proportionality, which is how political scientists measure the correspondence between seats and votes. It had no impact whatsoever.
>
> Even if we look at the district level, the alternative vote produces results that differ little from first past the post. In the entire experience of Alberta, with over 30 years of using the alternative vote, fewer than 3% of all the seats contested would have turned out differently under AV than first past the post. In Manitoba, the number is less than 2%. In other words, in 97% to 98% of the cases, the person ahead on the first count ends up winning, and that person would have won under the first past the post system.
>
> …
>
> By contrast, I'd argue the STV system used in Edmonton, Calgary, and Winnipeg performed much better.[239]

Professor Jansen added that the Australian model of AV, whereby voters must rank all candidates on the ballot, differs from the historical Canadian us of AV in British Columbia, Alberta, and Manitoba:

> When we imagine how the alternative vote might work in Canada, we often cast our eyes towards Australia, but one of the things we often overlook in the Australian case, is that in Australia, voters are legally compelled to rank each and every candidate. That's a big difference. In [Manitoba, Alberta and British Columbia] we didn't do that.[240]

In a background paper, Professor Jansen warned of the consequences of mandating voters to rank all candidates on the ballot:

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238   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 July 2016, 1135 (Henry Milner, Senior Researcher, Chair in Electoral Studies, Université de Montréal, as an Individual).

239   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1815 (Harold Jansen).

240   Ibid.

In Australia, the choice between optional and compulsory preferences is intimately linked to the competitive position of parties. Labor, often the victim of preference exchanges between its opponents, has favoured repealing compulsory preferences, and has done so in Queensland and New South Wales.[241]

Michael Gallagher emphasized how AV, by not being proportional, would achieve little while causing smaller parties to suffer:

The alternative vote is not a kind of PR and the outcomes it produces are not that different from first past the post, really, so in some ways I think it would be a huge amount of effort to achieve very little if Canada had a really strong deliberative process and then simply moved to the alternative vote. It wouldn't make a great deal of difference.

Yes, I think so, because the results of Australian elections tend to be just as disproportional as elections in Britain or Canada, for example. You don't get very close proportionality, and in particular the smaller parties really lose out systematically.[242]

In a paper published in 2016 titled "The Consequences of the Alternative Vote," authors Lydia Miljan and Taylor Jackson note the political implications of the Australian model of AV. That system was introduced in 1918:

… by a non-Labour government in response to the formation of the Country Party, a competing right-of-centre party that was establishing a growing regional influence. Implemening the AV electoral system allowed the non-Labour parties to exchange voting preferences, particularly in rural districts. This helped to prevent the Labour party from benefitting when the non-Labour vote was split.[243]

Miljan and Jackson argue that the adoption of AV and the requirement to exhaust the ballot had the effect of changing the outcome of elections, in favour of Australia's political right and against the political left, for half a century. Miljan and Jackson note,

[N]on-Labour parties have tended to be the beneficiaries of this system. In her examination of the effects that AV had on Australian elections from 1919 to 1951, Rydon (1956) found that of the 73 seats that required a redistribution of preferences to determine the winner, 58 of them were won by non-Labour candidates and only 15 were won by Labour candidates….[244]

This suggests how a new electoral system can have a long-lasting, predictable effect on the outcome of elections. It can favour one party and hobble another over several election cycles in a manner that was foreseeable by the legislators who designed the new system.

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241   Harold Jansen, "The Political Consequences of the Alternative Vote." *Canadian Journal of Political Science* 37:3 (September 2004), p. 663.

242   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1105 (Michael Gallagher, Professor of Comparative Politics, Trinity College Dublin, as an Individual).

243   Lydia Miljan and Taylor Jackson, "The Consequences of the Alternative Vote," in *Counting Votes: Essays on Electoral Reform*. Vancouver: Fraser Institute, 2016, p. 49.

244   Ibid.

Finally, in their paper, Miljan and Jackson provide a detailed analysis as to how AV would have affected Canadian federal elections since 1997. The most striking result is that the Liberals would have won a larger number of seats in every election: 15 additional seats in 1997, 17 additional seats in 2000, 25 additional seats in 2004, 22 additional seats in 2006, 11 additional seats in 2008, 13 additional seats in 2011, and 31 additional seats in 2015.[245]

2. Proportional Electoral Systems

As discussed above, a primary facet of a proportional electoral system is a district magnitude greater than one. The greater the district magnitude (number of members per constituency), the greater the proportionality, as the entire range of voters' party preferences would be more accurately reflected. The trade-off that comes with increased district magnitude is less local representation. Given the preferences expressed throughout the Committee's study for strong, accountable local representation, any introduction of proportionality in Canada would need to maintain a district magnitude that would not unduly dilute local representation. Indeed, as explained by Pippa Norris, proportionality and local representation can co-exist:

> They can go together, and what matters is the size of the district magnitude. If you have a small district—Spain has three-to-five, Ireland has five—then essentially the individual voter can find, in particular, not just an MP but a couple of MPs, perhaps from different parties, to represent their constituency concerns or to lobby for them or to do any other sort of service work.
>
> If you get a large district, however, that dilutes. Many countries will have districts of, say, 16-20, and there is no constituency service when you get to a very, very large constituency. The classic cases are in Israel, where you have the whole country as one constituency, and in the Netherlands. In those countries, there are very weak links indeed between the members of the Knesset in Israel and individual voters. At that stage it's broken.
>
> It really depends on how you draw your boundaries as to how you actually create an incentive to have constituency service. It's not about an either/or system, PR versus single member.[246]

Indeed, Laura Stephenson noted that in terms of district magnitude, "[a]ny number greater than one would lead to more proportionate outcomes than our current system, and many systems around the world have districts with low magnitudes." She added that "[e]xperts would suggest that between three and seven is an ideal number."[247]

One tool that has been developed to measure an electoral system's relative disproportionality between votes received and seats allotted in a legislature is the Gallagher Index, developed by Michael Gallagher (who appeared before the Committee). As noted by Byron Weber Becker, the Gallagher Index "combines both over and under-representation for each party into a single number."[248] According to Professor Becker, a Gallagher Index of less than 5 is considered "excellent". As well, Professor Becker

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245 Ibid., pp. 57–63.

246 ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1545 (Pippa Norris).

247 ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 1525 (Laura Stephenson, as an Individual).

248 Byron Weber Becker, *Modelling Elections – Submission to ERRE: Special Committee on Electoral Reform*, October 2016.

developed the "Gallagher Index Composite" for the Committee's study, comprised of the "average of the Gallagher Indices for each province and territory, weighted by its number of seats."[249] Professor Becker noted that:

> This corrects for a problem in calculating the Gallagher Index for the nation as a whole, which can hide regional disproportionalities such as the significant over-representation of Conservatives in the Prairies offsetting the over-representation of Liberals in the Maritimes.[250]

Professor Becker submitted that the most recent FPTP election had a Gallagher Index score of 12.0%, and a Composite Gallagher Index score of 17.1%.[251] In his submission, Professor Becker provided the Committee with a chart of the relative distortion and Gallagher scores under various potential electoral systems (titled *Summary of nine electoral systems' properties*):[252]

| System Name | Number of Local MPs [1] | Number of Regional MPs [2] | Over-Representation by Party [3] | | | | | Gallagher Index [4] | | %Voters with Preferred | | Short System Name [9] |
			Liberal	Conservative	NDP	Bloc	Green	2015 [5]	Composite [6]	Local MP [7]	Regional MP [8]	
Alternative Vote	338	0	24%	-11%	-4%	-4%	-3%	19.0%	24.0%	48%	48%	FP-A-x
First-Past-The-Post	338	0	15%	-3%	-7%	-2%	-3%	12.0%	17.1%	48%	48%	FP-F-x
Mixed Member Proportional (Lite)	338	53	11%	-2%	-5%	-1%	-3%	9.0%	11.4%	48%	74%	ME-F-x
Mixed Member Proportional (Small Regions)	212	126	5%	-1%	-0%	-0%	-3%	3.8%	4.7%	47%	89%	MS-F-x
Rural-Urban PR (More Singles, 389 Seats)	338	51	3%	1%	-0%	-1%	-2%	3.1%	4.1%	80%	92%	RE-F-S
Rural-Urban PR (Few Singles)	338	52	3%	-1%	-0%	-0%	-1%	2.4%	3.3%	90%	96%	RM-A-S
Rural-Urban PR (More Singles, 338 Seats)	287	51	3%	-1%	1%	-1%	-2%	2.7%	3.4%	80%	94%	RS-A-L
Single Transferable Vote (Medium-sized Regions)	338	0	4%	-0%	0%	-0%	-3%	3.3%	4.2%	96%	96%	SM-A-S
Single Transferable Vote (Small Regions)	338	0	7%	-1%	-2%	-1%	-3%	5.6%	6.5%	90%	90%	SS-A-S

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249   Ibid.

250   Ibid.

251   Ibid.

252   Ibid. Finally, after his appearance, the Committee passed a motion requesting Professor Becker to develop MMP, STV, and Rural Urban-PR models that respected a specific set of constraints: 1. Composite Gallagher scores that are as low as possible; 2. Each province and territory must have exactly the same number of MPs as allocated in the distribution used in the 2015 election; 3. Redistribution of seats, if necessary, must be able to be carried out quickly by merging existing ridings in sets of two, three, or more.

The Committee is grateful to Professor Becker for his work in preparing his original brief and his "ERRE Modelling with Constraints."

a. Proportionality: Perceived Strengths

The primary argument raised in favour of proportional electoral systems is that they more fairly translate votes cast for political parties into seats in the legislature. Indeed, this element was emphasized by various witnesses who testified before the Committee. For example, as explained by Arend Lijphart:

> The main aim of proportional representation is to get proportional outcomes so that parties, or groups of representatives, are representing roughly equal representations of the voters. PR systems differ in terms of how proportional they are. They may use systems that are not completely proportional and that raise barriers for smaller parties, and so on. When you look at outcomes of PR systems, there is not one that is completely 100% proportional.[253]

And as echoed by Harold Jansen:

> The one thing that the electoral system does is alter the math of the translation of votes into seats. PR systems like STV or MMP or list PR do that much more accurately than first past the post, or the alternative vote. I'd argue that this is really the fundamental basis on which a decision about electoral reform should be made.[254]

Henry Milner added:

> The more proportional the system, the more equal every vote is in terms of its ability to get somebody elected. So the less proportional a system is, the less equal each vote is in terms of its effect on getting somebody elected.[255]

Kenneth Carty observed that "fair representation," equated with some type of PR, was a desired objective of multiple provincial reform initiatives:

> Let me say that the thousands of Canadians who took part in the recent provincial reform debates in the citizens' assemblies in Ontario and in British Columbia, in the Commission on Legislative Democracy in New Brunswick, on the parliamentary commission hearings all across Quebec, have been very clear about what they want in an electoral system. They've identified pretty clearly what they think are the three values that they most highly value. One was fair representation, and by that most voters meant something like proportional representation was the value that was to be put near the top of the list.[256]

Professor Carty added that "strong, identifiable, local representation" and "more choice on the ballot" were the other two values most highly regarded by individuals who participated in provincial electoral reform initiatives over the past 15 years.[257]

The value noted by Professor Carty also came through in responses to the Committee's online consultation. Indeed, 71.5% of respondents either strongly agreed (59.1%) or agreed (12.4%) with the statement "Canada's electoral system should ensure

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253   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1455 (Arend Lijphart).

254   Ibid., 1820 (Harold Jansen).

255   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 July 2016, 1015 (Henry Milner).

256   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1405 (R. Kenneth Carty).

257   Ibid.

that the number of seats held by a party in Parliament reflects the proportion of votes it received across the country":[258]

**Number of seats held by a party in Parliament should reflect
the proportion of votes it received across the country**
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 11.9% | 5.1% | 6.7% | 12.4% | 59.1% | 4.9% |

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
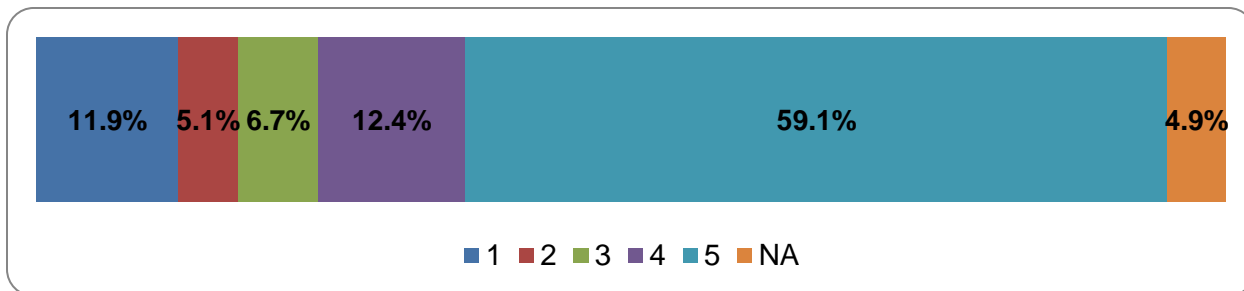
As well, 72.5% of respondents either strongly agreed (48.6%) or agreed (23.9%) with the statement that "Canada's electoral system should ensure that voters elect local candidates to represent them in Parliament":[259]

Voters should elect local candidates to represent them in Parliament
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 2.9% 5.0% | 15.8% | 23.9% | 48.6% | 3.8% |

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
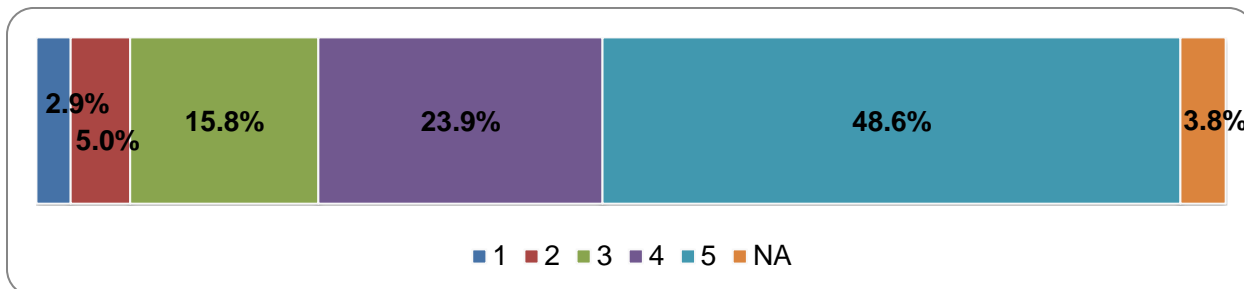
Finally, a majority of respondents either strongly agreed or agreed with the following two statements connecting proportionality with voter choice: First, that "Voters should determine which candidates get elected from a party's list and the seats in the House of Commons should be allocated based on the percentage of votes obtained by each political party":[260]

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258   Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", at Table 16 and Figure 13.

259   Ibid., at Table 15 and Figure 12.

260   Ibid., at Table 28 and Figure 25.

**Voters should determine which candidates
get elected from a party's list**
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

20.1%	5.5%	10.4%	22.0%	37.6%	4.4%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
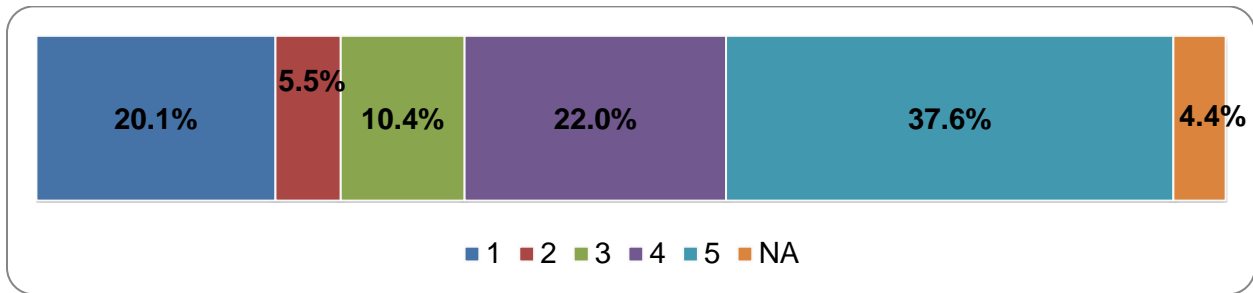
And second, that "Canada's electoral system should produce a proportional Parliament (where seats roughly match the parties' vote share) through the direct election of local representatives in multi-member electoral districts":[261]

Canada's electoral system should produce a proportional Parliament through the direct election of local representatives in multi-member districts
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

24.1%	6.6%	10.7%	20.1%	31.3%	7.2%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
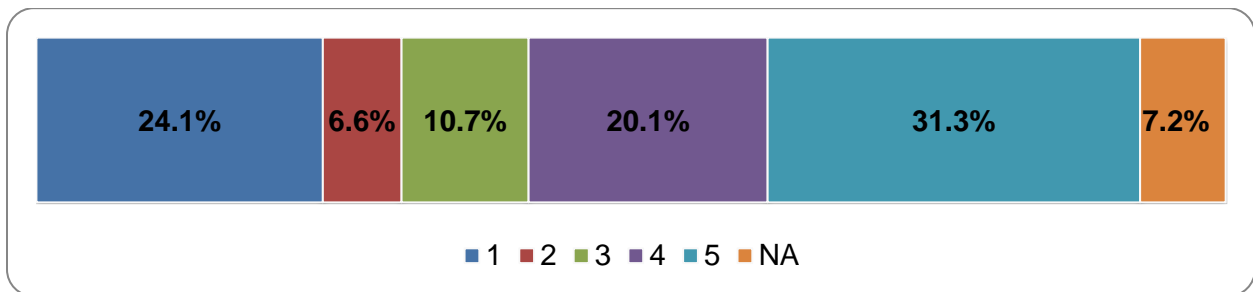
The Hon. Ed Broadbent, in his remarks to the Committee, noted that experts in democratic institutions tend to favour PR systems over majoritarian ones:

> [W]hen the large majority of experts—not only those who have made their presentations to this committee, but also those around the world who have studied democracy and democratic institutions—make up their minds about electoral systems, they come down on the side of some form of PR.[262]

Finally, Arend Lijphart's research highlighted the relationship between PR and what he calls "consensus democracy," through the increased likelihood of coalition governments:

> I've gradually come to the conclusion that proportional representation, or PR, is the better option. This has also been the trend among political scientists generally. The empirical evidence is now overwhelmingly strong in support of this conclusion. PR is a crucial ingredient in what I have called "consensus democracy", especially in combination with a

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261   Ibid., at Table 29 and Figure 26.

262   ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 August 2016, 1405 (Ed Broadbent).

parliamentary system of government. It tends to lead to a multi-party system, which in turn tends to lead to coalition cabinets, and also leads to parliaments that are stronger and cabinets that are less dominant than in majoritarian systems. In addition, it tends to be associated with a more co-operative system of interest groups.[263]

The Hon. Ed Broadbent added on this topic:

[T]he PR system is conducive to more civility in politics. I had experience following my political life with, for example, German politicians in both the CDU and the SPD. They both say, as people familiar with the Scandinavian situation, that with multi-party systems in which it's taken for granted that you're going to have multiple parties forming governments, the politicians are more civil with each other before elections and during elections because they know they're going to have to work with somebody afterwards. That isn't a trivial point.[264]

b. Proportionality: Perceived Shortcomings

As discussed above, the primary shortcoming of highly proportional electoral systems is the diminution of local representation, which is why such options are not being considered by the Committee. As well, some witnesses raised the end of majority governments and the prospect of coalition governments as being more complicated:

Nothing comes without problems, and there are two problems in particular [with PR] that might be identifiable. One is that constituencies as we call them, ridings, would have to be much larger, both in geographical size and in population because proportional representation necessitates multi-member constituencies, so ridings would be much larger, and they already are huge in some cases. In addition, government formation becomes a much more complicated process because single party government would be very unlikely. It's very hard for any party under a really proportional system to win an overall majority. That's not necessarily a bad thing; there are pros and cons in coalition government, but it would become more complicated.[265]

Indeed, the increased likelihood of coalition governments in proportional systems would be a significant change that would require both adaptation and education:

[I]n Canada's case, clearly a significant change in political culture would be required. One of the consequences of adopting a proportional electoral system is the more frequent occurrence of minority governments. The population is used to this type of government.

One thing would be different in Canada's case, and that's the occurrence of coalition governments. There's no tradition in that regard here. Sometimes coalition attempts were made that could be surprising, but there was never a real coalition. This could be a significant change in political culture.

263   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1405 (Arend Lijphart).

264   ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 August 2016, 1410 (Ed Broadbent).

265   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 0935 (Michael Gallagher).

Work must be done not only for the public, but also by the witnesses who cover political life, and that requires information. A factor that was also measured is the importance of having citizenship education courses....[266]

Of note, respondents to the Committee's online consultation, who overall preferred some element of proportionality, were open to the idea of collaborative governments. Indeed, 53.5% of respondents either strongly agreed (31.8%) or agreed (21.7%) with the following statement: "Canada's electoral system should favour the following outcome: no single political party holds the majority of seats in Parliament, thereby increasing the likelihood that political parties will work together to pass legislation."[267]

No single political party should hold the majority of seats in Parliament, increasing the likelihood of political parties working together to pass legislation
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 17.6% | 10.1% | 15.0% | 21.7% | 31.8% | 3.8% |

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
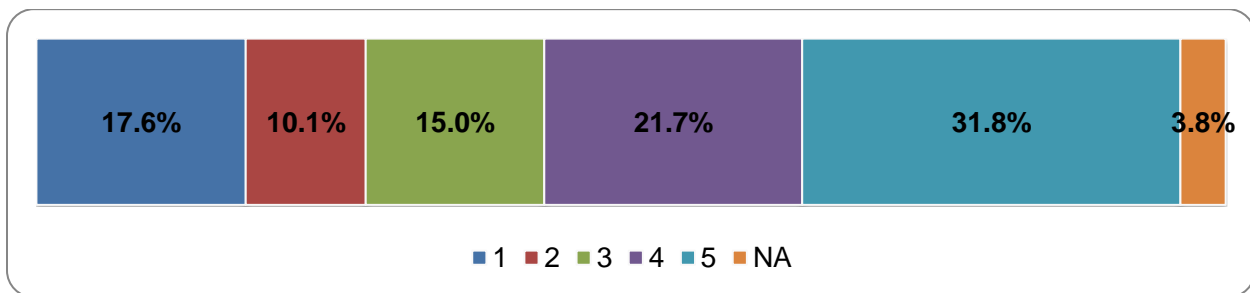
Another concern that was raised during the Committee's study is that purely proportional electoral systems would lead to the proliferation of small political parties at the expense of large national parties. This apprehension was expressed by Kenneth Carty:

My view is that with a highly proportional electoral system, there's a major risk that we would lose our national political parties. I think the electoral incentives would powerfully favour regional and sectoral parties at the expense of national ones. Our national parties might easily break into pieces of different kinds and different shapes depending on the party.[268]

He added that the erosion of national parties could lead to the erosion of national politics:

I believe under relatively highly proportional systems, even moderately proportional ones, the big national parties would be disadvantaged. In fact, it would be to the advantage of different parts of these national parties to kind of go their own way, as the Conservatives went three ways in 1993. Without first past the post, they would never have come back together. I think that over time we would have, in fact, the erosion of national parties because there would be electoral incentives in different regions, among different groups, to produce

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266 ERRE, _Evidence_, 1st Session, 42nd Parliament, 22 September 2016, 1930 (Éric Montigny, Executive Director, Research Chair on Democracy and Parliamentary Institutions, Department of political science, Université Laval, as an Individual).

267 Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", at Table 14 and Figure 11.

268 ERRE, _Evidence_, 1st Session, 42nd Parliament, 25 July 2016, 1410 (R. Kenneth Carty).

their own candidates and not be tied by a national platform. I believe the real risk of proportionality is the erosion of national parties, and I believe, national politics.[269]

He concluded that the success of Canada's current electoral system has largely been in preventing regional/ideological cleavages from dividing the country:

> The great success of the Canadian party system, in my judgment, has been in some sense preventing the enormous variation in the cleavages, in the divisions of Canada, from spilling into our Parliament in a way that would make us a dysfunctional country.… One of the strengths of the way our system has worked is that it has in fact forced the parties in some sense to work hard at preventing that expression of so much division, in a country that's constantly changing.[270]

Finally, related to Professor Carty's notion of the erosion of national political parties is the argument that greater proportionality would favour the proliferation of smaller, and possibly "extremist" political parties:

> No doubt proportional representation, particularly extreme proportional representation as they have in Israel, gives organization and voice to very small groups of sentiment, some of which can be quite extreme. While our current FPTP privileges the regional representation, proportional representation privileges ideological representation.[271]

Other witnesses provided a less drastic assessment. For example, André Blais suggested that increased proportionality would result in more diversity of viewpoints, possibly adding to polarization in the House of Commons:

> I don't think the evidence is that clear on exactly what the consequence would be. Well, there would be a consequence in that there would be a wider array of viewpoints, and some of them would probably be more extremist than they are now, so there will be more diversity but also perhaps a little bit more polarization at the beginning in the House of Commons.[272]

As well, Brian Tanguay did not share the view that introducing proportionality would lead to the fragmentation of national political parties, or favour the proliferation of extremist political parties:

> I'm not as convinced as Professor Carty that it would be the death knell for national political parties. I don't see Canada being as riven by what political scientists call cleavages, as, say, Belgium is. The model proposed by the law reform commission would have a built-in kind of threshold. You'd need, probably, at least 10% of votes in a region to get one of those list seats.
>
> To me, the worry that there would be a proliferation of fringe or extremist parties and that the national parties would fall apart seems exaggerated. I just don't see—and I share, actually, your views so eloquently stated in the preamble to the question—that we grew up or lived through the near death of the country, all under first past the post. I don't think that a mixed

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269   Ibid., 1500.

270   Ibid., 1530.

271   ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1555 (Gordon Gibson).

272   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 July 2016, 1010 (André Blais).

member proportional system would exacerbate regionalism. I don't think it would be any worse than it is now.[273]

3. The Single Transferable Vote and Other Ranked Ballot Variants in Multiple Member Constituencies

a. The Single Transferable Vote

One proportional option for electoral system reform that was raised by numerous witnesses is the Single Transferable Vote (STV), as it is candidate-focused and preserves local representation:

> The single transferable vote is known in the Anglo-Saxon world, and it is for good reason known as the Anglo-Saxon PR. Ireland, Malta, upper house Australia, it's well known in the Anglo-Saxon world. It preserves local representation.[274]

As well, STV has a history in Canada. Provincially, from the 1920s to the 1950s, Alberta and Manitoba both adopted STV for elections held in urban ridings and the AV for elections held in rural ridings.[275] Additionally, in the late 1910s to early 1920s, a number of municipalities in Alberta, British Columbia, Manitoba and Saskatchewan adopted STV systems.[276] Finally, British Columbia's Citizen's Assembly recommended "BC-STV" as the system of choice for the province in its December 2004 report.[277]

Essentially STV aims to achieve a moderate level of proportionality while giving maximum choice to voters and maintaining the local connection between MPs and constituents. As explained by Michael Gallagher in his appearance before the Committee:

> One type of partial representation is proportional representation by the single transferable vote. This aims to do a number of things simultaneously. First, it attempts to achieve a reasonable closeness between the share of votes cast and share of seats cast for each party. Second, it tries to give a maximum choice to voters — more choice than open-list systems. It avoids having voters waste their vote by casting it for someone who has no

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273 ERRE, _Evidence_, 1st Session, 42nd Parliament, 25 July 2016, 1520 (Brian Tanguay**).**

274 ERRE, _Evidence_, 1st Session, 42nd Parliament, 23 September 2016, 1305 (Csaba Nikolenyi).

275 Dennis Pilon, _The Politics of Voting – Reforming Canada's Electoral System_, Emond Montgomery Publications Limited, Toronto, 2007, p. 81; Elections Manitoba, _History of Electoral Process from 1870 to 2011_.

276 Calgary (1916–1961); Edmonton (1922–1928); Regina (1920–1926); Saskatoon (1920–1926); Vancouver (1920–1923); Victoria (1920–1921); Winnipeg (1920–1971). Source: Dennis Pilon, _The Politics of Voting – Reforming Canada's Electoral System_, Emond Montgomery Publications Limited, Toronto, 2007, p. 81; ERRE, _Evidence_, 1st Session, 42nd Parliament, 22 August 2016, 1820 (Harold Jansen).

277 Under BC-STV, the province would have gone from 85 single-member ridings to 20 multiple-member ridings, while keeping the same number of MLAs. In this system, each electoral district would have between 2 and 7 seats depending on its population and geographic size, and electors would vote for district representatives by ranking candidates on the ballot. The model avoided the use of party lists, which the Assembly felt might be unpopular with British Columbians. Instead, voters would choose among candidates by name and when ranking candidates, could choose candidates from different parties, thus retaining the maximum amount of freedom in choosing whom to elect.

chance. Third, it aims to retain the close territorial connection between voters and MPs, or TDs, as deputies are known in Ireland. It aims to do all of those things.[278]

STV works as follows:[279] voters in multi-member electoral districts (Ireland's districts contain three to five members) rank candidates on the ballot. They may rank as few or as many candidates as they wish. Indeed, this is the practice in Ireland, whereas in the Australian Senate voters must rank all candidates.

In most variations of this system, winners are declared by first determining the total number of valid votes cast, and then establishing a minimum number of votes that must be garnered based on the number of seats to be filled (the "vote quota"). Candidates who receive the number of first-preference votes needed to reach the quota are elected. If there are still seats to be filled, a two-step count occurs. In the first step, any votes in excess of the quota for elected candidates are redistributed to the second choices indicated on the ballots of the elected candidates, using a weighted formula (this is called "excess transfer"). Candidates who then reach the quota are elected. If no candidates reach the quota in this way, a second step takes place in which the candidate with the fewest first-preference votes (lowest-ranked) is dropped, and the second-preference votes on the ballots where that candidate ranked first are assigned to the respective remaining candidates. Such extra counts continue until enough candidates reach the quota to fill all available seats. As noted by Professor Gallagher, "the surplus distribution is the most complex part of STV."[280]

Some variations of STV do not involve excess transfer, but only the elimination of the lowest-ranked candidate and the reassigning of the second preferences on the ballots for that candidate. This simplifies the counting process.

In Ireland the counting process may take several days:

Counting proceeds until all the seats are filled. The counting is a multi-staged process. It takes much longer than a first past the post count. In Ireland we had an election earlier this year. It was on a Friday, and the counting of the votes didn't start until 9 o'clock on Saturday morning. Most of the seats were filled by midnight on Saturday, but some went into Sunday. There was one constituency in which the outcome was very close and there were a few

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278   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 0945 (Michael Gallagher).

279   Adapted from Andre Barnes, Dara Lithwick, and Erin Virgint, *Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview*, Publication No. 2016-06-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, revised 23 June 2016.

280   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 0945 (Michael Gallagher):

The surplus distribution is the most complex part of STV. What's more straightforward is that if a candidate fares very poorly, and gets only a few hundred votes, those votes are not wasted. The candidate is eliminated from the count and the votes are transferred to other candidates in accordance with the second preference marked. If that candidate in turn is later eliminated, the votes are transferred on in accordance to the third preference marked, and so on. The aim is that even if a voter votes for someone who doesn't do very well, this vote is not wasted as it is under the first past the post system. The lower preferences are taken into account and can still influence the outcome.

recounts, so it didn't end until early on Wednesday morning. Counting is not an instantaneous process — it can be several days before the full result emerges.[281]

Professor Gallagher then described the impacts of Ireland's STV system in terms of representation, turnout, party cohesion, and constituent links with MPs:

Firstly, in terms of the accuracy of representation, it does give fairly accurate representation. It doesn't give extremely high proportionality like the South African system does, but it gives pretty average levels of proportionality by the standards of most European electoral systems. It's much more proportional than non-PR systems such as Canada uses or such as Britain or France use. On that criterion, it performs to the satisfaction of people here.

In terms of government stability, over the years there has not really been a problem there. Most governments these days are coalitions, but they can be just as stable as single-party governments. We've had 29 elections in the history of the state, so something like three years between elections. Having said that, the last election in February did not produce a very stable-looking government. We have a minority government, with only 58 seats out of 158. It took two months to put it together. Its lifespan is rather uncertain. At the moment we wouldn't rate highly on current government stability, but over the entire period this has not been a problem.

One of the strengths of PR-STV, as I mentioned before, for its proponents is that it gives voters a lot of choice. They can really say exactly what they feel. They're not compelled to vote just for, to name the Irish parties, Labour or just for Fianna Fáil or just for the Greens. They can vote number one for Green Party, and if the Green Party candidate is eliminated, then they can give a second preference to Labour, a third preference to Fine Gael and their vote isn't wasted, it still counts. They can choose on the basis of any criterion they want. They can vote on party lines or some people will vote on geographical lines. They want a candidate from this part of the constituency, a candidate whose home base is somewhere near here. For that reason they might give their first preference to a local candidate from one party and their second preference to a candidate from another party.

Do turnout levels engender high participation? Not particularly in Ireland. Turnout is not especially high. It was around 65% for the election earlier this year. But people who study turnout say that it is affected by lots of different factors. The electoral system might have only a minor role. The only other country in Europe to use PR-STV is Malta, and that has a very high turnout, over 90%.

In terms of the cohesion of parties, as I said before, this internal party competition doesn't really damage party cohesion. In this country the solidarity of parliamentary groups is very high. It's very rare for MPs to defy the party whip. For good or for bad, that's the way it is. MPs nearly always vote the party line, they just don't vote different ways. Whatever the local pressures might be, the parliamentary parties are very cohesive.

Next is links with constituents. It's quite interesting that this arises in the Canadian context because this is quite a controversial point in Ireland. Links with constituents are extremely strong in Ireland. Links between TDs-MPs and their constituents are very strong. MPs spend a lot of time dealing with their constituents, representing their constituents, meeting their constituents, taking cases to central civil service bureaucracy on behalf of constituents.… For sure, there doesn't seem to be any reason to be concerned that PR-STV would weaken constituency links, if anything quite the contrary. Academics, as I say, take that view.

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281   Ibid.

The main point about PR-STV in this regard is that MPs now have a strong electoral incentive to respond to constituents' demands.[282]

Professor Gallagher concluded his introductory remarks with a suggestion as to how STV could work in Canada:

> At the moment you've got 338 MPs, so if Canada had PR-STV there might be around 70 to 90 multi-seat ridings, each returning anything from maybe three to seven MPs, or it could be more. Just looking at a few particular provinces, we see that Newfoundland and Labrador currently has seven single-seat ridings that might become one three-seat riding and one four-seat riding, for example. Prince Edward Island currently has four single-seat ridings that would become one four-seat riding. New Brunswick currently has 10 single-seat ridings that could become two five-seat ridings. It could be that really large geographical areas like Labrador, the Northwest Territories, Nunavut, and Yukon would remain as single-seat ridings.[283]

As suggested by Professor Gallagher's testimony, the perceived strengths of STV are that it introduces proportionality (albeit moderate proportionality given smaller district magnitudes), it emphasizes voter choice, and it is still founded on the link between candidates and constituents.

The primary shortcomings associated with STV are the perceived complexity (and time required) to determine winners, and the notion that STV results in candidates from the same party campaigning against each other.[284] On the latter point, Professor Gallagher posited that in Ireland "this internal party competition doesn't really damage party cohesion."[285] As well, in testifying about his experience as part of the B.C. Citizen's Assembly, Craig Henschel noted that internal competition could also have positive elements:

> There are two aspects to that. The assembly members really like the idea of more competition, and Canada is paying more attention to voters to get the vote. We also recognize that, because of the preferential ballot, if you want to get elected, you can't say horrible things about the other candidates, because you may need their support. You might need support from their followers. The tenor of elections, the tone, should improve even though the competition increases.[286]

Finally, various witnesses testified regarding the ideal district magnitude in a system such as STV that would enable both proportionality and local representation. Ireland's district magnitude range of three to five members per district is set out in its Constitution. Under BC-STV, each electoral district would have had between 2 and 7 seats. Indeed, as noted by Laura Stephenson, "Any number greater than one would lead to more

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282   Ibid., 0950.

283   Ibid., 0955.

284   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 September 2016, 1550 (Jean-Pierre Derriennic): "The objection some politician friends made to me is that the Irish single transferable vote may lead several candidates from the same party to campaign against each other. That may be good, but perhaps parties would rather avoid that."

285   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 0950 (Michael Gallagher).

286   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 September 2016, 1600 (Craig Henschel).

proportionate outcomes than our current system, and many systems around the world have districts with low magnitudes." She added that "Experts would suggest that between three and seven is an ideal number."[287]

b. Jean-Pierre Derriennic's "Moderate Proportional Representation with a Preferential Vote" Proposal

Jean-Pierre Derriennic recommended, in his presentation based on his recently published book, *A Better Electoral System for Canada*,[288] that Canada introduce a variant of Ireland's system in Canada. In his system, called "moderate proportional representation," Canada would be divided into districts of three to five seats. As explained in his submission to the Committee:

> Implementing this reform would not be difficult following these principles: the total number of MPs or their number for each province would not change; contiguous districts would be joined together without changing their present limits; in the new multi-member districts the ratio of MPs by inhabitants should be kept as equal as possible. Prince-Edward-Island would form one district with four seats. In other provinces, the correct number of MPs would be met by combining districts with three, four or five seats. The main danger of proportional representation, too many parties having MPs, would be avoided.[289]

As well, his system would include ranked ballots, which he argues should be a feature of any electoral system, whether proportional or majoritarian in nature:

> Ranked ballots should be, as a rule, a feature of any electoral system, because citizens should have the right to vote sincerely without having to suppose how others will vote and without being manipulated by opinion polls and rumours.
>
> In single-member districts, ranking preferences rather than expressing one choice makes the results more legitimate, because all MPs are elected by a majority of voters.
>
> Ranking preferences is possible also when choosing between lists of candidates in order to get a proportional result. It can be done by using the Single Transferable Vote, as in Ireland, or by ordering preferences between closed lists of candidates.[290]

However, to "avoid weakening the parties" (though intra-party competition which occurs in STV), Professor Derriennic proposes the following:

> Citizens would vote as in Ireland: the ballots would list the names and party affiliations of the candidates, and the voters would mark their order of preference, which may be complete or not. Ballots would be counted not as in Ireland but rather through ranked ballot voting

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287   ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 1525 (Laura Stephenson).

288   Jean-Pierre Derriennic, *A Better Electoral System for Canada,* Presses de l'Université Laval, Québec, 2016. First, he recommended that the Committee avoid "proportional representation in districts where large numbers of MPs are elected" which would allow "many parties to have elected MPs in the House" and would pose "a serious risk of political indecision and instability." Second, he recommended against mixed electoral systems such as MMP, as being difficult to implement; ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 September 2016, 1535 (Jean-Pierre Derriennic).

289   Jean Pierre Derriennic, "Brief submitted to the Special Committee on Electoral Reform," September 2016.

290   Ibid.

between lists, as described above in this chapter: each party's number of votes is calculated by adding together all the first preferences for candidates of the same party: votes for parties with too few first preferences to be entitled to one seat are transferred according to the second or next preferences[291]; when the parties remaining in competition are each entitled to at least one seat, they are assigned the seats proportionally. The seats gained by a party are assigned to its candidates according to the personal votes each of them got.[292]

Professor Derriennic argues that his system would be less complicated than STV as there would be no need to calculate quotas and redistribute excess transfers.

c. Jean-Pierre Kingsley's suggestion and Fair Vote Canada's Rural-Urban Proportional Proposal

In his testimony before the Committee, former Chief Electoral Officer Jean-Pierre Kingsley proposed that some level of proportionality be introduced in Canada by clustering urban ridings into multiple member constituencies while keeping remote, rural ridings under FPTP. Voters would continue to vote once, whether in a single- or multiple-member constituency:

> That being said, here is my suggestion. Since Canada is so vast, we would keep the first-past-the-post system for remote, rural or large ridings. About 40, 50 or 60 members would be elected using that system.
>
> As for urban areas, we could cluster four or five current ridings and ensure that four or five members are elected by the voters based on the vote results. I will not defend the following to death, but according to my way of thinking, a voter would vote for a party or a candidate. The candidates would be selected by the new cluster association of the four or five ridings. So the people would be choosing.
>
> As for gender parity, let's say that there are five seats to fill. I would ask that three men and three women be elected, and that the party choose, at a local level, one man, one woman, one man, one woman, one man, one woman, and so on, so that it would always be one, two, one, two, one, two.
>
> In short, the voter would choose. They would vote, as they currently do, for a candidate or a party. It would be the same thing. There would be only one vote. From there, it would be determined, for instance, that 60% of people voted for a given party, and that there are three seats. So we would be talking about 20%.[293]

He added that independents would continue to be able to be elected under his proposal:

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291   In a footnote, Derriennic adds that "It will often happen that a voter's first three preferences all go to the three candidates of the same party. In this case, preference number 4 will be the voter's second party."

292   Jean-Pierre Derriennic, *A Better Electoral System for Canada,* Presses de l'Université Laval, Québec, 2016, pp. 55–56. He adds in a footnote that "an elected candidate is not necessarily the one who gets the most first preferences. If a party has three candidates and is assigned one seat, the least popular of the three is dropped from the race, and the second preferences on ballots for that candidate may decide who of the other two will get the seat."

293   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1440 (Jean-Pierre Kingsley).

In the example I've given, you could also have independents. Their chances of being elected … would probably be the same as they are right now. We can't devise a system—at least, not readily—in which independents would rule the day, but it is important for that phenomenon to be able to express itself under our system, and there are various systems that would allow that quite readily.[294]

The determination of whether a riding would qualify as rural or remote would be made by looking at each province individually: "[E]ach province would have to be looked at individually to see what people think of and accept as being rural, and what people think of and accept as urban."[295]

In response to Jean-Pierre Kingsley's proposal, Fair Vote Canada suggested an alternative model that it called Rural-Urban Proportional (with the objective of making the system more proportional). Fair Vote Canada describes the system as follows:

1) Multi-member ridings in the urban areas (which could be elected with a ranked ballot - STV - or an open list)

2) Single member ridings in the rural and small urban areas (which could also be elected with a ranked ballot – or by first-past-the-post)

3) A small layer of regional top up seats to make the overall results in the region proportional (an idea borrowed from Sweden, where these are called "adjustment seats).[296]

In its submission to the Committee, Fair Vote Canada suggested a variety of Rural-Urban PR models which featured:

- Single member or 2-3-member ridings in areas where population density is low,

- the benefits of multi-member ridings where population density is higher,

- a top-up share of about 15 percent of total seats, achieved by increasing the size of the House or the size of each riding by 15 percent, a minor change.[297]

In their view, this would provide a potential tailor-made solution for Canada:

Different applications use different approaches to give each voter an effective voice. Features of the model can be adjusted to good effect in each region of the country to provide a made-in-Canada solution that provides the desired level of proportionality while still

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294   Ibid., 1510.

295   Ibid., 1520.

296   Fair Vote Canada, "Rural-Urban Proportional," *Fairvote.ca*.

297   Fair Vote Canada, "Fair Vote Canada Submission to The Special Parliamentary Committee on Electoral Reform," 19 August 2016, "Appendix 12: Rural-Urban Proportional Representation."

managing differences in riding sizes between urban and rural areas and remaining sensitive to local concerns and preferences.[298]

4. Mixed Electoral Systems: Mixed Member Proportional Representation and its Variants

a. Introduction

The Committee heard a significant amount of testimony concerning mixed systems, particularly the mixed-member proportional (MMP) system. Mixed electoral systems combine elements of plurality/majority systems with PR. Under this system, some MPs are elected by a plurality or majority vote in single member districts (often through traditional FPTP elections), and some are elected from party lists in a proportional compensatory manner. The goal of such systems is to maintain local representation while providing greater overall proportionality in terms of popular vote to seat count in a legislature.

Essentially, in MMP systems such as those used in Germany, New Zealand and Scotland, voters get two votes. The first vote ("constituency vote") elects an MP in constituencies via the standard FPTP method. The second vote ("party vote") determines the total number of compensatory MPs each party will get. In most systems, the party vote is primary; namely, a party's share of the seats in the legislature is determined by the party vote, and the number of constituency seats it wins is then subtracted from this total. The remaining seats are filled from party lists.[299]

b. Perceived benefits of MMP

David Moscrop outlined one of the primary perceived benefits associated with MMP when he told the Committee:

> MMP allows for direct local representation and lives up to the commitment many Canadians have to fairness understood as a proportional translation of votes into seats.[300]

As such, to some, MMP could address the principle of "effectiveness and legitimacy" as it aims to translate votes into seats in a way that "reduces distortion," while maintaining the link between voter intention and the election of representatives.

A majority of participants who advocated for electoral system change proposed the adoption of an MMP system, suggesting that it maximizes voter choice. Leslie Seidle said, "I think that the mixed member model has a lot going for it because it can be structured to allow quite a bit of voter choice."[301] MMP allows voters to split their vote—meaning vote for a candidate of one party in their riding and vote for another party in the compensatory

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298   Ibid.

299   Law Commission of Canada, *Voting Counts: Electoral Reform for Canada,* Ottawa, 2004, p. 90.

300   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 September 2016, 1340 (David Moscrop, Ph.D. Candidate, Department of Political Science, University of British Columbia, as an Individual).

301   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 July 2016, 1625 (Leslie Seidle).

vote. Such an option would help resolve the "wasted vote" argument that prevails under FPTP. Lee Ward added that MMP is:

> The only system that empowers the voters is one that ensures, to the greatest extent possible, every individual's vote—their first choice, their real choice—will help elect their representative in Parliament.…[302]

Allowing greater voter choice on the ballot could help address the problem of strategic voting. Craig Scott stated that:

> In New Zealand, around 30% take up that option of cross-voting. It means that the local candidates are more likely to be able to attract votes for who they are, what they've done, what they can bring nationally from the local level, without having to worry about the strategic vote. I think this is an extremely important feature of MMP.[303]

Further, some witnesses noted that moving to an MMP system would keep the electoral system relatively simple. Katelynn Northam stated, "the local representation factor seems very familiar and similar to what [we] know with the current first-past-the-post system. It feels relatively simple and accessible on the ballot."[304]

c. History of MMP in Canada

MMP has never been used to elect representatives at the provincial or federal level in Canada. In March 2004, the Law Commission of Canada, following a three-year study on electoral reform, recommended Canada move to an MMP electoral system.[305] The Law Commission suggested Canada adopt an MMP system for the following reasons:

- Reduce the discrepancy between a party's share of the seats in the House of Commons and its share of the votes.

- Greater inclusion of new and previously underrepresented voices, such as small political parties.

- To elect a greater number of minority group and women candidates.

- Encourage inter-party cooperation through coalition governments.

- Reduce the disparities in the value of votes in which winning parties are often three to four times more "valuable" than a vote for any other party.

- Reduce the number of disregarded votes, thus increasing the number of "sincere" votes, as opposed to strategic votes.

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302   ERRE, *Evidence*, 1st Session, 42nd Parliament, 19 September 2016, 1840 (Lee Ward, Associate Professor of Political Science, Campion College, University of Regina, as an Individual).

303   ERRE, *Evidence*, 1st Session, 42nd Parliament, 1 September 2016, 955 (Craig Scott).

304   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1600 (Katelynn Northam, Campaigner-Electoral Reform, Leadnow.ca).

305   Law Commission of Canada, *Voting Counts: Electoral Reform for Canada,* Ottawa, 2004.

- Produce more regionally balanced caucuses[306].

In the November 2016 electoral system reform plebiscite held in P.E.I., following four rounds of counting, MMP emerged as the preferred option among the five electoral systems under consideration.[307] MMP was also the subject of a referendum in Ontario (2007) and an earlier plebiscite in P.E.I. (2005), both of which failed to receive requisite voter support. MMP was also recommended by Quebec's Select Committee on the *Election Act* and Citizens' Committee in 2006 and New Brunswick's 2006 Commission on Legislative Democracy.

d. Components of MMP

i. Open and Closed Party Lists

An important feature of the MMP system is determining how candidates would be elected from the party lists. There are two primary types of party lists, usually referred to as "closed" and "open."

With a closed list, the party ranks the names on the list, and citizens vote for a party, not a specific candidate. Once all votes have been counted, each party is awarded seats in proportion to its share of the national vote. Individual seats are then allocated to candidates of each party in the order in which they are ranked on the party list. Critics of closed party lists often note that it gives political parties too much control over which candidates are elected.

Royce Koop observed that the use of party lists would be a "new experience for Canadians.... It would probably not be thrilling for them in terms of … being able to hold politicians accountable."[308] Ms. Mireille Tremblay echoed this view by stating that because closed lists are completely controlled by parties "it is likely that [list] MPs would be more accountable to the party than to voters."[309]

As will be discussed in greater detail in the following subsection, a major advantage associated with closed lists is that they can allow parties to establish lists that will guarantee the election candidates from historically underrepresented groups such as women, visible minorities and Indigenous peoples.

With an open list, voters choose a preferred candidate (or candidates) from the list of the party for which they wish to vote. This means that voters determine the order in which the candidates on the list will be awarded seats.[310] James Bickerton noted that an

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306   Ibid., pp. xvii–xviii.

307   Elections PEI, "Plebiscite Results," 7 November 2016.

308   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1345 (Royce Koop).

309   ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 1850 (Mireille Tremblay, as an Individual).

310   Andre Barnes, Dara Lithwick, and Erin Virgint, *Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview*, Publication No. 2016-06-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, revised 23 June 2016.

open list MMP system could resolve the accountability concerns raised by closed party lists. He stated:

> I think there's no reason not to allow voters to choose between party candidates. Some think that this would generate competition within political parties between their candidates. Yes, it would, but from a voter perspective and from a representation perspective, I don't think that would be a bad thing.[311]

Pippa Norris noted that with an open list, "voters can express a preference for a particular candidate within a complete list as well, so it gives them a bit more choice."[312] On the other hand, Tana Jukes noted at the open-mic session in Victoria that "open list MMP … could offer some improvements over our current system, but I am concerned about the complexity."[313] Open list MMP would require voters to familiarize themselves with a greater number of candidates prior to voting, making the electoral process more onerous on voters.

Of note, the vast majority (70.1%) of respondents to the e-consultation indicated that they "strongly disagreed" or "disagreed" with the statement that political parties should determine which of their candidates get elected from party lists.[314] On the other hand, most respondents (59.6%) to the e-consultation strongly supported or supported the view that voters should determine which candidates get elected from a party's list.[315]

As a final point on open and closed lists, it is important to note they are flexible and many variants of how candidates are elected from lists are used around the world.[316] The 2004 Law Commission suggested a middle-ground option, which suggested providing voters with the option of either endorsing the party "slate" for their region or indicating a preference for a candidate within the list.[317] As well, a distinct hybrid option is to use a "best runner's up" model, also known as "Baden-Wurttemberg" after the German *Land* (state or province) in which it is used. Additionally, as explained by Fair Vote Canada:

> One way to simplify balloting for the top-up seats is to allocate top-ups using a best runners up approach. Under this model, used in Germany's Baden-Wurttemberg province, the top-up seats are allocated by drawing from a party's defeated candidates in the region, starting with the candidate who got the most support without being elected.[318]

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311 ERRE, *Evidence*, 1st Session, 42nd Parliament, 4 October 2016, 1400 (James Bickerton).

312 ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1615 (Pippa Norris).

313 ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 September 2016, 2110 (Tana Jukes, as an Individual).

314 Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", at Table 27 and Figure 24.

315 Ibid., at Table 28 and Figure 25.

316 Andre Barnes, Dara Lithwick, and Erin Virgint, *Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview*, Publication No. 2016-06-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, revised 23 June 2016.

317 Law Commission of Canada, *Voting Counts: Electoral Reform for Canada,* Ottawa, 2004, p. 109.

318 Fair Vote Canada, "Appendix 10: Made-in-Canada MMP", 2016.

ii. Diversity and party lists

A number of witnesses held that although electoral reform is not the stand-alone solution to increasing the representation of traditionally underrepresented groups such as women, visible minorities and Indigenous people, party lists could be a useful tool. If underrepresented groups continue to face obstacles getting elected in individual constituencies, under closed-list MMP, parties have the ability to ensure they are elected via party lists.[319]

Mr. Peden noted that this is precisely what has occurred in New Zealand. He stated that "MMP has resulted in more women and more Maori elected to Parliament, the majority of them elected as list MPs."[320]

Many witnesses also held that although balanced party lists are useful in increasing the diversity of candidates and MPs in a moderate way, they are ultimately a "Band-Aid" solution to a problem that rests primarily in the hands of political parties. Melanee Thomas stated that the election of women and other historically underrepresented groups has not happened organically.[321] She added that it is not going to happen "organically under our system and they are not going to happen organically just because you change to PR."[322] Amanda Bittner added that "while it is the case that proportional systems tend to be associated with greater levels of diversity, that link is still dependent on a commitment from parties to put forward diverse lists of candidates."[323]

According to political scientist Joachim Behnke of Zeppelin University in Germany, the party lists have proven to be the "best opportunity to force every party to give half of their seats to women,"[324] but that parties have taken this responsibility themselves. He stated that there are no legislative quotas in Germany, but that parties have established informal or voluntary commitments to ensure the representation of certain groups.

Finally, with regard to diversity and open versus closed lists, the Committee heard testimony suggesting that voters will vote for diverse candidates on open lists. Laura Stephenson shared her research on voters' likelihood to elect women from open lists:

> In any system that involves a list of candidates, we have to start thinking about the placement of those names on the list. In a closed system, where the parties have full control over the order in which the candidates would receive seats, it's important that there is some kind of alternation, or that at least the under-represented groups aren't placed in winnable positions. In open list systems this is not as important. In some research I've done with

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319   Erin Virgint, *Electoral Systems and Women's Representation,* Publication No. 2016-30-E, 5 July 2016.

320   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1925 (Robert Peden, Chief Electoral Officer, New Zealand Electoral Commission).

321   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1630 (Melanee Thomas, Assistant Professor, Department of Political Science, University of Calgary, as an Individual).

322   Ibid.

323   ERRE, *Evidence*, 1st Session, 42nd Parliament, 5 October 2016, 1335 (Amanda Bittner).

324   ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1140 (Joachim Behnke, Professor, Chair, Political Science, Zeppelin University, Germany, as an Individual).

colleagues, we found that letting people vote in an open list system, where they get to choose, increased the representation of women, which is of course good news, right? The disadvantage that women supposedly represent has not been supported with evidence.[325]

iii. Regions and party lists

Canada's geography and Constitution would most likely require that list MPs be elected through party lists established in each province and territory. Indeed, this was the conclusion reached by the Law Commission's 2004 study.[326]

Prior to election day, each province and territory would draw up a list of candidates that would be elected via party lists. Some provinces may require a number of party lists due to high population. Further, as David McLaughlin suggested, "regional boundaries could be drawn under an MMP system could very much safeguard and protect communities of interest where you have significant minority communities located."[327]

Roderick Wood discussed the Law Commission's thinking on provincial and sub-provincial party lists:

We proposed that the list, except for Quebec and Ontario because of the size of those provinces, would be on a regional basis, so you would have your provincial list. What that would mean is that if you have a province like Newfoundland and Labrador with seven MPs, then there would be four constituency MPs and three list MPs. Every province would have its own list.[328]

iv. Dual Candidacy?

The question of whether candidates could run as "dual candidates"—meaning that a person is a candidate in an individual riding as well as on a party list, was also raised as important issue of consideration. Louis Massicotte stated:

Under MMP, it is usually possible for a candidate to stand for a riding and to be on a list, for a very simple reason: the more successful a party is in a riding, the fewer names it has on the list. As a result, it is better to try both avenues because when members declare their candidacy, the final outcome is not known. That is the beauty of democracy. Otherwise, if you think you will be very successful and run in a riding, but things change and you are defeated in the riding, you have lost the security that the list affords.

[D]ouble candidacy is perfectly legitimate, although it will meet with a great deal of resistance among the public and among MPs.[329]

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325   ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 1530 (Laura Stephenson).

326   Law Commission of Canada, *Voting Counts: Electoral Reform for Canada*, Ottawa, 2004, p. 84.

327   ERRE, *Evidence*, 1st Session, 42nd Parliament, 1 September 2016, 1100 (David McLaughlin).

328   ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 September 2016, 1420 (Roderick Wood).

329   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1405 (Louis Massicotte, Professor, Department of Political Science, Laval University, as an Individual).

Professor Behnke noted that in Germany, the practice of a single person simultaneously being a constituency candidate and a compensatory candidate is commonplace:

> [M]ost list members or most list-seat members are also, in many cases, constituency candidates. They have lost in their constituency, but they have a special relationship to the constituency, so they are known, and they have an office in the constituency.[330]

Other witnesses, such as Christopher Kam in Vancouver, questioned whether dual candidacies would be viewed as fair or legitimate. He held:

> [I]f you lose an election, you lose an election. When you have dual candidacy, the members are allowed to contest the district and the list, and this can almost always ensure their election or at least insulate them from defeat.[331]

Dual candidacies could, as Professor Kam implies, make it difficult for voters to oust an incumbent candidate that is not locally popular. Benoît Pelletier made a similar observation when speaking about Quebec's consideration of MMP and dual candidacy:

> What was not acceptable to some people was the idea that someone would be a candidate in the riding and at the same time would be at the top of a list. When that person was defeated in the riding, it was the result of a democratic expression of the population that "We don't want that person" or that "We prefer another person." The idea that the person could be an MP or an MNA through a list was not something that pleased parliamentarians, in particular, first, and some parts of the population second.[332]

e. Consequences of MMP

i. Two Types of MPs?

Laura Stephenson raised another common criticism of MMP when she told the Committee that she does not support MMP because it creates "two different classes of MPs."[333] As MPs can be elected to represent individual constituencies and others are elected through the party list, some feared that it alters the traditional roles of MPs and raises questions of accountability. Patrice Dutil outlined some of the key concerns surrounding the two types of MPs. He stated:

> The idea of having two classes of MPs I don't think will jive with our political culture, where you have one class of MPs who will cater to the needs of the constituents and another class of MPs who are always on the list and who are always going to be there. I think Canadians like to have their Members of Parliament accountable.[334]

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330 ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1025 (Joachim Behnke).

331 ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 September 2016, 1630 (Christopher Kam).

332 ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1630 (Benoît Pelletier).

333 ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 1550 (Laura Stephenson).

334 ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1635 (Patrice Dutil, Professor, Ryerson University, as an Individual).

Dr. Nelson Wiseman also noted that a divide in parliamentary duties amongst the two different types of MPs could be problematic.[335] For example, if constituency MPs carried out the majority of constituency work, who would list MPs be accountable to? On the other hand, some suggest that the compensatory MPs could be viewed as "second-class" MPs because they do not have to undergo the difficult process of being elected in a constituency.

Roderick Wood, former Commissioner of the Law Commission of Canada's 2004 report on electoral reform noted the Law Commission's consideration of this concern:

> We looked at the argument of the creation of two classes of MP, the worry being that the list MP, not being voted in, would be the second-class citizen. We saw that wasn't the case. In Germany, in New Zealand, they're both MPs and their parties ensure that the list members have an equitable division in terms of constituency work. In fact, for voter choice it enhances them, because you can go to your constituency MP, you also have a regional MP you can go to, and that may be a person from a different party.[336]

Pippa Norris also suggested that having two types of MPs does not necessarily pose a problem. She stated:

> [I]t does mean that Members of Parliament would be slightly different in their roles and responsibilities and in how much they do for constituency service, which is an incredibly valuable service that takes up a lot of time and is appreciated in any parliamentary system, versus those who are focused more on committee work or issues or other types of concerns for Parliament. You just divide the roles a bit more than you might do under the current system.[337]

Experts from New Zealand and Germany both stressed that in practice, the two types of MPs do not pose a problem for citizens or MPs. Robert Peden of New Zealand said "a parliamentarian elected from the list has exactly the same entitlements and responsibilities as a member elected from an electorate."[338] Friedrich Pukelsheim stated:

> There's no difference in their functions and their access to financing and political positions. The difference is in the understanding that half of them directly represent a constituency.… They are active, they maintain office hours, visits, associations, and they try to be visible. In Germany the everyday political work is very similar between both types of representatives.[339]

Furthermore, Joachim Behnke noted that in Germany, many MPs elected through party lists were unsuccessful constituency candidates. As such, many compensatory MPs have a direct connection with voters from their region.[340]

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335   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1630 (Nelson Wiseman).

336   ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 September 2016, 1345 (Roderick Wood).

337   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1510 (Pippa Norris).

338   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1950 (Robert Peden).

339   ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1025 (Friedrich Pukelsheim, Professor, Institut für Mathematik, Universität Augsburg, Germany, as an Individual).

340   ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1205 (Joachim Behnke).

Finally, some stated that different types of MPs can provide more effective representation for the electorate as it allows some MPs to focus specifically on local issues and others to work on broader regional issues. Ultimately, this could provide citizens with more avenues to engage with MPs on the issues that are important to them.

ii. Coalition Governments

It was widely accepted among witnesses that single-party majority governments would occur infrequently under an MMP electoral system. Brian Tanguay noted that if MMP were adopted one of the most significant consequences would be that "coalitions of necessity would become the norm."[341]

MMP elections generally result in the election of minority or coalition governments. New Zealand provides an interesting example, as Mr. Peden noted:

> New Zealand has now had seven MMP elections. Each election has resulted in between six and eight parties represented in Parliament. Each election has resulted in some form of coalition government or arrangement between political parties, as is to be expected under a proportional system. Each government has retained the confidence of the Parliament throughout the parliamentary term.[342]

Many witnesses and citizens raised concerns about the likelihood of coalition governments produced by MMP. As Louis Massicotte noted:

> In Canada … we do not have a coalition culture. Coalitions are not viewed favourably by the political class and by part of the public. Political actors will probably adapt, but that adjustment will not necessarily be easy.[343]

Similarly, Nick Loenen suggested that Canadians simply would not be comfortable with "chronic coalition governments."[344] Peter Loewen also noted that "blurred accountability and behind-door compromises that occur after an election and between elections" are some of the major drawbacks of coalition governments. Professor Loewen added that reform to a proportional system such as MMP would create a "potentially permanent role for small regional parties" and that small parties will potentially have undue influence in government.[345]

In addition to the concerns regarding coalition governments and the increased representation of small parties, many suggested that multi-party governance would be beneficial to Canada's parliamentary democracy. Arendt Lijphart suggested that when multiple parties are elected to Parliament or are represented in cabinet, it:

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341   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1415 (Brian Tanguay).

342   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1920 (Robert Peden).

343   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1405 (Louis Massicotte).

344   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 September 2016, 1345 (Nick Loenen, as an Individual).

345   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 955 (Peter John Loewen, Director, School of Public Policy and Governance and Associate Professor, Department of Political Science, University of Toronto, as an Individual).

[L]eads to parliaments that are stronger and cabinets that are less dominant than in majoritarian systems. In addition, it tends to be associated with a more co-operative system of interest groups.[346]

Jean-Pierre Charbonneau added that coalition governments could create a culture of collaboration and compromise in federal politics. He stated:

Coalition does not imply that our governments are unstable.... Having to make compromises with political opponents, just as with people whose ideology is closer to our own, actually creates a favourable political climate. When it comes right down to it, people are fed up with excessive partisanship and behaviour that devalues the institution of politics.[347]

Although Canada does not have a history of coalition governments, international experts from Germany and New Zealand described how political parties, voters and ultimately Parliament can adapt. Professor Behnke from Germany described the German experience with coalition governments:

The formation of coalitions is really not so complicated in most cases, because we have something like pre-coalitions in the electoral campaign.… In many cases, people say that the flaw of proportional systems is people not knowing which coalitions they will get, but in reality this is not the case, because in most cases they get what they voted for.[348]

Some suggested that small parties with too great of an influence on governing parties could be undemocratic and unrepresentative. Others are of the view that coalitions are the best avenue for small parties to ensure their supporters' views are reflected in government.

One way some countries with MMP systems have addressed the threat of the election of "fringe" or "extremist" parties is through the use of thresholds. For example, to be eligible to receive a share of the party vote seats in New Zealand, a party must garner at least 5% of the national vote or win one electorate seat.[349]

f. Considerations

i. Ratio of Constituency MPs to List MPs

In an MMP system, an important consideration is the ratio of constituency seats to list seats. Determining such a ratio requires finding the appropriate balance between the desire for effective local representation and proportionality. Ms. Mary Pitcaithly, the Convener of the Electoral Management Board for Scotland noted that determining the ratio in Scotland was:

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346   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1405 (Arend Lijphart).

347   ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 August 2016, 1430 (Jean-Pierre Charbonneau, Minister for Democratic Reform, Government of Quebec [2002–2003], as an Individual).

348   ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1205 (Joachim Behnke).

349   Andre Barnes, Dara Lithwick, and Erin Virgint, *Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview*, Publication No. 2016-06-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, revised 23 June 2016.

[A] political decision. It was entirely the decision of the Parliament. It was based on the intention that the new parliament would be proportional but without going as far as 50/50.[350]

In order to implement an MMP system in Canada, one of the following would have to occur:

- Maintain the current number of MPs: the number of constituency MPs would be reduced to allow for the addition of compensatory MPs. Consequently, electoral districts would become larger in terms of population and geography.

- Increase the number of MPs: electoral districts would remain the same and a set number of compensatory seats would be added to the existing 338 members.

The ratio of constituency to compensatory MPs varies between jurisdictions. In Germany, half of the MPs are elected in individual constituencies and half are elected via party lists. Whereas in New Zealand, 70 MPs are elected in individual constituencies and 50 are elected from political party lists.[351]

In 2004, the Law Commission recommended two-thirds of MPs be elected in constituency races and the remaining one-third be elected from provincial or territorial party lists. The Commission noted that avoiding increasing the size of the House of Commons was a priority in determining said ratio. David McLaughlin, who oversaw New Brunswick's Commission on Legislative Democracy (2003-2006), noted that the same ratio was recommended by New Brunswick's Commission on Legislative Democracy in 2006 because it "ensure[d] necessary local representation while introducing a sufficient degree of proportionality to be meaningful in translating votes into seats."[352]

Royce Koop held that if MMP were to be adopted in Canada, additional members would have to be added to the House of Commons because "cutting back the number of constituency MPs to make room for list MPs would hurt the quality of constituency representation."[353]

ii. MMP in the Territories

The Committee heard compelling testimony from Canadians across the country regarding the challenges of implementing PR in the territories. Each territory has a single seat in Parliament and an extremely widely dispersed population. As David Brekke

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350   ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1030 (Mary Pitcaithly, Convener, The Electoral Management Board for Scotland).

351   Andre Barnes, Dara Lithwick, and Erin Virgint, *Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview*, Publication No. 2016-06-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, revised 23 June 2016.

352   ERRE, *Evidence*, 1st Session, 42nd Parliament, 1 September 2016, 0950 (David McLaughlin).

353   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1340 (Royce Koop).

in Whitehorse described, the North is "overrepresented population-wise but very under-represented when geographical area is concerned."[354]

Much of the discussion in the territories centered on the unique circumstances that Canadians in each territory face in terms of electoral participation and gaining adequate representation. John Streicker held that "No matter what system you ultimately propose, please do not lose local representation for the north."[355] The Hon. Louis Sebert noted, that "any consideration of electoral reform should recognize the circumstances of [the Northwest] territory."[356]

Some participants and witnesses in the territories noted that if Canada were to move to an MMP system, that the North could not be simply excluded due to their small populations. As Dennis Bevington, former MP for the Northwest Territories, stated in Yellowknife: "I think that for us not to be involved in mixed member proportional would make us second-class citizens under voting."[357] Consequently, some individuals, such as Andrew Robinson[358] and John Streicker[359] suggested adding a second compensatory MP to each territory to allow for some degree of proportionality if an MMP system was adopted.

E. Recommendations

Recommendation 1

The Committee recommends that the Government should, as it develops a new electoral system, use the Gallagher index in order to minimize the level of distortion between the popular will of the electorate and the resultant seat allocations in Parliament. The Government should seek to design a system that achieves a Gallagher score of 5 or less.

Recommendation 2

The Committee recommends that, although systems of pure party lists can achieve a Gallagher score of 5 or less, they should not be considered by the Government as such systems sever the connection between voters and their MP.

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354   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 September 2016, 1610 (David Brekke).

355   Ibid., 1545 (John Streicker, as an Individual).

356   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 September 2016, 1510 (Louis Sebert, as an Individual).

357   Ibid., 1530 (Dennis Bevington, as an Individual).

358   Ibid., 1715 (Andrew Robinson, Alternatives North).

359   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 September 2016, 1545 (John Streicker).

CHAPTER 5
CIVICS, DUTIES, AND RIGHTS: MANDATORY VOTING

One of the issues that the Committee studied as part of its mandate was mandatory (also called compulsory) voting. As noted by former Chief Electoral Officer Jean-Pierre Kingsley, the term "mandatory voting" is a bit of a misnomer, as in jurisdictions with "mandatory voting" there is no requirement to actually cast a ballot for any candidate, but rather to present one's self to vote.[360] Indeed, in numerous jurisdictions one of the options on the ballot is to mark "none of the candidates" (a variant could be "I do not wish to vote"). In other words, "mandatory voting" can be more accurately described as "compulsory attendance at the polls."[361]

Mandatory voting legislation exists in a number of countries, including Australia, Belgium, Cyprus, Luxembourg and Brazil.[362] The 23 countries that currently have legislation providing for mandatory voting at the national level take a range of approaches in terms of enforcement, with the possibility of modest fines being the most common form of sanction being applied (for example in Australia the fine for not presenting one's self to vote without a valid excuse, such as absence or illness, is $20AUS).

Generally the arguments both in favour and against mandatory voting speak to two of the principles set out in the Committee's mandate. First, whether the proposed measure would increase (or hinder) engagement (principle #2), by encouraging voting and participation in the democratic process, including offering opportunities for the inclusion of underrepresented groups in the political process And second whether it would increase (or hinder) accessibility and inclusiveness (principle #3), by supporting access by all eligible voters regardless of physical or social condition.

In exploring mandatory voting, Chief Electoral Officer Marc Mayrand suggested the Committee do the following:

> I would encourage the committee to pay attention to several considerations during its study, including the provision of a compliance mechanism through sanctions or positive incentives, whether or not there should be exceptions for certain groups of voters, and of course acceptance by Canadians.[363]

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360 ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1410 (Jean-Pierre Kingsley):

Compulsory voting is, first of all, a misnomer, or at least it should be made a misnomer. No system should be contemplated whereby electors must choose only among candidates. That is unthinkable. There needs to be the right to have a choice in the marking of the ballot. "I do not wish to vote" should be one of the choices, okay? In this way you would no longer have compulsory voting, but compulsory attendance at the polls. You have free choice. If you don't like any of them, you don't even have to say you don't like any of them. If you're not aware of the issues, you don't have to be aware of the issues, and you can just say, "I do not wish to vote", or words to that effect.

361 Ibid.

362 Belgium was the first country to introduce mandatory voting legislation, in 1892, while Australia has arguably the best-known mandatory voting system (first introduced in 1915 by the State of Queensland and adopted nationally in 1924).

363 ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1005 (Marc Mayrand).

Indeed, the considerations raised by Mr. Mayrand came up time and again throughout the Committee's deliberations.

Proponents of mandatory voting generally consider voting to be a civic duty (such as jury duty or the requirement to complete the census),[364] and emphasize that voters are not required to vote for a candidate but rather to turn out to vote. The main arguments put forward by supporters of mandatory voting are that:

- it would increase voter turnout (evidence was presented showing that turnout could increase by up to 20%)[365];

- it would ensure that the views of the electorate as a whole are better represented in Parliament;

- requiring voters to participate in elections can in turn increase their involvement in the political process; and

- it could enable election campaigns to focus more on issues rather than getting citizens out to vote on election day.

Critics of mandatory voting generally consider voting to be a "right, not an obligation",[366] to be exercised at will, or that it is even "disrespectful of citizens."[367] As

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364   ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1825 (Dominic Vézina, Strategic Advisor, Institut du Nouveau Monde): "The fourth reform that we are proposing is to make voting compulsory, with the option of casting a blank ballot. To emphasize the fact that voting is not only a right but also a duty, we believe that consideration should be given to compulsory voting."

365   ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 1825 (Ruth Dassonneville, Assistant Professor, Department of Political Science, Université de Montréal, as an Individual):

   What are the effects of making voting compulsory or the participation compulsory? Obviously, it has an impact on turnout. We know from comparative research that turnout levels are considerably higher in countries where voting is compulsory, in particular, if the law is actually enforced, if there's some form of punishment and that punishment is enforced. For example, in the Australian case, non-voters pay a $20 fine for not voting. For example, in elections worldwide since 2010 in voluntary voting countries, turnout was at 63%, while in compulsory voting countries where the law was enforced, it was at 85%, so there's a huge impact.

   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 0950 (Nicole Goodman, Director, Centre for e-Democracy, Assistant Professor, Munk School of Global Affairs, as an Individual): "Compulsory voting laws show a much larger change [in turnout], with an average increase in turnout of 7% to 16% in advanced democracies. However, even in places where mandatory voting is already established, such as Australia, there is talk of further improving turnout. Voter participation is complex, and no one institutional reform will be the silver bullet."

366   ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 1340 (Kevin Dobie, Director, Quebec Community Groups Network): "I'm a member of the board of directors of the Quebec Community Groups Network, the QCGN.… The QCGN is opposed to mandatory voting. Voting is a charter right, not an obligation. The idea of the state forcing a citizen to exercise a right runs counter to our democratic heritage."

   ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 1420 (Stephen Thompson, Director, Policy, Research and Public Affairs, Quebec Community Groups Network):

   The foundation of our opposition to mandatory voting is that it's the [G]overnment imposing on the electorate or on its citizens an obligation to do something. If there's a box on a form where you click and say that you're not voting, you're obliged to be there to fill in that box. What right does government have to tell me that I have to go to a place to check a box that says I'm not voting? A right is inherent to

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elaborated below, some note that while mandatory voting would increase turnout, it would not address the underlying issues of *why* certain citizens are currently not voting. Others add that mandatory voting does not in and of itself address the issue of educating the electorate to enable citizens to make more informed choices on political issues.

Finally, a number of witnesses who appeared before the Committee emphasized the relationship between mandatory voting and ensuring that voting is as accessible as possible. Indeed, various witnesses expressed concern that introducing mandatory voting, without at the same time ensuring accessibility and providing for a variety of exceptions, could have the perverse effect of penalizing groups already underrepresented in the political process, in particular Canadians with disabilities, Indigenous Canadians, and low-income Canadians.

This range of opinion was well expressed by the 22,247 respondents to the Committee's e-consultation. A majority of respondents strongly agreed (36.2%) or agreed (14.1%) with the statement "Canadians should be required to cast a ballot in a federal election (this could include spoiling a ballot)":[368]

Canadians should be required to cast a ballot in a federal election
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

28.0%	8.3%	9.6%	14.1%	36.2%	3.7%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
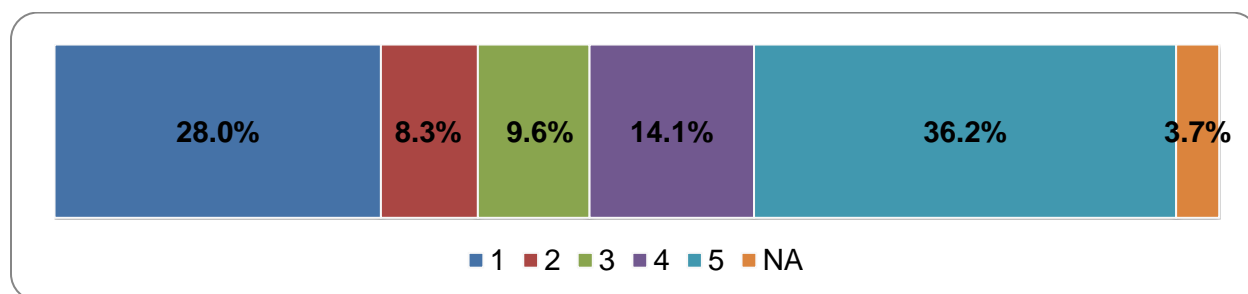
However, a majority also strongly disagreed (43%) or disagreed (11.8%) with the statement that "Canadians should be fined or receive some other penalty for failing to cast a ballot in a federal election without acceptable justification (e.g. illness, absence)":[369]

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a citizen. It belongs to me. The state can't come in and tell me how I'm going to use that right, how to exercise that right, or even if I should be exercising that right.

Professor Macfarlane added in his submission to the Committee (Excerpts from Emmett Macfarlane, "Submission to the House of Commons Electoral Reform Committee," 23 August 2016): "23. Mandatory voting also has rights implications, in that it would clearly infringe freedom of conscience, freedom of expression, and possibly the Charter's democratic rights. It is possible a mandatory voting law might be upheld as a reasonable limitation on those rights, but the committee should seriously consider whether the largely symbolic benefits outweigh those costs."

367   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1940 (Christian Dufour): "Personally, I think mandatory voting is disrespectful of citizens. It infantilises them. I think citizens have the right not to vote. They do not have to be perfect model citizens."

368   Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", Table 32 and Figure 29.

369   Ibid., Table 33 and Figure 30.

**Canadians should be penalized for failing to
cast a ballot in a federal election**

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

43.0%	11.8%	11.4%	9.8%	19.6%	4.4%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
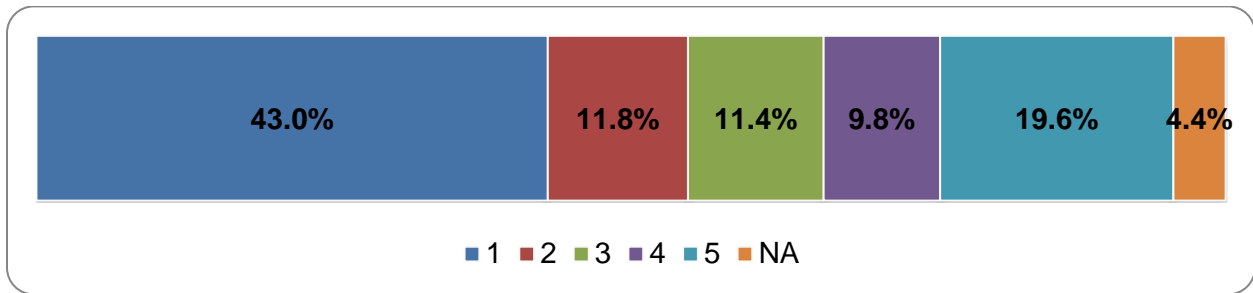
Instead, a majority of respondents strongly agreed (41.9%) or agreed (15.5%) with the statement that "incentives should be put in place to encourage Canadians to cast a ballot in a federal election":[370]

**Incentives should be put in place to encourage
Canadians to cast a ballot**

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

23.0%	5.6%	10.4%	15.5%	41.9%	3.6%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
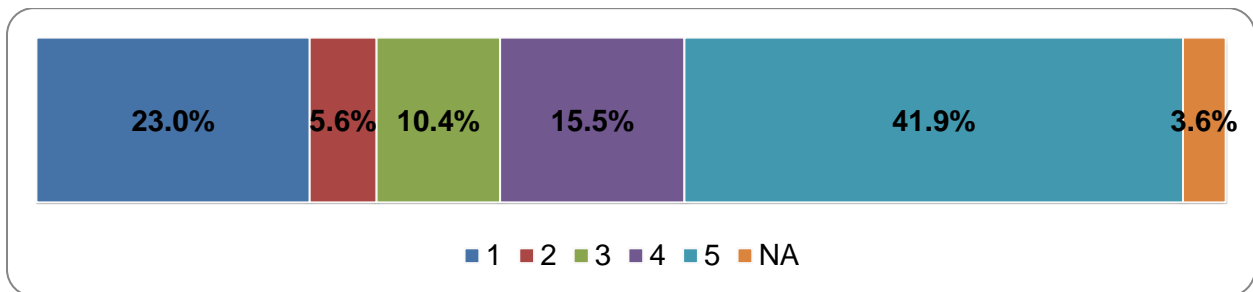
A. Australia's Experience with Mandatory Voting

During its study the Committee heard from Tom Rogers, the Electoral Commissioner of the federal Australian Electoral Commission. He explained that both enrolment (registration) and voting is compulsory in Australia:

> In Australia it is compulsory to enrol and to vote in federal elections. Compulsory enrolment at the federal level for Australian citizens was introduced in 1918, followed by compulsory voting in 1924.
>
> At the last election we estimate that about 95% of all eligible electors were enrolled. That's 15.6 million people. That is the largest number of electors we've ever had enrolled and probably the most complete electoral roll we've ever had in Australia's history. It's the responsibility of every individual to update their own enrolment details; however, we also have a system of federal direct enrolment and update, and that assists the process. We use trusted third party data, such as driver's licence information, to enrol or update an elector's details.

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370   Ibid., Table 34 and Figure 31.

Under current legislation there is no avenue, really, for successful prosecution of eligible electors who are not enrolled. The reason I say this is that enrolment is an absolute defence for any charge of not enrolling, so if we go down the process of taking someone to court, quite often they'll essentially enrol on the courthouse steps, which is then an absolute defence for non-enrolment.[371]

Mr. Rogers noted that mandatory voting and registration are perceived as being a normal part of the culture:

Compulsory voting and enrolment is seen as a normal part of Australian political culture. There is lots of evidence to suggest continued support for compulsory voting: in 2013, the last time we did surveys, about 70% or thereabouts of the population indicated support for compulsory voting. At the most recent federal election, which we've just had, turnout was around 90%, but we'll have to confirm that over the coming weeks as we finish the processes with that election.[372]

Finally, he explained the penalties for not going to vote, and how they are quite limited in scope and application:

Under our system of compulsory voting, those enrolled electors who did not vote are sent a non-voter letter. It requires the electors to either respond and provide a valid excuse for not voting or pay a very small $20 fine. A small number of those voters who don't pay the fine are then prosecuted, and I think we went through a full prosecution of about 3,000 people at the last election.[373]

The Committee also heard from electoral reform advocate Anna Keenan, originally from Australia and involved in the electoral reform process in P.E.I.. With regard to mandatory voting, she expressed her sense of surprise upon her arrival in Canada that voting in Canada was "optional" and explained her support for mandatory voting as being rooted in how it changes campaigning:

I loved mandatory voting. I found it shocking that it was optional to vote when I moved to other countries. If it's the norm in the country you're from, it's quite surprising that the majority of countries in the world have it be optional.

The reason that I am a huge fan of mandatory voting is because of the way that it changes campaigning. I had never heard of a "get out the vote" campaign before I left Australia. Rather than a campaign being about why you should come out and vote and risking the appeal to very populist or extreme positions that can attract real fanatics on certain issues to come out and vote, everybody is already going to come out and vote. The campaigning becomes a lot more about the issues and the policies.[374]

She added that a challenge with "optional" voting is that one never knows why someone did not vote. She suggested that introducing mandatory voting could actually help citizens express their disengagement or disappointment with the political system:

371   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1910 (Tom Rogers).

372   Ibid.

373   Ibid.

374   ERRE, *Evidence*, 1st Session, 42nd Parliament, 6 October 2016, 1840 (Anna Keenan, as an Individual).

On the topic of optional and mandatory voting, one of the things that I see as a problem with optional voting is that for the people who don't vote, you don't know why they haven't voted. You don't know if it's because they are disengaged or because they are expressing a protest vote and saying, "None of the above; you're not good enough." I would propose that if you are to introduce mandatory voting in Canada you could potentially also consider the inclusion of a "none of the above" option on ballots for people to express an active protest vote.

There have also been instances in some Australian elections where there was an active campaign for people to drop empty ballots in the box. If you turned up at the ballot box and you got checked off the list, you voted, but people dropped in empty ballots as a form of protest. If you are to introduce mandatory voting, it does need to be done in such a way that you make it clear to people that they are not being forced to choose, but you're making it mandatory for people to engage and learn and educate themselves, to show up. It's making it a citizen duty.[375]

B. Foundations: Accessibility and Enforcement

Multiple witnesses who testified before the Committee emphasized that in considering whether to make voting mandatory, attention must first be paid to making voting as accessible as possible. As well, special care must be given to ensure that any move towards mandatory voting should contain appropriate exceptions so as not to negatively impact Canadians who are already underrepresented in the electoral system – including Canadians with disabilities, older and younger Canadians, Indigenous Canadians, and low-income Canadians.

One important element of accessibility is making voting as "easy" and "attractive" as possible. As Ruth Dassonneville noted in her presentation to the Committee, which focused exclusively on mandatory voting:

For sure whenever voting is compulsory, is mandatory in a country, voting should be made easy as well. I think the Canadian context is a great case of a country where voting is relatively easy. Already though, more measures could be taken to make it even easier.[376]

Maryantonett Flumian, who suggested that mandatory voting should only be considered "as a last resort to address low voter participation," indicated that "a number of other measures could be implemented" to "improve voter turnout over time," namely making voting more user-friendly:

Simply put, if voting is more user-friendly and highly accessible, more people may be likely to vote. Everything possible should be done to facilitate voting, from registration to the actual

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375   Ibid., 1915.

376   ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 1825 (Ruth Dassonneville).

act of voting. With modern information technologies, many impediments to voting or things that make voting more difficult could be lifted or greatly reduced.[377]

Another prerequisite to mandatory voting would be ensuring that the voting process is as accessible as possible to Canadians with disabilities. For example, as Diane Bergeron, on behalf of the Canadian National Institute for the Blind, noted, currently Canadians who are blind do not have access to a secret ballot (as assistance is required to check the ballot):

> Although CNIB does not take a position on mandatory voting, I think it's important to remember that if you are not going to make the system 100% accessible to every Canadian, exceptions need to be put in place. I don't think it's right to tell me that I have to go vote, and then tell me, "Oh, but by the way you're not allowed to do it in secret because we don't have this accessible."[378]

She added:

> I truly believe that if we're going to make voting mandatory, then we also need to make sure every person has the same rights in the voting system going forward. If we are going to do mandatory voting, then I don't think I should have to have somebody with me in the polling station who I do not know and who could mark my ballot for me. I think I should be able to do that independently. I should be able to check it myself to make sure that I haven't unintentionally spoiled my vote, and also to make sure that it's in secret. If I don't have those rights upheld, then I don't think I should be forced to go through the same process as everyone else. If the voting process is made completely 100% accessible to everybody, then that would be different.[379]

She concluded by emphasizing that any mandatory voting regime should include exceptions to ensure that Canadians who have difficulties accessing the vote are not unduly penalized:

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377   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 July 2016, 1025 (Maryantonett Flumian). She added:

> For example, we have a permanent electronic national voters list; if only it were available at all polling stations across the country in real time. This is a no-brainer in this day and age. We might have a vote-anywhere policy that would facilitate the exercise of the franchise, notably by students who leave their permanent place of residence to attend college or university just around election time, if we stick to the current cycle. People could vote wherever they were on polling day, rather than having to return to their place of registration or having to change their registration to their new residence in order to be able to vote on polling day. The lifting of such administrative burdens might give a particular boost to voting in marginalized groups in Canada, who may benefit from an increase in accessibility to voting, and among youth, since it's critical to retain the large increase in first-time young voters in the last federal election so that they continue over their lives to perform their civic duty. Another example is limiting vouching to one per person. This has brought an undue restriction on the administrative flexibility of the voting process that may have had an impact, in particular for elderly voters in seniors' residences, where it was customary for staff to vouch for several residents who lacked identification, as well as in [I]ndigenous communities. Stopping this practice may have been a remedy to a non-problem.

378   ERRE, *Evidence*, 1st Session, 42nd Parliament, 1 September 2016, 1535 (Diane Bergeron, Executive Director, Strategic Relations and Engagement, Canadian National Institute for the Blind).

379   Ibid., 1620.

I truly don't believe that mandatory voting should be put in place without the exceptions to allow people to have the right to back out if they are not being considered equally or treated equally within that process.[380]

The notion that Canadians with disabilities should not be made worse off by reform was further emphasized by April D'Aubin, on behalf of the Council of Canadians with Disabilities (CCD):

During the social security review process conducted by then minister Lloyd Axworthy, CCD adopted the principle that people with disabilities should not be made worse off by reform. Some individuals with disabilities may be prevented from voting due to barriers that they have no control over. For example, there may be a lack of accessible transportation to the polls. A person who relies on the services of a personal care attendant may find themselves unable to get out of bed on voting day because their attendant did not show up. A polling station may be inaccessible. It would add insult to injury for them to then have to pay a tax for not voting.[381]

Louis Sebert,[382] speaking in Yellowknife, NWT, expressed concern with any proposed penalties for not voting, noting that such penalties could disproportionately impact those already in need:

Financial penalties for not voting would fall most harshly on those residents already struggling with the day-to-day reality of being unemployed or underemployed with no economic prospects, a far higher cost of living, and heavy reliance on government programs.[383]

As well, Paul Okalik, Member of the Legislative Assembly in Nunavut, noted that elections could take place during the hunting season, which would make observing mandatory voting requirements difficult:

That's the concern I have with mandatory requirements is that it can fall in the middle of our hunting season, in the middle of something rather important for our family, so making it mandatory would be difficult for us in that way.[384]

As well, it was observed that some members of First Nations communities do not, as a matter of principle, vote federally, and as such should not be penalized should mandatory voting be introduced.

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380   Ibid.

381   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1850 (April D'Aubin, Member and Research Analyst, Council of Canadians with Disabilities).

The following day in Toronto, John Rae, currently the vice-chair of the CCD, indicated that he was opposed to mandatory voting as "I do believe the idea of mandatory voting would be disproportionately a problem for the disabled community." ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 2005 (John Rae, as an Individual).

382   Mr. Sebert currently serves as the Minister of Justice, Attorney General, Minister of Lands, Minister Responsible for the Northwest Territories Power Corporation, and the Minister Responsible for Public Engagement and Transparency for the Government of the Northwest Territories.

383   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 September 2016, 1510 (Louis Sebert).

384   ERRE, *Evidence*, 1st Session, 42nd Parliament, 17 October 2016, 2005 (Paul Okalik).

C. Turnout, Engagement, Incentives and Penalties

1. Turnout and Engagement

The primary argument in support of mandatory voting (other than it being perceived as a duty) is that the higher turnout brought about by mandatory voting makes government more legitimate, and reduces the inequalities between who turns out to vote and who does not. As Ruth Dassonneville explained:

> First of all, it [higher turnout] is an important goal because it increases democratic legitimacy. A government that's been elected based on high levels of turnout could more legitimately claim that it's representing the citizens.
>
> Second, and this is really the crucial point, high turnout levels should reduce inequalities in who turns out to vote and who does not. The political science literature is quite clear that the less well-off are less likely to turn out to vote. So lower-educated people, lower-income people, lower social class citizens are less likely to turn out to vote. Compelling them, mandating them, to turn out to vote will effectively reduce those inequalities. I think reducing those inequalities is important because it changes the dynamics. It would make sure that parties would actually care about those less well-off citizens. If parties know that the less well off, the low-income groups, low social class citizens are not turning out to vote or are hard to mobilize, then they have no reason whatsoever to care about the interests of those citizens. Compulsory voting would change that dynamic.[385]

However, those opposed to mandatory voting emphasized that increasing voter turnout could mask the decline in civic engagement that is currently reflected in varying turnout. As Don Desserud noted:

> My concern is that we're missing the point. Yes, voting is a civic duty and is itself a form of civic engagement, but it's also a measure, a reflection of the engagement of the community. In other words, people are not voting for other reasons than simply because they haven't been nudged, and if we have mandatory voting we risk overlooking those or masking those.[386]

Other witnesses noted that "mandatory voting probably addresses the symptom rather than the cause,"[387] that it is "not a panacea for what ails democracy."[388]

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385   ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 1825 (Ruth Dassonneville).

386   ERRE, *Evidence*, 1st Session, 42nd Parliament, 6 October 2016, 1820 (Don Desserud, Professor, Department of Political Science, University of Prince Edward Island, as an Individual). Professor Desserud then suggests that: "people don't vote because they have come over time to see elections as not making a whole lot of difference. In other words, they see the results as being little different from what they were before or they don't see that the choices are valid to them, or they don't think that their vote counts. A substantial number of people have been turned off by the electoral system."

387   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1025 (Michael Marsh, Emeritus Professor, Trinity College Dublin, as an Individual).

See also excerpts from Emmett Macfarlane, "Submission to the House of Commons Electoral Reform Committee", 23 August 2016:

> However, it is not apparent that voter turnout is the problem rather than a symptom of a set of problems: alienation from the political process or politics generally, and apathy. There is not much compelling evidence that mandatory voting increases voter knowledge, or addresses the root problems that contribute to low voter turnout. As a result, instituting mandatory voting would be treating a symptom of a problem (or set of problems) rather than the disease.

2. Incentives and Penalties

Finally, some have suggested that in addition to making voting more accessible, mandatory voting should be encouraged through the use of "carrots" rather than "sticks," as Matt Risser noted, "I would argue that you should exhaust all carrots before you move to sticks."[389] Fellow witness Christopher Majka agreed with Mr. Risser, indicating that "Like him, I think carrots are much more interesting to wield than sticks. I think there are many things within our power to incentivize democratic participation."[390]

Indeed, the idea of offering a "carrot" rather than a "stick" to encourage voting was first put forward by Nelson Wiseman, Professor of Political Science at the University of Toronto:

> Can I just say something about mandatory voting? I see voting more as a right than as a duty, but I'm not opposed to its being mandatory. I just don't think it's in the interests of most MPs to do it.
>
> Instead of a penalty, as in Australia—where, incidentally, voter turnout isn't much above 80%, I think.... In New Zealand, where they don't have it, they've had elections in which turnout has been as high as 98%. Rather than a penalty, which I believe you can get out of if you have an excuse, offer them a carrot. Parliament has introduced so many boutique tax credits. Give them $20 or $30. Right now, it costs about $30 for every vote that's cast.[391]

As noted above, the idea of using an incentive to encourage voting was supported by a majority of respondents to the Committee's online consultation.[392]

D. Observations and Recommendations

Over the course of its study, some Committee members became increasingly impressed by some of the arguments put forward to make voting attendance mandatory. In particular, some members appreciated how mandatory voting would change campaigning, altering the focus of a campaign from encouraging people to vote to campaigning more on issues and policies. Some Committee members also valued the observation made that introducing compulsory voting would make voting more equal by ensuring input from those who traditionally do not vote, and giving political parties the incentive to reach out to them (for example by designing policies).

However, some members of the Committee also appreciated the argument that the right to vote includes the right not to vote, or even to present one's self at the polls, and that the decision to do so should be made freely. As well, the Committee recognizes that

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388   Paul G. Thomas, Professor Emeritus, Political Studies, University of Manitoba, "Compulsory Voting: The Pros and Cons, Submission to the House of Commons Special Committee on Electoral Reform" 18 July 2016 : "CV is not a panacea for what ails democracy and reasonable people can disagree over just how healthy or unhealthy Canadian democracy is compared to most countries in the world."

389   ERRE, *Evidence*, 1st Session, 42nd Parliament, 4 October 2016, 1555 (Matt Risser).

390   ERRE, *Evidence*, 1st Session, 42nd Parliament, 4 October 2016, 1555 (Christopher Majka, Director, Democracy: Vox Populi).

391   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1555 (Nelson Wiseman).

392   Appendix F, "E-Consultation on Electoral Reform, Summary of Responses," Table 34, Figure 31.

introducing mandatory voting would not in itself resolve the root causes of low voter turnout or engagement, and might mask them. Finally, the Committee acknowledges the general discomfort expressed with penalizing people for not participating in the electoral process, particularly those with a disability.

Given the forgoing, the Committee does not recommend mandatory voting at this time. Rather, the Committee agrees that a variety of measures, discussed in Chapter 8, could be considered to improve voter turnout over time. In particular, the Committee supports initiatives to make voting more user-friendly and accessible, including improving education and outreach around why it is important to vote, to facilitate voting and inclusion in the National Register of Electors.

Recommendation 3

The Committee recommends that mandatory voting not be implemented at this time.

CHAPTER 6
ONLINE AND ELECTRONIC VOTING

Part of the Committee's mandate was to examine online voting. In Canada, online voting has been used in municipal elections, including in Markham and Peterborough, Ontario, and in Halifax and Truro and in Cape Breton, Nova Scotia, but has yet to be tried at the provincial or federal levels.

The Committee heard a wide range of views on online voting and on the broader topic of electronic voting (often referred to as "e-voting"). There are three primary types of electronic voting, namely machine counting, kiosk voting and remote online voting.

- Machine counting refers to when a machine counts the ballots cast.

- Kiosk voting allows voters to cast ballots at computer kiosks within polling stations or dispersed in other public locations such as community centres and libraries.

- Remote online voting allows voters to vote from personal devices from any location (home, work, etc.).

In his opening remarks, Chief Electoral Officer Marc Mayrand touched on the primary factors that the Committee should consider regarding online and electronic voting:

> It is undeniable that many Canadians would benefit from the introduction of online or Internet voting. Internet voting would remove barriers and make a vote more accessible for various groups such as voters with mobility challenges, including seniors, those with visual impairments, and Canadians abroad. That being said, caution is needed in moving forward to ensure that Canadians continue to have the same high level of trust in the integrity of their elections. In this regard we are not currently planning to offer online voting in 2019. However, Elections Canada would certainly welcome direction from this committee in terms of a desirable approach in moving forward with Internet voting.

> In examining this issue, the committee should consider a number of aspects, including social acceptance and the challenges that online voting present for the integrity and secrecy of the vote. I would ask the committee to consider the scope of the introduction of online voting, which may include limiting its use to particular groups of electors who would benefit most from this option, such as those with disabilities or Canadians living abroad.[393]

The various issues raised by the Chief Electoral Officer were reflected in witness testimony and submissions made to the Committee. In summary, many of those in favour of online voting suggested that it may expand the accessibility of elections and, in turn, increase voter turnout. In particular, online voting as well as forms of kiosk voting could make voting easier and more accessible for voters who are blind or who have mobility limitations. Opponents to online voting argued that if online voting was implemented on a

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393   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1035 (Marc Mayrand).

wide scale, accessibility to the vote could actually be limited for voters who do not have Internet access. Others posited that there is a ceremonial or communal value to voting in person, and that if online voting is introduced it should be in addition to regular voting (not replace it). Finally, the strongest arguments against online voting were technical in nature, citing the transparency, reliability and security concerns of enabling and protecting a secret vote to take place electronically or over the Internet.

This range of opinion was expressed by the 22,247 respondents to the Committee's e-consultation. As noted by the results below, respondents were generally open to the option of online voting:[394]

Canadians should be able to vote online in a federal election
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

26.8%	7.3%	11.5%	13.8%	32.8%	7.8%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
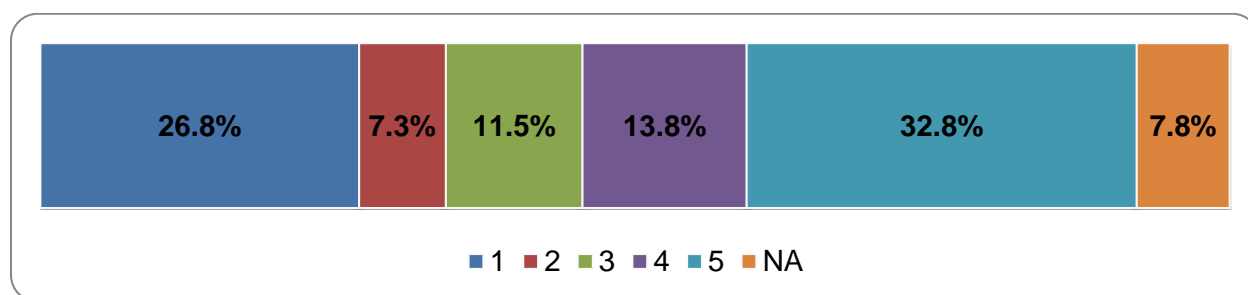
However, as is described in greater detail below, respondents were also concerned about the reliability and security of online voting.

A. Accessibility

One of the primary benefits often attributed to online voting is that it could make voting accessible and convenient for various groups, such as voters with mobility challenges, individuals living in rural and remote areas and those serving in the military or living abroad. Marc Mayrand noted during his appearance before the Committee:

> [I]nternet voting would remove barriers and make a vote more accessible … if you want to make a fundamental difference in accessibility … you need to seriously look at online voting … we have 3.5 million electors who suffer various degrees of disability in this country. Technology would allow most of them to vote secretly and independently.[395]

This view was echoed by a number of experts. Nicole Goodman added that remote online voting is "the only type of electronic voting reform that represents a substantial step forward in terms of voter access and convenience."[396]

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394   Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", Table 35 and Figure 32.

395   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1035 (Marc Mayrand).

396   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 0945 (Nicole Goodman).

1. Voters with Disabilities

Diane Bergeron of the Canadian Institute for the Blind highlighted how the current paper ballot system is not accessible to blind or visually impaired Canadians. She stated:

> I have never once been able to vote independently and in secret in a federal election. The election process currently as it stands is not accessible to people who are blind in Canada.[397]

She further noted that the Braille ballots currently offered during federal election are not sufficient in making the voting accessible and secret as only 3% of blind or visually impaired Canadians read Braille. Further, even blind Canadians who can use the Braille paper ballot require assistance in ensuring the appropriate place on the ballot was marked.

The secrecy of the ballot is a fundamental aspect of the Canadian electoral process that is compromised for blind and visually impaired Canadians, according to Ms. Bergeron.[398] By voting electronically and therefore unassisted, these electors are afforded a greater degree of anonymity and equality when casting a ballot. As such, Ms. Bergeron encouraged the Committee to consider electronic and online voting insofar as it can help make the ballot more accessible:

> I encourage the [C]ommittee to consider electronic and online voting, but to please make sure it's accessible to everybody and to make sure that it is tested by people with adaptive equipment to make sure that it does work and it's not just a system that somebody says works.[399]

Carlos Sosa of the Council of Canadians with Disabilities added that although online voting could help reduce barriers for individuals with disabilities, it should not replace the paper ballot. If any form of online voting were to be established in Canada, Mr. Sosa suggested that "persons with disabilities must be involved from the ground up."[400]

2. Internet access

Although online voting might reduce impediments and increase voting access for a part of the Canadian population, online voting might disadvantage others and create social inequality as many do not have reliable access to a computer and/or Internet. In Whitehorse, Kirk Cameron advised the Committee that:

> There are many communities throughout the north that do not have reliable communications infrastructure that would reliably support this voting option.… Online voting may help many areas of Canada, but do not assume that it is a good option for all regions and communities.[401]

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397   ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 1535 (Diane Bergeron).

398   Ibid.

399   Ibid.

400   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1840 (Carlos Sosa, Second Vice-Chair, Council of Canadians with Disabilities).

401   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 September 2016, 1340, (Kirk Cameron, as an Individual).

A number of witnesses and citizens from the territories echoed this view and noted that Internet services are not reliable there, and that ensuring that there are accessible polling stations in remote areas should remain a priority.

B. Security

Ensuring the security of online voting is often referred to as one of the most significant challenges of implementing online voting. Security breaches could jeopardize the integrity of the voting process and lead to compromised election results. A number of professionals from the information technology (IT) industry appeared before the Committee expressed serious concern over the implementation of online voting. Furthermore, the vast majority of Canadians who completed the Committee's e-consultation noted that they are very concerned (51.1% of respondents) or concerned (17.7% of respondents) about the reliability and security of online voting:[402]

I am concerned about the security and reliability of online voting
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

10.3%	8.1%	11.1%	17.7%	51.1%	1.7%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
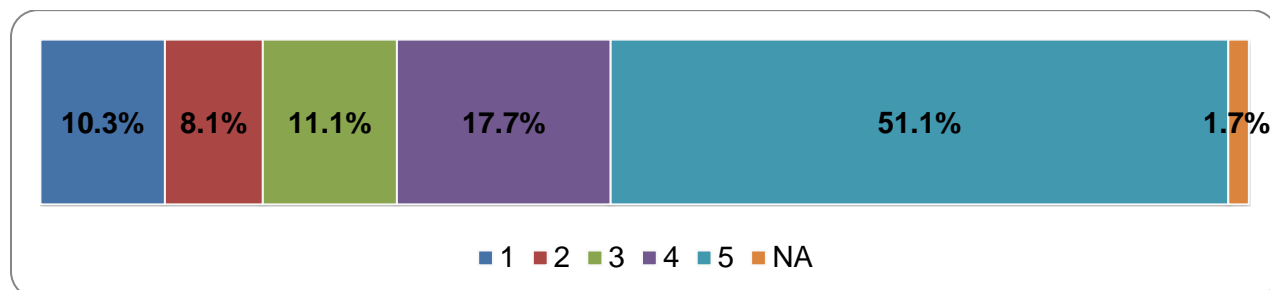
Barbara Simons, a leading expert on online and electronic voting, held:

> If there is even a small chance that Internet voting might result in our elections being hacked, it doesn't matter how many people want it. If Internet voting puts our elections at risk—and it does—we must reject it until such time as it can be proven secure.[403]

Along with Dr. Simons, many from the IT community stressed that the risks of online voting and electronic counting outweigh the potential benefits. Threats of cyber-security breaches are too great, particularly concerning the outcome of a federal election. Brian Lack, the president of Simply Voting, noted in his brief to the Committee that the "heightened threat level of a federal election pushed the security of Internet voting past its limit and poses too much of a risk."[404]

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402   Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", Table 37 and Figure 34.

403   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 September 2016, 1830, (Barbara Simons, as an Individual).

404   Brian Lack (Simply Voting), "Simply Voting Submission to the Special Committee on Electoral Reform," *Submitted Brief*, 20 September 2016.

1. Secrecy and Transparency

Comparisons between online voting and online banking were made throughout the Committee's study, as both offer individuals convenience and can be done from any location. However, unlike online banking where records of transactions are desirable, maintaining a record of an individual's ballot would compromise the secrecy of the vote. As voters would likely have to register online and prove their identity, it is unclear whether the secrecy of their ballot would be compromised as the completed ballot could be traced back to individual accounts. As such, any form on online voting must ensure voters' complete anonymity when casting a ballot, while ensuring that voters provide proper identification.

A related concern regarding online voting is that it lacks transparency due to the absence of a paper trail. The paper trails produced through traditional ballots provides a simple backup system in the event that votes have to be recounted. Recounts with online ballots become much more difficult, according to Dr. Simons:

> When you bring in the computers, you are dependent on the computers. You're dependent on the algorithm for counting the votes.… You can't really open up the machine and look at it the way you can pieces of paper.[405]

Greg DePaco made a similar observation at the open-mic session in Vancouver,:

> Even if online voting could one day be made 100% secure, it could never be visibly and demonstrably secure in the way a properly scrutinized paper ballot can.[406]

During Dr. Simons' appearance before the Committee, she also advised against the use of machine counting for election results as it is not as reliable as manual counting and could be subject to security breaches. She stated:

> If you move to a complicated form of voting, then you're going to have to use computers, and you won't be able to see what's going on inside the computers. You'll be dependent on the software, which could have software bugs or it could have malware.[407]

One open mic participant, Michael Mallett, suggested that any adoption of electronic voting technologies should use open source software, as he argued that it is more secure:

> As a software development professional, I advocate and develop open-source software. I believe very strongly that open-source software, such as Linux and Firefox, is more secure than closed-source proprietary software, such as Microsoft Office or Apple iOS. One of the reasons is that open-source software can be publicly audited and the source code can be read by anybody with the skills necessary to do that, whereas closed-source proprietary software is a black box and nobody knows how it works.

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405   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 September 2016, 1930, (Barbara Simons).

406   Ibid., 2045 (Greg DePaco, as an Individual).

407   Ibid., 1910 (Barbara Simons).

I would suggest that our current paper ballot system is publicly auditable, insofar as I understand that when I put my paper ballot in a box, at the end of the day a human being counts those paper ballots and other people are in the room watching what they do. I think we should look to the United States for what not to do in this regard. I think that they have implemented a disastrous electronic voting system that undermines their democracy. They have voting machines that are owned and operated by for-profit businesses. Nobody knows how their black boxes work.[408]

2. Security and Accessibility

With regard to increasing the accessibility of the vote, Dr. Simons stated that online voting would provide a disservice to voters with disabilities as it would be offering them a tool that is "fundamentally insecure." She added:

I'm reluctant to suggest having a small number of voters vote over the Internet because … sometimes a small number of voters can change an outcome. I'd hate to see even a small number of ballots being vulnerable.[409]

To provide blind and visually impaired voters greater secrecy of the ballot, Dr. Simons suggested that voters be given the option to download a ballot at home, fill it out using the appropriate tools, and send it in by mail.

C. Participation and the Voting Experience

Another benefit often attributed to online voting is that the convenience of voting online may draw some infrequent voters into the electoral process, and thereby increase voter turnout. As Maryantonett Flumian noted, "if voting is more user-friendly and highly accessible, more people may be likely to vote."[410]

Nicole Goodman, Director of the Centre for e-Democracy and Assistant Professor at the Munk School of Global Affairs, stated that her research found that online voting increased turnout in Ontario municipalities by 3%. Notably, her research also indicated that there was evidence at the municipal level, that people who previously were eligible to vote but did not were brought into the voting process when online voting was introduced.[411]

Harold Jansen posited that introducing online voting would not have any appreciable impact on voter turnout:

I also am suspicious of how great the gains would be in terms of voter turnout. I think most of the issues lie around motivation, not opportunity. I'm suspicious of a lot of things when people say on surveys, "Oh, I was too busy to vote". Often, it just means, "There are other things more important to me than voting." Okay, citizens can make those kinds of determinations. Voting is not that onerous, and I think Elections Canada has done a pretty good job in the last 20 years of improving the accessibility of the vote. There are more ways to vote than ever before.

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408   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 October 2016, 2005 (Michael Mallett, as an Individual).

409   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 September 2016, 1935 (Barbara Simons).

410   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 July 2016, 1025 (Maryantonett Flumian).

411   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 0945 (Nicole Goodman).

I don't think we should expect realistically huge gains in voter turnout. I don't think that should be a motivation. It would be more convenient for some people, but these are people who would likely vote anyway. What I found was that the people most likely to say they were very likely to cast a vote in our survey were people who had already voted. They would just switch to doing it online.[412]

Some suggest that online voting may be seen as a particularly attractive option for young voters who are familiar and comfortable with new technologies. However, Ms. Goodman's research found that online voting appeals to voters of all ages relatively equally and that in certain countries that use online voting, those aged 18 to 25 are more likely to choose paper over online ballots. She observed that young people may be opting to vote in person due to the "symbolism or ritual for the first time participating." She concluded:

[W]hile older voters are likely to use online voting and remain loyal to the voting method; young people are more likely to try online voting once and then move back to paper ballots or back to abstention. Older voters will use online voting, but it's not the solution to engage young people.[413]

Finally, one of the drawbacks often attributed to online voting is a perceived loss of interaction in public spaces. Some witnesses and participants held that there is something special about the ritual of voting in person that online voting cannot replace. This view was also expressed by 61% of the respondents of the e-consultation, who agreed or strongly agreed that there is a public good and value associated with voting in person.[414] Dr. Nelson Wiseman, summarized:

The Internet is convenient, but incidentally it's not a social activity … when you show up at the polls, you meet your neighbours, you get in line, and you talk to other people.[415]

D. Observations and Recommendations

The Committee acknowledges that many Canadians are open to the idea of online voting as a way of making voting more accessible. However, both supporters and detractors of online voting agree that the secrecy, security, and integrity of the ballot and the federal electoral process are fundamental. The Committee heard significant testimony (and received submissions), particularly from experts in technology, that the secrecy and integrity of an online ballot cannot be guaranteed to a sufficient degree to warrant widespread implementation in federal elections. The Committee agrees.

However, the Committee recognizes that technology does have an important and useful role to play in making elections and the voting process more accessible for Canadians with disabilities. The Committee agrees with the principle that any technology developed to make voting more accessible should be of comparable security and integrity

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412   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 2005 (Harold Jansen).

413   ERRE, *Evidence,* 1st Session, 42nd Parliament, 23 August 2016, 0950 (Nicole Goodman).

414   Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", Table 36 and Figure 33.

415   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1515 (Nelson Wiseman).

to that of the current voting process. The Committee was particularly struck by the testimony and submissions offered by blind Canadians, who shared their distress about not being able to cast their ballot independently. Concerted efforts must be made by Elections Canada to enable all voters to be able to cast their ballot in secret.

RECOMMENDATIONS:

Recommendation 4

The Committee recommends that online voting not be implemented at this time.

Recommendation 5

The Committee recommends that Elections Canada explore, in collaboration with relevant stakeholder groups, the use of technologies to promote greater accessibility of the vote while ensuring the overall integrity of the voting process.

Recommendation 6

The Committee recommends that the House of Commons refer the question of how to improve the accessibility of voting for Canadians with disabilities, while ensuring the overall integrity of the voting process, to the Standing Committee on Procedure and House Affairs.

CHAPTER 7
DIVERSITY AND ENGAGEMENT:
A PARLIAMENT THAT MIRRORS CANADA

The second principle in the Committee's mandate, "Engagement," calls on the Committee to identify measures that "encourage voting and participation in the democratic process, foster greater civility and collaboration in politics, enhance social cohesion and offer opportunities for inclusion of underrepresented groups in the political process." Furthermore, the mandate stipulates that the Committee was to "develop its consultation agenda, working methods, and recommendations on electoral reform with the goal of strengthening the inclusion of all Canadians in our diverse society."[416]

With these instructions in mind, the Committee considered a wide range of views and concerns regarding the inclusiveness of the electoral system. This chapter summarizes views expressed to the Committee on the representation of women, visible minorities, Indigenous Canadians and Canadians with disabilities.

A. A Parliament that Mirrors Canada

The Committee heard significant testimony regarding the diversity of members of Parliament (MPs). Much concern was raised to the Committee with respect to Canada's poor ranking in terms of women's representation in the House of Commons, compared to lower houses in other countries. Currently, with 26% women MPs, the Inter-Parliamentary Union ranks Canada 64th overall in the world in terms of women's representation.[417]

Many Canadians expressed the desire for, and the value of, having a House of Commons that mirrors the population. Donna Dasco said:

> Why do we care? Women's voices have to be there. It's a matter of democratic representation. Decisions are made in our Parliaments. Women have to be there.[418]

Victor Tootoo in Iqaluit echoed this view when he stated:

> I think that our decisions are better made by a collective that reflects what we look like and the discussion among us. Without that equal representation on a gender basis, we don't get those decisions.

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416   Extract from House of Commons, *Journals*, 1st Session, 42nd Parliament, 7 June 2016.

417   Inter-Parliamentary Union, *Women in National Parliaments*, 1 September 2016.

418   ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 1535 (Donna Dasco, Fellow, School of Public Policy and Governance, University of Toronto).

In Canada, women running for office are only slightly less likely than men to be elected, and as Melanee Thomas said "we have no evidence to suggest that voters discriminate against candidates on the grounds of gender or race."[419]

The Committee heard diverging views concerning why women and visible minorities are underrepresented and to what extent electoral reform can resolve this issue. Two distinct opinions emerged: some experts and individuals contended that electoral systems are a key factor influencing the electoral prospects of women, whereas others were of the view that the effect of electoral system design on women and minorities representation is less significant than is often claimed. The latter group held that electoral systems cannot be understood as the single most important factor to ensure or increase women's and minorities' representation in Parliament. Other factors, such as the nomination process and political parties, play a significant role. Electoral systems are one factor among many that may impact women's political representation in legislatures.

B. Effects of Electoral Systems on the Diversity of the House of Commons

A common view expressed to the Committee was that the first-past-the-post (FPTP) electoral system poses problems for the election of women and minority groups, particularly in comparison to proportional electoral systems. Brian Tanguay suggested that the FPTP system does a "very poor job" at producing a parliament that mirrors the population and that it poses "significantly high barriers to the election of women."[420] Madeleine Webb echoed this point, and stated:

> In a plurality system, women and minorities are less likely to be on the ballot. It's not because they're not electable; it's because in the nomination process parties have historically favoured white male candidates as the best choice for the winner-take-all competition. White men are often considered to be a more acceptable candidate, and thus there's a disincentive to choose women to run.[421]

Donna Dasco added that electoral reform could provide a solution to under-representation. She stated:

> [M]ajority systems, including first past the post, are poor at electing women.… PR systems are best for women, and such mixed systems as MMP are somewhere in between.… Even on their own, PR systems, I would argue, make it more likely that women will be elected.[422]

Michael Gallagher also noted that countries with PR systems tend to have more women in parliament than those that do not.[423] Miriam Anderson added, at an open-mic session, that many of the countries that rank better than Canada in terms of the representation of women use PR electoral systems. She stated:

419   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1425 (Melanee Thomas).

420   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1410 (Brian Tanguay).

421   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 October 2016, 0915 (Madeleine Webb, Advocacy Coordinator, Canadian Federation of University Women).

422   ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 1535 (Donna Dasco).

423   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1025 (Michael Gallagher).

Many of the systems that rank near the top have some form of proportional representation. It's also easier to ensure that there are more women running with some kind of list. When parties have to put forward a full list, then they can guarantee that a certain percentage are of each gender, which is easier than dealing with just single-member electoral districts.[424]

As discussed in Chapter 4 (on electoral systems), a number of witnesses suggested that the use of party lists can be helpful in making Canada's electoral system more inclusive and diverse. Mercédez Roberge mentioned how party lists would give political parties a certain level of control over the types of candidates on the list, and suggested that rules could be established requiring parties to present no less than 40% and no more than 60% of candidates of a given gender.[425]

Pippa Norris noted that electoral systems can have an impact on the diversity of MPs, but added that there are other relevant factors. She stated:

Proportional representation has the strongest representation for women overall. Under the mixed member system, women get in through the party list. Under the first past the post, it becomes more difficult at the selection or recruitment stage for women to get selected, and therefore to get elected.[426]

Conversely, other witnesses and individuals told the Committee that the electoral system is not the root cause of underrepresentation, that electoral reform is not necessary to increase the representation of certain groups, and that the implementation of a proportional electoral system would not be sufficient in improving underrepresentation. Melanee Thomas stated:

I can't help but conclude that introducing more proportionality into our electoral institutions on its own will probably not meaningfully increase representational diversity in Canadian politics.[427]

She added:

There are powerful, informal barriers that work to keep women out of politics, people who are not white out of politics, and people who are [I]ndigenous out of politics. Simply changing the electoral system is not going to address any of these informal barriers that are in place.[428]

Ann Decter noted how numerous other factors, beyond the electoral system, impact women's decision to run as candidates. She suggested, "[w]omen have reported that the cost, lack of predictability, and lack of transparency of nomination processes are for some a major disincentive."[429]

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424   ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 2030 (Miriam Anderson, as an Individual).

425   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 September 2016, 1440 (Mercédez Roberge, Campaigner, as an Individual).

426   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1450 (Pippa Norris).

427   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1415 (Melanee Thomas).

428   Ibid.

429   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 October 2016, 1810 (Ann Decter, Director, Advocacy and Public Policy, YWCA Canada).

C. Nomination Process and the Role of Political Parties

A number of witnesses and individuals were of the view that the party nomination process is the most significant barrier to the election of women and minorities. Emmett Macfarlane submitted that "the most effective way to get there is to change our political culture and to change how candidates are selected in parties."[430]

Nomination procedures vary considerably among Canada's federal political parties and furthermore, they vary considerably from riding to riding. Some of the federal parties have very few nomination rules, while others have formal nomination processes that must be followed by every riding association.[431] Kelly Carmichael described how the nomination processes within ridings are carried out almost completely independently of each other:

> If you think about our ridings, the way that they are silos right now, we vote for certain members, and we don't know outside of our silo if a party is running a lot of men or a lot of women.[432]

Former Chief Electoral Officer Jean-Pierre Kingsley noted that "[c]urrently, the structure of parties and how local associations operate discriminate against the participation of women."[433] Melanee Thomas went so far as to say that embedded in the recruitment process are sexist and racist perceptions of the ideal candidate. She stated:

> The one that concerns me most in terms of informal barriers for electoral reform is implicit assumptions about what makes a good candidate and who's the best candidate. I think built into recruitment policies and into how we approach the political system is a lot of latent sexism and latent racism, this idea that a good candidate or a good politician looks a certain way.[434]

Amanda Bittner echoed this argument and suggested that:

> Part of the problem is recruitment. Part of the problem is that senior party officials have this idea that women and racialized minorities are not successful candidates, even though there's no evidence to suggest that this is the case. All the evidence shows that when women run, they do win. So really, the issue is about recruitment.[435]

Many believe there is more that political parties can do to produce more representative parliaments. As Paul Thomas suggested, "There are things parties can do without having to change the electoral system in a fundamental way."[436] Finally Melanee Thomas concluded that focusing on electoral reform as the solution to the

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430   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1015 (Emmett Macfarlane).

431   Erin Virgint, *Electoral Systems and Women's Representation*, Publication No. 2016-30-E, 5 July 2016.

432   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 October 2016, 1840 (Kelly Carmichael).

433   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1600 (Jean-Pierre Kingsley).

434   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1540 (Melanee Thomas).

435   ERRE, *Evidence*, 1st Session, 42nd Parliament, 5 October 2016, 1335 (Amanda Bittner).

436   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1930 (Paul Thomas, Professor Emeritus, Political Studies, University of Manitoba, as an Individual).

underrepresentation of women, minority groups and Indigenous Canadians "is giving the people who are recruiting candidates a pass."[437]

D. Overcoming Barriers to Entry

A variety of barriers prevent potential candidates from running for office, such as the financial burdens associated with campaigning across large geographic areas, the cost of child care and other personal expenses. For example, former Member of Parliament, Jack Anawak described the financial burdens faced by candidates running in vast, particularly northern, ridings. He explained that in Nunavut:

> A person considering running for office here has to consider forgoing income for the duration of the campaign. While this is true in many ridings, we have high costs for food, housing, electricity, heating fuel, and child care. For us, choosing to run for office usually means living off our savings in the most expensive riding in the country.[438]

Melanee Thomas noted that becoming an MP may not appear as an attractive career option for some women because there are "work-life balance and things like commuting … the nature of political work itself doesn't lend itself to maternity or parental leave, which is challenging."[439] She explained how one significant way to help increase the representation of women and other underrepresented groups would be to consider policies focused on the nomination process. Examples include limiting the amount of money that can be used in a nomination contest, focusing on developing diverse personal networks within riding associations to recruit potential candidates, and funding child care and related expenses at the nomination stage in order to remove some of the barriers that may prevent otherwise strong candidates from running:

> I think money matters most for women at the nomination stage. This is one of the things you talked about. Regulating how much people can spend on nominations does a lot for historically under-represented groups.
>
> Something that should be noted for the record is that networks matter. They matter for money, but they matter as much for recruitment. Electoral district associations [EDAs] that have women on their executives, especially women as their EDA presidents, are much more likely to run women as candidates, simply because you have somebody with a network who knows a woman and can do that kind of recruitment.
>
> Women tell us that money becomes a barrier also at that nomination stage, and it matters in ways that don't matter for men. It's not just about getting money for getting on the ballot and mounting a campaign, but for things like after-hours child care. It's for things like hair and clothes and the whole presentation in which women are required to engage in ways that men aren't.…
>
> When it comes to actually helping women's numbers, though, being able to regulate and have clear pathways for things like nominations and recruitment is where the money really matters for gender parity in terms of elections.[440]

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437   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1425 (Melanee Thomas).

438   ERRE, *Evidence*, 1st Session, 42nd Parliament, 17 October 2016, 1830 (Jack Anawak, as an Individual).

439   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1605 (Melanee Thomas).

440   Ibid., 1545.

Another option would be to tie the campaign reimbursements that a political party is eligible to receive to the diversity of its candidates, as Melanee Thomas explained:

> A great deal of political parties' election-based financing comes from campaign reimbursements. You spend a certain amount, and then you can get 80% of it back. That should be, in my view, docked depending on how few women or visible minorities a party fields. Something tells me that if you tie diversity to the money, parties will solve the problem overnight. They just will.[441]

In a similar vein, Mercédez Roberge suggested:

> In order for public funds to be used to achieve our objectives of equality, inclusion and non-discrimination in a broad sense, the reimbursement of election expenses should be increased based on the performance achieved, the percentage of women elected and the percentage of racialized persons elected.[442]

E. Indigenous Representation

Numerous witnesses spoke to the need for greater Indigenous representation in Parliament. Charles Smith noted that he believes that "reform to a more proportional system has the potential to transfer voice and power to Indigenous communities, both on reserve and in urban centres, so that these voices can be heard."[443] Some suggested that a certain number of seats should be reserved for Indigenous Canadians. For example, David Blain recommended in his brief that:

> Electoral reform should also make provision for First Nations who have been under represented in the House of Commons. In the process of electoral reform we should set aside seats for First Nations based on population. These seats will be filled with First Nations elected by First Nations.[444]

Kirk Cameron made a similar suggestion. He stated:

> In our Canada of today, we have set as a very high priority working to find a path of reconciliation with the first peoples of this country—first nations, Métis, and Inuit peoples.

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441   Ibid.

442   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 September 2016, 1445 (Mercédez Roberge).

443   ERRE, *Evidence,* 1st Session, 42nd Parliament, 19 September 2016, 1425 (Charles Smith, Associate Professor, St. Thomas More College, University of Saskatchewan, as an Individual).

444   David Blain, *Electoral Reform for Canada.*

One avenue that is open to you to contribute to this reconciliation is to consider some form of guaranteed representation in the House of Commons for [A]boriginal peoples.[445]

James T. Arreak also posited that guaranteed representation for Indigenous peoples should be part of any electoral reform, and that such representation should ensure that Canada's three Aboriginal peoples – First Nations, Inuit and Metis – have direct representation in the House of Commons.[446] He specified that representation "in the range of two to four representatives from each of Canada's three Aboriginal peoples would roughly track the New Zealand precedent. Aboriginal peoples' representatives should be elected by Aboriginal electors."[447] He also added that:

There is no reason that [A]boriginal peoples' representatives need to be elected on the occasion of federal general elections. For reasons of continuity of representation, it would be a considerable advantage to have such representatives elected for fixed terms.… In the absence of elections being tied to overtly partisan general elections, there would be an enhanced argument for us for using a ranked ballot system to ensure at least 50% support.[448]

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445   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 September 2016, 1340 (Kirk Cameron). He added:

I do not know if New Zealand's chief electoral officer spoke to this unique aspect of the New Zealand parliamentary system, but they have had guaranteed seats for the Maori dating back, interestingly enough, to 1867. Today there are seven Maori seats in its House of Representatives, which is determined through a mixed member proportional system. There are two rolls, one for Maori voting. Maori can choose whether they wish to vote on a general or on a specific Maori roll.

I'm not suggesting this particular model. It's only to say that this is an example of where a parliamentary system has embraced a unique approach so that a first people—in the New Zealand case, the Maori—can, quote, see themselves represented directly in the system.

I am reminded of Jean-Pierre Kingsley's presentation to you. The fifth point that he asked you to consider is that the "Canadian reality must be reflected in the system of representation." As well, "Canadians must be able to see themselves in their representatives and in the system by which they choose them."

I believe there is no better way to achieve this than by your committee actively engaging with [A]boriginal representative groups such as the Assembly of First Nations, and Inuit and Métis organizations, among others, to determine if there is an avenue forward that would achieve this principle for the [A]boriginal peoples of our country. I do not know if you have hearings set with these groups, but if not, I would suggest that you reach out to them.

I note there is [A]boriginal interest in reform at the parliamentary level that would build linkages between our [A]boriginal citizenry and Parliament. You may be aware that in 1996 the Royal Commission on Aboriginal [p]eoples recommended that a house of first peoples be established as a third chamber of Parliament. The details on its role and responsibilities are set out in the commission's report. In brief, it is recommending a chamber with legislative responsibility over bills that have substantive impact over Canada's [A]boriginal peoples.

The Committee wishes to indicate that it had invited various organizations that were unfortunately unable to appear.

446   ERRE, *Evidence*, 1st Session, 42nd Parliament, 17 October 2016, 1340 (James T. Arreak).

447   Ibid.

448   Ibid.

F. Representation of Canadians with Disabilities

In order for the Canadian electoral system to be truly inclusive, a number of witnesses and participants noted that there ought to be greater representation of Canadians with disabilities in the House of Commons. Diane Bergeron indicated:

> I would suggest that the issue of having fewer people with disabilities or people with sight loss participating in political life is less reliant on the electoral system and more on the attitude of the political parties, the attitudes of people in general, and the stereotyping of people with disabilities as not being as capable or competent. If we change the attitudes, no matter what electoral system we use, we're going to find more people with disabilities, more women, and it's going to be more proportional regardless of how that system works out.[449]

Marcia Carroll noted that incentives should be put in place to pressure political parties to run candidates with disabilities. Such incentives could include mandated targets for diversity, requirements to comply with targets or justify missed targets, financial incentives and/or penalties for meeting targets. She held that:

> [I]ncentives could be imposed to encourage people with disabilities to run as well and be engaged in the electoral system. Currently, we know that people with disabilities in this country are some of the poorest and most disenfranchised. To have those individuals run against somebody in their community who is known to one of the parties in power in our first-past-the-post system is very frightening.

> We hear that all the time from the people we talk to when it comes time for elections. We really encourage people with a disability to go through a nomination process and try to be represented on the ballot. More often than not, they don't want to go against one of the other parties and they're not encouraged within our two-party system to be their candidate.[450]

G. The Per-Vote Subsidy and Party Financing

An additional topic that the Committee heard about throughout its consultations was the per-vote subsidy, a source of public funding that was available to political parties until it was phased out in 2015.[451]

The Committee heard from a number of witnesses who stated their preference for reinstating the per-vote subsidy, in accordance with the principles of fairness and equity. Jean-Pierre Kingsley recommended a return to the formula, stating:

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449   ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 1610 (Diane Bergeron).

450   ERRE, *Evidence*, 1st Session, 42nd Parliament, 6 October 2016, 1535 (Marcia Carroll, Executive Director, PEI Council of People with Disabilities).

451   In 2011, the Government of Canada introduced Bill C-13: An Act to implement certain provisions of the 2011 budget as updated on 6 June 2011 and other measures, which became the *Keeping Canada's Economy and Jobs Growing Act, S.C. 2011, c.24*. The legislation was enacted to phase out the per-vote subsidy to political parties (sometimes referred to as the quarterly allowance) by January 2015. Before the reductions, the amount of the subsidy was $0.4375 per vote received, per quarter, adjusted annually for inflation. The first stage in the reduction became effective 1 April 2012, when the subsidy was reduced to $0.3825 per vote received in the 2011 general election. The amount was reduced to $0.255 per vote effective 1 April 2013. As of 1 April 2014, the amount was reduced to $0.1275 per vote. Finally, the allowance was terminated after the fourth instalment of 2014 was paid on 1 January 2015. See: Dara Lithwick and Sebastian Spano, *The Canadian Electoral System*, Publication No. 2013-81-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, 22 October 2015.

That is a more equitable way to proceed, even though it's not perfect. It is not possible to establish a perfect mechanism to maintain fairness within the electoral system. Invariably, some people benefit and others are disadvantaged. It's a matter of minimizing that inequality and making the situation acceptable from the perspective of a reasonable Canadian.[452]

This position was supported by Paul Howe, who stated that the current system of individual donations to political parties is less equal as donations vary greatly between Canadians of different socio-economic levels.[453]

Others stated that a return to the per-vote subsidy would also help Canadians feel like their vote has an effect, as it would directly impact the party they supported.[454] Melanee Thomas discussed the per-vote subsidy in her testimony, arguing that public financing of political parties, in addition to being of benefit to Canadian voters, is also more democratic:

In the literature on party and campaign finance internationally, most countries do have some form of public financing. It's broadly seen to be a good thing, because the political party is a key institution linking representative institutions and the voting public.... [The per-vote subsidy] struck me as a democratic way of doing party financing. It also struck me as a way of being able to tell people who thought their votes were wasted because they weren't necessarily voting for the winner that their vote was actually contributing to something. I think it would be worthwhile to re-engage in this kind of discussion about what kind of public financing the parties need.[455]

H. Recommendations

Recommendation 7

The Committee recommends that any electoral reform seek to enhance the likelihood of improving voter turnout and to increase the possibilities for historically disenfranchised and underrepresented groups (i.e. women, persons with disabilities, Indigenous peoples, visible minorities, youth, and Canadians of lower economic means) to be elected. [Note that this recommendation applies to both Chapter 7 and Chapter 8]

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452   ERRE, *Evidence*, 1st Session, 42nd Parliament, 5 July 2016, 1435 (Jean-Pierre Kingsley).

453   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 October 2016, 1940 (Paul Howe, Professor, Department of Political Science, University of New Brunswick, as an Individual):

Every single Canadian is able to provide for the party they wish through their vote, whereas, when you look at the system of individual donations … you find that, although we've moved to a system where the maximum has gone down considerably to what seems like a rather low level, wealthier Canadians are definitely more likely to give the maximum or near the maximum. The total amount of money they are giving is substantially more than what those at the lower end of the economic spectrum are giving.

454   ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1905 (Jane Hilderman, Executive Director, Samara): "I think that is the appeal behind the notion of a per vote subsidy, in that everyone at least gets to make some donation to a party. It's compelling as an incentive to think that your vote counts for something more. I also think it helps parties maybe think a little differently about their fundraising direction."

455   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1600 (Melanee Thomas).

Recommendation 8

The Committee recommends that the Government amend the *Canada Elections Act* to create a financial incentive (for example through reimbursement of electoral campaign expenses) for political parties to run more women candidates and move towards parity in their nominations.

CHAPTER 8
VOTER ENGAGEMENT AND PARTICIPATION

This chapter highlights the range of views and recommendations that were made to the Committee regarding the principles of engagement and accessibility set out in the Committee's mandate:

2) Engagement: that the proposed measure would encourage voting and participation in the democratic process, foster greater civility and collaboration in politics, enhance social cohesion and offer opportunities for inclusion of underrepresented groups in the political process;

3) Accessibility and inclusiveness: that the proposed measure would avoid undue complexity in the voting process, while respecting the other principles, and that it would support access by all eligible voters regardless of physical or social condition;[456]

Specifically, this chapter summarizes the suggestions made to the Committee regarding improving civic education, lowering the voting age, making voting more accessible, and considering alternative voting days.

A. Civic Education

The Committee heard witnesses from across the country who suggested that improving civic education would "encourage voting and participation in the democratic process." [457] Witnesses argued that civic education would lead to higher voter turnout, a more informed electorate, and even a more legitimate government. Suggestions made by witnesses included calls for mandatory civics courses in high schools,[458] and a national public education campaign on Canada's democratic system. As well, various local First Nation leaders who addressed the Committee at the site visit to Tsartlip First Nation on Vancouver Island spoke about the need for education and engagement strategies targeted to Indigenous Canadians to increase voter turnout and participation.

1. Civics Courses for Young Canadians

Many witnesses and open mic participants noted that civic engagement is closely linked to education, and as such education programs are essential to increasing youth engagement in public and democratic life. For example, Kuthula Matshazi, councillor for the town of Iqaluit, stated:

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456   Extract from House of Commons, *Journals*, 1st Session, 42nd Parliament, 7 June 2016.

457   Ibid.

458   The Committee recognizes that education falls within provincial jurisdiction.

I think that all governments, regardless of whether they are Liberal, Conservative, or NDP, want to engage as many people as they possibly can. In taking a strategic approach to this issue, one of the ways that you can tackle it is by looking at youth education. If we can help people when they are still young and then make them understand why they should participate in politics and in political processes, by the time they get to be 18 years old, they will fully understand their civic duties. They will fully understand what's in it for them, and then they will be able to participate in the system.[459]

Various experts agreed that starting civic education early is an investment in the future of Canadian democracy. It was argued that youth civic education would create a more informed and engaged electorate and thus a more legitimate government. As Maryantonnett Flumian expressed:

Most importantly, because an increase in voter turnout can equate to government's legitimacy, methods to improve accessibility are but one of the viable alternatives. I'm talking specifically about civic education. Parliament has a duty to ensure that its citizens understand the importance of their participation in strengthening the principles of sound public governance. With a civic education strategy that starts by targeting grade schools and high schools, we can ensure that there are more first-time voters, regardless of the voting system we choose, and that many more will become voters for a lifetime, continuing to support the ongoing foundation of democratic governance.[460]

As well, some witnesses posited that low voter turnout was in part related to a lack of access to suitable resources informing voters of the electoral process. Dominic Vézina of the Institut du Nouveau Monde advocated for a mandatory civics course at the high school level:

Civic education is the surest way to get young people interested in politics. One of the main reasons young people do not vote is that they do not understand how politics affect them personally. A compulsory civics course should be given in Grade 9, while school is still compulsory, so that it is taught to everyone.[461]

Mr. Vézina noted that currently, young Canadians are not sufficiently politically informed to feel the need or desire to engage in the political process or to exercise their right to vote when they come of age.

Youth may become more invested in the democratic process through interactive experiences. Mock parliaments are one example of an interactive educational tool. Mr. Vézina suggested that "mock voting should be available to all students for each election."[462] This idea was echoed by Peter Russell from the University of Toronto:

[W]hat they (the witnesses' colleagues Paul Howe, University of New Brunswick, and Henry Milner, Université de Montréal) are really coming up with is improving how schools handle the teaching of politics. If you read their books, it isn't just a matter of teaching; it's the type of

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459   ERRE, *Evidence*, 1st Session, 42nd Parliament, 17 October 2016, 1530 (Kuthula Matshazi, Councillor, Town of Iqaluit).

460   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 July 2016, 1020 (Maryantonett Flumian).

461   ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1826 (Dominic Vézina).

462   Ibid.

teaching. It should be interactive and not just having the teacher saying, here's what Parliament does. It should be very creative and interactive, having mock parliaments and so on.[463]

In his testimony, Chief Electoral Officer Marc Mayrand added that civic education was "the most important influencer" of young Canadians' voting habits.[464] This statement was echoed throughout the Committee's study. Several witnesses agreed that governments at the provincial and federal levels should work together to come up with a civic education course or program that should be implemented in high schools across the country. Sue Duguay of the Fédération des jeunes francophones du Nouveau-Brunswick stated:

> In addition … our members' proposal asks … for the addition of mandatory civic education courses to the school curriculum. These courses are extremely important in creating generations of voters with a full understanding of the electoral system. It is therefore important that the federal government, with its provincial counterparts, provide adequate civic education in the classroom.[465]

2. Education, Engagement, and Indigenous Canadians

Speaking in Manitoba, Gina Smoke observed that information on the electoral process and the Canadian democratic system can be especially difficult to access for youth in marginalized communities such as some Indigenous communities:

> I think everybody should know why it's important to vote. I don't know why we don't have it in our school systems, because it's something that we all have to do when we become old enough to vote. On the reserves we don't talk about it. Why would we talk about it, because our vote doesn't count. It's just been ingrained in people for years.… There are still a lot of issues around the residential schools that make it somewhat difficult to know why being involved in politics is important.[466]

The need to use education as a tool to increase democratic engagement was raised by a number of local First Nations leaders who spoke with the Committee at a site visit to Tsartlip First Nation on Vancouver Island.[467] For example, Tsawout First Nation Band Council member Mavis Underwood spoke about the need to educate young people about how and why to vote. She suggested that community-based dialogue would be a way to proceed. Tsawout First Nation Chief Harvey Underwood explained that since First Nations only obtained the right to vote in the 1960s, it is still relatively new to the community, and education is necessary. He also suggested that the education ought to be mutual, in that politicians should also work to better understand First Nations' concerns.

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463   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1520 (Peter Russell).

464   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1105 (Marc Mayrand).

465   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 October 2016, 1851 (Sue Duguay, President, Fédération des jeunes francophones du Nouveau-Brunswick).

466   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1545 (Gina Smoke, National Representative, Unifor).

467   Indeed, education was a prominent theme of the site visit. Tsartlip First Nation houses ŁÁU, WELNEW Tribal School, which serves the Saanich People on four reserves (Tsartlip, Pauquachin, Tseycum, and Tsawout) and surrounding communities. The school offers a high quality local language (locally developed SENCOTEN) and culture curriculum to enable Saanich children to learn about their history and "find a clear vision of their future".

Chief Tanya Jimmy (Jones) of Tseycum First Nation recommended using mentors to educate about the current electoral process and any proposed reforms. Finally, Tsartlip Chief Don Tom spoke about the success of a joint initiative between Elections Canada, the Assembly of First Nations (AFN), and provincial First Nations leadership to educate, engage, and get out the vote for the October 2015 federal election.

3. Civic Education for the General Electorate

A number of witnesses advocated for increased civic education for the general public, and especially around any proposed electoral system reforms. For example, Jane Hilderman from Samara Canada suggested the following:

> First, there needs to be strengthened public education about Canada's democratic system, often called civic education or civic literacy. I think this is especially important if the electoral system changes. At present, citizenship education largely remains the purview of provincial education curricula and is typically incorporated into high school education programs. This is very helpful, but it isn't sufficient. Efforts are needed to reinforce civic knowledge through adulthood as well as during the integration of newcomers into Canada's public life. However, there are very few resources for nationwide efforts in Canada in civic education, nor is it clear who among government departments or agencies should be responsible for delivering on this goal.[468]

Ms. Hilderman highlighted the lack of resources for Canadians who are not in a formal setting (such as a school) to become informed about Canada's democratic system. She suggested that this is an accessibility issue that governments at the provincial and federal levels as well as non-government organizations, could help to remedy by working collaboratively. J.P. Lewis from the University of New-Brunswick emphasized the importance of this collaboration:

> While considering the role of electoral management bodies in Canada in civic education, it should be clearly noted that the majority of civic education policies and programs undertaken by electoral management bodies are often in partnership with other policy actors. Groups such as CIVIX, Samara, and Apathy is Boring have all been prominent in spreading the message of combatting voter apathy.[469]

B. Lowering the Voting Age to Encourage Inclusion and Participation

The suggestion to lower the voting age to 16 was raised on numerous occasions by various witnesses throughout the Committee's study. Many argued that it would increase voter turnout and encourage youth voters to participate in the democratic process and to remain active voters throughout their life.

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468   ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1810 (Jane Hilderman).

469   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 October 2016, 1515 (J.P. Lewis, Assistant Professor, Department of History and Politics, University of New-Brunswick Saint John).

The 2015 federal election saw the highest rate of voter turnout for electors aged 18-24 since Elections Canada began presenting demographic data on turnout (in 2004). Turnout for this age group jumped from 38.8% in 2011 to 57.1% in 2015.[470]

Following the 2011 general election, Elections Canada published a working paper entitled *Youth Electoral Engagement in Canada*, by André Blais and Peter Loewen, who both appeared as witnesses before the Committee. This study, which explored youth electoral engagement in Canada, looked at a variety of socio-demographic factors that may affect voting patterns. It identified having an interest and an understanding of political issues had a significant effect on youth voting behaviour.[471]

1. Scotland's Experience with Lowering the Voting Age

Andy O'Neill, Head of the Electoral Commission in Scotland, discussed Scotland's recent experience with lowering the voting age to 16 for the 2014 Scottish referendum on independence. Mr. O'Neill observed the following regarding 16 and 17 year old Scottish voters: "It was a very engaged electorate. There were thought to be well over 90% of 16 and 17-year-olds registered, and very high levels of participation in terms of voting."[472]

The May 2016 Scottish Parliament election was the first where 16 and 17 year olds were allowed to vote. According to the Electoral Commission:

> Approximately 80,000 of them registered to vote at the election and this age group had high levels of awareness and knowledge about the registration process. This is encouraging, but it remains the case that young people are much less likely to report having voted than older voters.[473]

The success of the Scottish experience was cited as an example in favour of lowering the voting age by witnesses who appeared before the Committee.

2. Why Lower the Voting Age?

Many of the witnesses who supported lowering the voting age connected to the need for stronger civics education. It was also suggested that it would raise voter turnout in future elections. As explained by Victor Tootoo, who appeared before the Committee in Iqaluit:

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470   Elections Canada, "Voter Turnout by Age Group."

471   Andre Barnes and Erin Virgint, *Youth Voter Turnout in Canada: 1. Trends and Issues*, Publication No. 2010-19-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, 9 August 2013.

472   ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1130 (Andy O'Neill, Head of Electoral Commission, Scotland, The Electoral Commission).

473   The Electoral Commission, "The May 2016 Scottish Parliament election: Report on the administration of the 5 May 2016 Scottish Parliament election," September 2016.

If you lower the voting age to 16, you are going to see a higher voter turnout in terms of percentage from that cohort of the population, that particular demographic, and because of their instant access to education, and education regarding our electoral system, you'll have more informed voters.[474]

Others added that by combining civics education and the right to vote, young Canadians would feel more involved in the democratic process and be better equipped to apply what they learn in school.[475] In its brief, the Fédération de la jeunesse canadienne-française recommended both lowering the voting age to 16 and having the Government of Canada collaborate with its provincial and territorial partners to institute civics education measures to better prepare young voters for their first experience as electors.[476]

Another argument raised in favour of extending the franchise to 16 and 17 year olds is that those youths would be more likely to continue voting if they started early. Sue Duguay, president of the Fédération des jeunes francophones du Nouveau Brunswick, explained:

> Studies tend to demonstrate that once people vote, they will be inclined to continue to do so all their lives. Because of this, 16-year-olds, still in the school system and mostly living at home, would be in a situation that would encourage them to vote, especially for the first time.[477]

Others stated that voting for the first time was a "civic rite of passage"[478] that ought to be celebrated. It was also claimed that lowering the voting age could lead to more stable long-term policies. In his brief, Chris Maxwell stated that "if we gave them the power to meaningfully express that concern it would cause governments to have longer term policy stability (or at least stability in long term policies)."[479]

C. Accessibility: Removing Barriers to Voting For People in Underrepresented Communities

The third principle set out in the Committee's mandate called upon the Committee to consider how any electoral reform proposals could promote "accessibility and inclusiveness" and "support access by all eligible voters regardless of physical or social condition."

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474 ERRE, *Evidence*, 1st Session, 42nd Parliament, 17 October 2016, 1925 (Victor Tootoo, Baffin Regional Chamber of Commerce).

475 Teresa Legrand, "Brief," *Submitted Brief*, October 26 2016: "Young people study Civics in Grade 10 in Ontario. To many of them it seems very remote – something they can't participate in, so it doesn't hold their interest. I believe that youth voter turnout would improve overall if the habit can be instilled during the high-school years, and that the Civics curriculum would seem more relevant to those required to study it."

476 Fédération de la jeunesse canadienne-française, "Lowering the Voting Age to 16: A Priority for Improving the Electoral System," *Submitted Brief*, October 18 2016.

477 ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 October 2016, 1850 (Sue Duguay).

478 ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1825 (Dominic Vézina).

479 Chris Maxwell, "Brief to the Special Committee on Electoral Reform." *Submitted Brief*, October 26 2016.

The Committee heard from witnesses representing a number of communities who continue to encounter barriers when it comes to casting their ballot.[480] Individuals and groups representing students, senior citizens, Indigenous peoples, and people with disabilities highlighted the various challenges faced casting their ballot and making their voices heard.

1. Students

Young Canadians – specifically students – encounter barriers to casting their ballot. Many students move away from home to pursue post-secondary education and are thus faced with the challenge of casting a vote (often for the first time) in an unfamiliar environment. Sue Duguay raised this issue in relation to mandatory voting:

> I find the idea quite interesting. However, I think that, if voting becomes mandatory, it will have to be accessible as well. It's all very well to want everyone to vote, but it's not easy to do so for the most disadvantaged and the young people you talked about. As I mentioned, some are not in their home region for the vote.[481]

Ms. Duguay argued that it is important to recognize the barriers young Canadians encounter when trying to exercise their right to vote and the importance of making the process fully accessible.

Maryantonett Flumian offered a possible solution to the barrier described by Ms. Duguay, a "vote-anywhere" policy:

> We might have a vote-anywhere policy that would facilitate the exercise of the franchise, notably by students who leave their permanent place of residence to attend college or university just around election time, if we stick to the current cycle. People could vote wherever they were on polling day, rather than having to return to their place of registration or having to change their registration to their new residence in order to be able to vote on polling day.[482]

Keith Archer, Chief Electoral Officer of British Columbia, echoed Ms. Flumian's suggestion as a way to improve accessibility to the polls:

> I think there's a lot we can do to increase the accessibility of the ballot. One of the things that's in place in provincial elections here in British Columbia which is not available at the federal level is the ability of voters to attend any voting place to cast their ballot. If you live in Prince George and are visiting Vancouver during the election period, you can find a voting place in Vancouver and cast your ballot there if you wish.[483]

As well, Fred-William Mireault, who appeared as a representative of the Regroupement des étudiants et étudiantes du Cégep de Lanaudière, encouraged the Committee to install voting booths in places that are highly accessible to students

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480   The sections on Online Voting and Mandatory Voting have touched upon some of these barriers.

481   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 October 2016, 1925 (Sue Duguay).

482   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 July 2016, 1020 (Maryantonett Flumian).

483   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 September 2016, 1625 (Keith Archer, Chief Electoral Officer, B.C.).

(such as university and college campuses) as another way to improve the accessibility to the voting process:

> We are in favour of voting on university and college campuses. Provincially, in the last election, Quebec's Chief Electoral Officer allowed that kind of voting for the first time. The effect was excellent; the turnout rate for young people and students went up. I did not talk about it earlier, but it certainly would be helpful to encourage polling stations on college and university campuses, even in schools providing professional diploma courses to mature students.[484]

2. Senior Citizens

Senior citizens make up a significant percentage of the population[485] and also face challenges when the time comes to cast their ballot. Danielle Perreault of the Fédération de l'âge d'Or du Québec (FADOQ) discussed some of the barriers that prevent senior citizens from exercising their democratic right to vote:

> One of the things we want to stress is the importance of the voter information card. Seniors actually often no longer have an ID card as such—in other words, their photo no longer appears on their health card. In addition, many seniors no longer have a driver's license. It is difficult for them to properly identify themselves.
>
> Those people should have a voter information card. I think that it exists, but it is not well-known or used. That could be a democratic way to encourage more people, especially seniors, to vote, even though seniors tend to be the ones who vote the most, as we know. However, the fact remains that some of them may be hindered by the difficulty of identifying themselves.
>
> Seniors often sell their house to go live in residence, and having to travel in order to vote can be very complicated. Establishing polling stations in residences could be a worthwhile solution.[486]

Ms. Perreault, echoing Ms. Mireault, suggested having polling stations where senior citizens live:

> Let me go back to access and to the possibility of having polling stations close to where people live. Students could vote on campus. That is done in certain places. Why could senior citizens not vote in their environment? This would probably encourage more people to vote and to be more concerned with their democracy.[487]

Ms. Perreault argued that making voting more accessible would contribute to a more politically active and engaged spirit among senior citizens.

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484   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 October 2016, 1715 (Fred-William Mireault, President, Regroupement des étudiants et étudiantes du Cégep de Lanaudière).

485   ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 1700 (Daniela Chivu, as an Individual).

486   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 October 2016, 1635 (Danielle Perreault, General Manager, FADOQ-Région Lanaudière).

487   Ibid.

3. Indigenous Canadians

Numerous witnesses spoke of the need to improve the accessibility of the vote for Indigenous Canadians. For example, Gina Smoke stated:

> I think they need to make it much easier for the [A]boriginal communities, especially the northern ones; it's way harder for them to get out to vote. Why do we have to make it so complicated? We know who they are in these communities. Why do we have to come up with all these...? There are a lot of elders who can't speak English or read English. They don't drive, so why would they have a driver's licence? It's the same even in the community I grew up in, and it's not that far from here. I just think there has to be a better way, and we all need to work together to make it happen.[488]

France Robertson of the Centre d'amitié autochtone de Lanaudière provided specific examples of solutions to some of the barriers alluded to by Ms. Smoke:

> First of all, the elector's card is a challenge in itself for us. Why can't people simply show up with a piece of ID? For Aboriginal families, it would be a lot easier. And as I mentioned earlier, friendship centres are non-partisan organizations. Since it's important to attract [I]ndigenous families, why not create polling stations in friendship centres? Since they are non-partisan organizations, they are neutral places. I think it's an interesting idea. It would make it possible to bring out more [I]ndigenous persons, and they could exercise their right to vote.[489]

As well, language may be a barrier to some people. As Ms. Smoke and Ms. Robertson mentioned, some Indigenous Canadians do not speak either English or French:

> The fact that things take place in French, then, is a reason they don't go to a polling place. An instruction, such as telling someone to go to a certain station and to bring a card, is something commonplace for you, but for them, it's complicated. If someone could explain the procedure in Atikamekw, it would be much easier for them.[490]

4. Canadians with Disabilities

In his testimony to the Committee Marc Mayrand spoke of the 3.5 million Canadians living with disabilities and how Internet voting could be one tool to enable them to vote secretly and independently.[491] Carl Sosa of the Council for Canadians with Disabilities outlined some of the barriers faced by Canadians with disabilities:

> Voting is a right that is exercised by millions of Canadians, but persons with disabilities encounter many barriers when it comes to participating in the political process. Some of the barriers we face include accessing identification, especially if you live in poverty and have a fixed income. That can be a major barrier to participation.… Those who are vision impaired also face significant obstacles in the voting process, as they are unable to verify who they

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488   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1515 (Gina Smoke).

489   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 September 2016, 1510 (France Robertson, Manager, Centre d'amitié autochtone de Lanaudière).

490   Ibid.

491   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1035 (Marc Mayrand).

have voted for independently.… Another issue is access to polling stations. It is absolutely essential that efforts are made to ensure that voting is accessible to every Canadian over the age of 18.[492]

Reaching polling stations in order to cast a ballot is especially challenging for people with mobility issues. This was highlighted as being a serious problem particularly in Nunavut, as Victor Tootoo pointed out to the Committee:

> It seems these days that elections in Nunavut never happen on a warm summer day—I can't recall that ever being the case—when it is easiest for people with disabilities to go somewhere. You've been outside here in Iqaluit today and you've seen how slippery it is. Imagine you are in a wheelchair and you're trying to get to a polling station in December in Nunavut, and this is Iqaluit. This is the capital of our territory. This is the best our territory has to offer for people with disabilities.… Therefore, making it easier for a person to vote in Nunavut would increase voter turnout.[493]

In testimony and submissions, various members of the public encouraged the Committee to recommend that various options be considered to facilitate voting for Canadians with disabilities. For example, Scott Allardyce of the Canadian Disability Alliance suggested an "accessibility ombudsman" be established at Elections Canada to help address some of the challenges faced by individuals with disabilities:

> The most important thing is that we believe that Elections Canada should establish an accessibility ombudsman, so that when people with disabilities have difficulty in voting or difficulty at the polling place, there is a specific contact they can reach out to at Elections Canada to say, "Here are the problems and I couldn't vote" or "I felt uncomfortable in voting".[494]

5. Individuals Living in Low-income Circumstances

A number of witnesses also spoke to the traditionally low engagement of Canadians living in low-income circimstances in the electoral process. As noted by Ruth Dassonneville, "The political science literature is quite clear that the less well-off are less likely to turn out to vote."[495] Carlos Sosa echoed that observation, stating that "[t]ypically, those who live in more affluent areas tend to vote more than those who are in poverty."[496] He added that a major barrier to participation by low-income Canadians is accessing the proper identification and getting to a polling station, particularly for those living on fixed incomes.[497] He stated:

> I think what we need to be dealing with here are the issues of poverty. Once we deal with those issues, I think people will get out and vote. The fact of the matter is that we also have to be dealing with—I'll reiterate—the barriers just to get to the voting station. It's about

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492   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1840 (Carlos Sosa).

493   ERRE, *Evidence*, 1st Session, 42nd Parliament, 17 October 2016, 1850 (Victor Tootoo).

494   ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 1655 (Scott Allardyce, Founder, Canadian Disability Alliance).

495   ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 1825 (Ruth Dassonneville).

496   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1930 (Carlos Sosa).

497   Ibid., 1840.

access to Handi-Transit. It's about the cost to get ID. It's about the accessibility of the voting station.[498]

Franco Buscemi outlined the particularly difficult circumstances faced by Canadians living in poverty in Iqaluit. He told the Committee:

> The reason I bring up things like overcrowded housing, poverty, and abuse is that if you're not sure where you're sleeping, or if you're sleeping in shifts, and if you're not sure what your next meal is going to be or when it's going to be, and if you're not sure when the next time you're going to be sexually abused or physically abused will be, who really cares when the next election is?[499]

D. Alternative Voting Days

One suggestion raised by witnesses to improve accessibility and engagement would be to add more opportunities for voters to cast a ballot. Witnesses presented several suggestions such as voting on weekends and/or creating an Election Day holiday.

1. Voting on the Weekend

The Committee heard testimony that moving Election Day to the weekend would improve voter turnout. For example, Patrice Dutil recommended voting on Sundays:

> [V]oting on Sunday, which is a typical practice in Europe. Give people a day off to vote. Vote on a Sunday when most people are not at work, dealing with kids, dealing with school, taking them to lessons, doing all the things that a normal family does during the week. Give them a chance to go vote.[500]

Mr. Dutil's suggestion was echoed by a number of witnesses. Paul Thomas recommended Sunday voting along with a number of other "operational" improvements "to make the whole experience more convenient, more accessible and so on."[501] He added:

> [A]t the level of Elections Canada, we can facilitate voting with weekend voting and even Sunday voting. Some people may not like that, but other people might take advantage of it. Also, we could have free registration of young people and automation at the polls.[502]

Ruth Dassonneville added that: "Research tends to show that turnout rates are a bit higher on weekends than they are during the week."[503]

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498   Ibid., 1930.

499   ERRE, *Evidence*, 1st Session, 42nd Parliament, 17 October 2016, 1850 (Franco Buscemi, as an Individual).

500   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1425 (Patrice Dutil).

501   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1935 (Paul Thomas).

502   Ibid.

503   ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 1855 (Ruth Dassonneville).

2. Election Day Holiday

Other witnesses suggested making Election Day a national holiday (as is the case in some other jurisdictions). Some individuals suggested that having a voting holiday would not only improve accessibility and increase voter turnout, but would also create a sense of community among voters and would add a sense of excitement to the ritual of casting a ballot.

David Wasylciw from OpenNWT, strongly advocated for a voting holiday: "I am a big fan of the voting holiday, making election day a really big event and having Elections Canada-driven parties or whatever else."[504] Some members of the public echoed Mr. Wasylciw's enthusiasm:

> Having said that, participation is a problem too on election day, because people are too busy, they say. Well, if they're too busy, what we can do is have election day as a holiday. Why can't we do that? We have Labour Day. We have Family Day. We have this day and that day. Why not an election day holiday?[505]

Finally, Fred Bild from Montreal proposed that a voting holiday should include having polls open for 24 hours across the country:

> There is a way to resolve … the issue of the time difference across the country. We select one holiday for the entire country, and polling stations will be open for 24 hours across the country. In this way, no one will have an advantage, and all results will come in at the same time.[506]

E. Recommendations

Recommendation 7 [repeated]

The Committee recommends that any electoral reform seek to enhance the likelihood of improving voter turnout and to increase the possibilities for historically disenfranchised and underrepresented groups (i.e. women, persons with disabilities, Indigenous peoples, visible minorities, youth, and Canadians of lower economic means) to be elected. [Note that this recommendation applies to both Chapter 7 and Chapter 8]

Recommendation 9

The Committee recommends that, working with the provinces and territories, the Government explore ways in which youth under 18 years of age could be registered in the National Register of Electors, preferably through the school system, up to two years in advance of reaching voting age.

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504   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 September 2016, 1910 (David Wasylciw, Chair, OpenNWT).

505   ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 1720 (Chaitanya Kalevar, as an Individual).

506   ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 2021 (Fred Bild, as an Individual).

Recommendation 10

The Committee recommends that the Government accord Elections Canada the additional mandate, and necessary resources, to encourage greater voter participation, including through initiatives such as Civix's Student Vote, and by better raising awareness among Canadians of existing options to vote prior to Election Day (voting at an advance poll, voting by mail, voting at any Elections Canada office).

CHAPTER 9
MOVING FORWARD ON ELECTORAL SYSTEM REFORM:
A QUESTION OF PROCESS

The late pioneering social worker, feminist, and 1931 Nobel Peace Prize recipient Jane Addams[507] wrote (in reference to her experience trying to secure peace and providing relief supplies to women and children of enemy nations in the First World War) that "social advance depends as much upon the process through which it is secured as upon the result itself."[508] Indeed, the perceived democratic legitimacy of the *process* of electoral system reform has been a fundamental consideration throughout the Committee's study. Time and again witnesses appearing before the Committee emphasized that the merits of any electoral reform proposal made by the Committee would be evaluated, in Ms. Addams' words, "upon the process through which it is secured."

The work of the Committee has been focused on hearing from Canadians. The emphasis on consultation as a fundamental part of the electoral reform process was underscored in the Committee's mandate, which directed the Committee to:

- consult broadly with relevant experts and organizations, take into consideration consultations that have been undertaken on the issue, examine relevant research studies and literature, and review models being used or developed in other jurisdictions;

- develop its consultation agenda, working methods, and recommendations on electoral reform with the goal of strengthening the inclusion of all Canadians in our diverse society, including women, Indigenous Peoples, youth, seniors, Canadians with disabilities, new Canadians, and residents of rural and remote communities; and

- conduct a national engagement process that includes a comprehensive and inclusive consultation with Canadians, including through written submissions and online engagement tools.[509]

Indeed, as noted in the first chapter of this report, the Committee endeavoured to consult widely and broadly with Canadians. Over the course of its study, the Committee held 57 meetings with 196 expert witnesses across Canada. In addition to its meetings held in Ottawa, the Committee consulted directly with citizens (567 Canadians participated in open mic sessions) and experts in every province and territory. As well, the Committee created the E-Consultation on Electoral Reform to solicit Canadians' views both on voting, electoral systems, online voting, mandatory voting and the process for electoral reform.

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507   "Jane Addams - Biographical." *Nobelprize.org*, Nobel Media AB 2014.

508   Jane Addams, *Peace and Bread in Time of War*. New York, Macmillan, 1922.

509   Extract from House of Commons, *Journals*, 1st Session, 42nd Parliament, 7 June 2016.

The e-consultation was accessible online from the 19th of August until the 7th of October 2016. Over this period 22,247 Canadians completed the questionnaire.[510] Additionally, the Committee received and considered 574 briefs and over 1000 pieces of correspondence from organizations, academics and individuals citizens. Finally, the Committee received 172 reports from MPs (as well as one from the Conservative Caucus and one from the New Democratic Party Caucus) regarding town halls and other consultations on electoral reform.

In this report the Committee has endeavoured to consolidate the information, briefs and testimony that the Committee received. The Committee has identified what issues electoral reform would try to address. The Committee has considered the trade-offs inherent in the five principles set out in the Committee's mandate, and how they relate to the various electoral systems examined by the Committee. Based on all that the Committee has heard, the Committee has reached a number of conclusions and recommendations. This report is the product of the Committee's collective deliberations.

The question that remains is what happens next? What process should be followed to gauge whether any electoral reform proposals have the support of Canadians?

The notion of seeking "broad support" for proposed electoral reforms received approval from respondents to the Committee's online consultation. Indeed, 72% of respondents to the Committee's online consultation either strongly agreed (55%) or agreed (17%) with the statement that "any plans for a future Canadian electoral system should require broad public support, in addition to parliamentary approval."[511]

Any plans for a future Canadian electoral system should require broad public support
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

7.1%	6.3%	11.9%	17.3%	55.0%	2.4%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
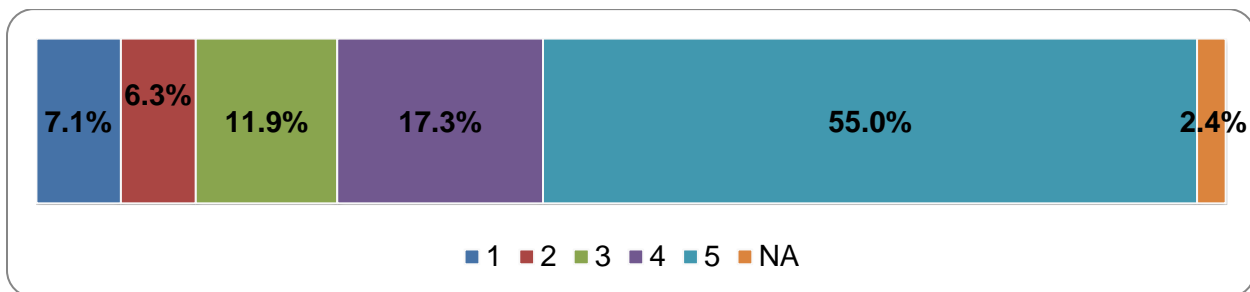
Finally, in his remarks to the Committee, Graham Fox, President and Chief Executive Officer (CEO) of the Institute for Research on Public Policy, addressed the relationship between the Committee's deliberations and what ought to come next. After first applauding

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510   It is important to note that the online consultation was an engagement tool for interested individuals to partake it. As such it was not intended to be a survey; respondents were necessarily self-selected, and were not a representative sample of the Canadian population. The full report on the e-consultation can be found in Appendix X.

511   Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", Table 40 and Figure 37.

the Committee's efforts to "create more opportunities for people to express their views"[512] on electoral reform through the Committee's various consultation tools, he pivoted to what should follow. He observed that while the "consultation process that's been launched currently allows for the articulation of interests," it is "less clear how those varied and sometimes competing interests will be aggregated into a public consensus on the best way forward."[513] The challenge of the next step "is how we graduate from public consultation to citizen engagement"[514] in proposed electoral reforms.

A. Education, Education, Education

One recommendation that was almost universal among witnesses who discussed the process of electoral system reform was the need for robust public education on the proposed reform (and on the democratic process more generally), as illustrated by the following examples:

- Graham Fox, President and CEO of the Institute for Research on Public Policy: "[T]he educational dimension of this debate is vital to the way forward. The information booklets on the reform options provided by the [C]ommittee are very useful, but eventually the [G]overnment will also have to show leadership and convince Canadians that the reform is necessary and a priority."[515] He added that "I think it is precisely because there is no imminent crisis that this kind of work needs to happen now. But I would add that it emphasizes the importance of public education and bringing along voters and citizens as a necessary component of a successful process."[516]

- Marc Mayrand, Chief Electoral Officer: "An extensive public education campaign would be needed to ensure that Canadians understand the new system, and can exercise both their right to be a candidate and their right to vote."[517]

- Michael Boda, Saskatchewan Chief Electoral Officer: "… ensure there is a mandate for a good public education process associated with any new system,"[518] and "The mandate of Elections Canada or any election management body needs to be there; they have the capacity to educate the public going forward."[519]

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512 ERRE, *Evidence*, 1st Session, 42nd Parliament, 1 September 2016, 1010 (Graham Fox, President and Chief Executive Officer, Institute for Research on Public Policy).

513 Ibid.

514 Ibid.

515 Ibid.

516 Ibid., 1020.

517 ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1005 (Marc Mayrand).

518 ERRE, *Evidence*, 1st Session, 42nd Parliament, 19 September 2016, 1415 (Michael Boda, Chief Electoral Officer, Elections Saskatchewan).

519 Ibid., 1450.

- Greg Essensa, Ontario Chief Electoral Officer: "I would suggest strongly, should this committee decide to alter the voting system in Canada, that it mandate Elections Canada specifically to be the provider of factual information on what the new system is. It would afford them enough time and resources to do an extensive outreach program to highlight for all Canadians what the new electoral system entails, the benefits, and the issues. I would also recommend to Parliament that it provide funding for a yes and no campaign. If there is going to be a referendum on the issue, it should provide equal public financing for both yes and no campaigns so those campaign offices could provide the appropriate information to Canadians."[520]

- Kevin Dobie, Director, Quebec Community Groups Network: "We recommend that the Government of Canada, in partnership with the provinces and territories, develop a compulsory civics course for Canadian students at the secondary four or grade 11 level. Upon completion of this course, students would be registered to vote in the first following election after they reach 18 years of age."[521]

- Don Desserud, Professor: "[E]ducation in schools is absolutely essential.… I think the federal government can play a role in advocating for that, and working with ministers at the provincial level to encourage them and provide incentives, perhaps, as well. That would be the one that I would think is absolutely crucial."[522]

- Maryantonett Flumian: "Parliament has a duty to ensure that its citizens understand the importance of their participation in strengthening the principles of sound public governance. With a civic education strategy that starts by targeting grade schools and high schools, we can ensure that there are more first-time voters, regardless of the voting system we choose, and that many more will become voters for a lifetime, continuing to support the ongoing foundation of democratic governance. I believe that Elections Canada should be institutionally positioned to play a leadership role in this strategy".[523]

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520 ERRE, *Evidence*, 1st Session, 42nd Parliament, 21 September 2016, 1445 (Greg Essensa, Chief Electoral Officer, Elections Ontario).

521 ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 1340 (Kevin Dobie).

522 ERRE, *Evidence*, 1st Session, 42nd Parliament, 6 October 2016, 1830 (Don Desserud).

523 ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 July 2016, 1125 (Maryantonett Flumian).

B. On Process and Democratic Legitimacy

A number of witnesses suggested that electoral reform is different than changing any other kind of legislation, as it gets to the crux of the relationship – the vote – that connects the citizenry to their representatives in Parliament and government. Indeed, Graham Fox noted that "the manner in which Canadians are engaged in this deliberative process is so critically important to any eventual proposal for reform and to the legitimacy that proposal will have in the eyes of voters."[524]

Yasmin Dawood indicated as much in her remarks to the Committee,[525] in her observation that:

> Electoral reform differs from the passage of ordinary legislation because it sets out the very ground rules by which political power is attained. For this reason, the process of electoral reform must be held to a higher standard of democratic legitimacy.[526]

According to Professor Dawood, while no particular process is required to engage in electoral reform, three norms ought to be followed for the chosen process or processes to be considered "democratically legitimate":

> My main conclusion is that although no one process or mechanism is required for electoral reform, the process must be, and must appear to be, democratically legitimate. To achieve democratic legitimacy, the process should visibly follow three norms: first, political neutrality or non-partisanship; second, consultation; and third, deliberation.[527]

She then explained that the first norm, "political neutrality or non-partisanship" is important as it "ensures that the process is as neutral as possible, which in turn helps to prevent the governing party from entrenching itself by selecting rules that favour itself at the expense of the other political parties." This norm "is difficult to achieve" as a choice of process can impact what types of outcomes are ultimately considered. Professor Dawood added that "Any majority government, in particular, must guard against the perception of self-serving entrenchment by ensuring the process is as non-partisan as possible."[528]

Finally, Professor Dawood made three observations to "further enhance democratic legitimacy and the norms of political neutrality, consultation, and deliberation":

- Obtaining consensus or a reasonably high level of political party support for any proposed reforms;

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524   ERRE, *Evidence*, 1st Session, 42nd Parliament, 1 September 2016, 1010 (Graham Fox).

525   Based on a forthcoming article entitled "The Process of Electoral Reform in Canada: Democratic and Constitutional Constraints" forthcoming in the Supreme Court Law Review.

526   ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 August 2016, 1430 (Yasmin Dawood).

527   Ibid.

528   Ibid.

- Considering an additional deliberative process such as a commission, citizen's assembly, or referendum (though she noted that a referendum could be problematic in practice); and

- Considering extending the December 1st 2016 deadline to report back to Parliament to enable the deliberative process to unfold in a less hurried manner.[529]

The Committee heard significant testimony with regard to all of Professor Dawood's observations. This testimony can be grouped into three categories: the impact that the Committee's ability to reach consensus (or not) on proposed reforms may have on the perceived legitimacy of the proposed reforms; the utility of citizen-focused deliberative processes to determine and evaluate possible reforms; and the perception that a plebiscite or referendum may be either the ultimate process to ensure the legitimacy of a proposed reform, or whether it would be, to paraphrase Professor Dawood, an option that is not politically neutral and may undermine the reform process.

It is important to note, though, that legitimacy is ultimately a subjective concept, one that perfectly reasonable people can reasonably disagree about. As noted by Louis Massicotte:

> Legitimacy is not a scientific concept; it is a normative concept. As a saying goes, legitimacy is in the eye of the beholder. In order words, legitimacy depends on an individual's perspective.[530]

Paul Thomas further observed that multiple pathways to reform may be legitimate, and that the term "legitimacy" should be used carefully:

> As I said, legitimacy is a contentious notion that has been the subject of debate among philosophers and social scientists for centuries, and I don't like it when we have shallow statements in the media that if you fail to get this approval rating on a particular project, somehow it is illegitimate, or that a referendum is the one and only way you can arrive at a legitimate outcome to a process like this. There could be multiple methods for deliberation and decision-making on a topic as important and sensitive as electoral reform, and a referendum could or could not be part of it. I am almost of two minds on that. Legitimacy, use the term carefully.[531]

C. Consensus, the Committee, Parliament and Electoral Reform

While legitimacy may be in the eyes of the beholder, a number of witnesses noted that in Canada's representative democracy, any ultimate decision on electoral reform would rest with Parliament (whether or not supported by a distinct deliberative process or referendum).[532] For example, as noted by Éric Montigny:

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529   Ibid., 1430–1435.

530   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1520 (Louis Massicotte).

531   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 1945 (Paul Thomas).

532   Subject to constitutional limits as discussed in Chapter 2 of this report. One witness did, however, suggest the existence of a convention for holding a referendum.

I don't think there's any constitutional convention for holding a referendum. The broadest possible consensus must be sought. I understand your committee is trying to reach that consensus. That's what will be determined at the end of the exercise. That's the first thing to consider.

The second thing to consider in terms of legitimacy is that in a representative democracy, the political parties that appear before the voters have democratic reform proposals in their political platforms. In a system of representative democracy, if we add up the political parties elected with the promise of modifying the electoral system, it also provides legitimacy to the process.[533]

Professor Massicotte highlighted the lessons learned from the history of electoral system reforms at the provincial level:

Let's look at our system's history lesson, which is something more solid. In Canadian history, a number of electoral reforms have been carried out. They began in 1920 in Manitoba and ended in 1956 in Alberta.

I have looked at the circumstances in which every one of those reforms was adopted. In each case—so in Alberta, in Manitoba and in British Columbia—the provincial Parliament implemented a reform without a referendum. At that time, holding a referendum was not even considered. Based on the customs of the time, it seems fine that it happened this way.

Those are the indications I can give regarding whether Parliament currently has the democratic legitimacy to proceed. Ours is a system of representative democracy. There is no legal obligation to hold a referendum, but it may occasionally happen that what can be done legally is perceived as illegitimate by a good portion of the population.[534]

Alex Himelfarb, former Privy Council Clerk, observed that a referendum could be one of various tools to gauge political legitimacy. Committee consensus would be another indicator of legitimacy:

I was asked the same question, Mr. Chair, at a conference and I answered a referendum if necessary, but not necessarily a referendum, and the entire crowd groaned at me, but it is more or less my position. Clearly there are reasons for all of us to want public legitimacy and credibility for whatever decision is made. I think the composition and openness of this committee goes a long way toward doing that. The opportunities for people to participate and contribute would go a long way toward doing that. Whether that's enough or not will depend a lot on what kind of consensus the committee's able to develop. I think that matters and that over time one might change one's mind.[535]

Numerous witnesses echoed the suggestion that within Parliament, consensus on the Committee as well as some level of cross-party support for any suggested electoral reform proposals would contribute to their perceived legitimacy. For example, Emmett Macfarlane suggested that "all-party consensus would alleviate some of those

533   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 September 2016, 1920 (Éric Montigny).

534   ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1520 (Louis Massicotte).

535   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 July 2016, 1055 (Alex Himelfarb, Clerk of the Privy Council, 2002–2006, as an Individual).

concerns" around perceived legitimacy.[536] He added, that "We could lock you [the Committee members] all in a room and not let you out until you reached a compromise, which might be fun."

Patricia Paradis noted that some form of consensus among members of the House of Commons on the Committee's proposals for reform would "go a long way":

> First of all, as I understand it, this special committee will be tabling its report to the House. The extent to which the House itself can be brought to understand and appreciate the work that's been done by this committee, and to appreciate the number of Canadians who have stepped up to speak to you and give their points of view, and to consider your report, will be very important. If we could get some form of consensus or agreement within the House, that would certainly go a long way.[537]

The Hon. Ed Broadbent suggested that more than one party would need to support a proposed reform for him to consider it democratically legitimate:

> Parliamentary democracy entails not direct citizen participation but representative participation, so having more than one party is important. I strongly agree that it would be a fundamental mistake for the governing party alone to bring in a system that it alone favoured. That would not be legitimate in a democracy, as has already been suggested by my academic colleague as well.[538]

D. Citizen-focused Deliberative Processes: Citizens' Assemblies and More

Over the past two decades, governments and public service providers have increasingly reached out to the general public using a variety of engagement tools in order "create better public services, promote social cohesion and foster a thriving democracy."[539] Deliberative engagement enables people to come together to develop policies, plans, and programs:

> Deliberation is an approach to decision-making that allows participants to consider relevant information, discuss the issues and options and develop their thinking together before coming to a view.[540]

There are a variety of means to engage the public in policy development or reform. Circumstances such as timeline and geography determine the way a particular deliberative process is formed, such as the citizens' assemblies used in British Columbia and Ontario, or the Quebec Citizen's Committee. The following considerations can help determine the nature and scope of a deliberative process:

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536 ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 1120 (Emmett Macfarlane). He added, half-jokingly, that "We could lock you [the Committee members] all in a room and not let you out until you reached a compromise, which might be fun." (Of note, elsewhere in his remarks he indicated his support for a referendum not as a legal requirement but a political one).

537 ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 September 2016, 1350 (Patricia Paradis).

538 ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 August 2016, 1445 (Ed Broadbent).

539 National Consumer Council, *Deliberative Public Engagement: Nine Principles*, UK, June 2008, p. 1.

540 Ibid., p. 2.

- the purpose of the process, and consequently the nature of the results required;

- the numbers of people to be involved;

- the timescale of the process;

- the geographical spread (local, national, international);

- the point in the policy process at which the engagement takes place;

- how complex, contentious or technical the topic is; and

- what the mix of specialists and public participants needs to be.[541]

A deliberative process can be scaled up or down to involve any number of participants, and the length of time over which such a process takes place can also be adjusted:

> Deliberative public engagement processes can take place on any scale - from ten participants (for example, citizens' juries) to thousands of participants (such as citizens' summits). A process may be a one-off event, or part of a series of activities running over several years.[542]

A number of witnesses suggested that some form of more engaged, citizen-focused deliberative process to evaluate or propose electoral reform options would add to their democratic legitimacy. For example, Yasmin Dawood posited that:

> [I]t would enhance the real and perceived democratic legitimacy of the process if an additional process option such as a commission, citizens' assembly, or referendum were implemented.
>
> …
>
> A commission on electoral reform might be a better option as an additional process. Many recommendations from the 1989 Lortie Royal Commission on Electoral Reform and Party Financing, for example, were used to revise electoral laws, but there are other smaller-scale options for commissions. For example, New Brunswick and P.E.I. each established an eight-person commission, and the P.E.I. commission consisted in part of citizens. In Quebec, the parliamentary [commission] was assisted by an eight-person citizens' committee.[543]

As elaborated in Chapter 3 of this report, the Committee had the opportunity to hear from individuals who were involved in the B.C. and Ontario citizens assemblies, in the electoral reform initiatives that took place over the past 15 years in New Brunswick, P.E.I., and Quebec, and who were part of the Law Commission of Canada when it studied

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541   Ibid., p. 3.

542   Ibid.

543   ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 August 2016, 1430–1435 (Yasmin Dawood).

electoral reform. Those involved in the citizens assemblies lauded the process as an "honour and a privilege."[544]

One drawback of a citizen's assembly[545] is that while it can be an intense learning and deliberative experience for the citizens involved, leading to comprehensive recommendations, it may be hard to replicate on a national scale, and would not work in a tight timeframe.[546] Others noted the need following an assembly to be able to share learning with the public to bring the public along, for example as expressed by Maryantonett Flumian:

> The value of a constituent assembly is highly deliberative. The problem with the constituent assembly is that it is deliberative for the people who are in the room; the rest of us think they've drunk the Kool-Aid. They didn't go through the same process and they don't understand it.[547]

It is important to note that a variety of other deliberative mechanisms exist or could be designed to further engage the public in electoral reform. For example, Jean-Sébastien Dufresne suggested a "citizen jury":

> A citizen jury could be a compromise. I invite you to consider this. It is a type of process that allows random groups of citizens to express their views on these matters.[548]

As well, Larry LeDuc suggested that some form of deliberative polling that included a deliberative process over time, could be a useful tool:

> There is a mechanism called deliberative polling that I was going to mention. It hasn't been used all that much in Canada, but it's more feasible now with the increasing use of the Internet in polling. If you were to draw samples, the way you do for ordinary public opinion polls, and then extend them by having people deliberate the issue online and exchange thoughts about it, the technology is there to do that.

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544 ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 September 2016, 1520 (Craig Henschel): "In 2004 I had the honour and privilege of serving for 11 months on the British Columbia Citizens' Assembly on Electoral Reform with 159 other randomly selected voters. Diana Byford and other assembly members are also here. She will be speaking more about the assembly process in the second session today."

ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 September 2016, 1650 (Diana Byford):

> Ladies and gentlemen, you are on a journey that I have already undertaken. In 2004 I was privileged to be a member of the B.C. Citizens' Assembly on Electoral Reform. As you've heard previously, 160 ordinary citizens randomly selected from every riding in this province, including two first nations people, came together to examine our current first-past-the-post system to see if it met the needs of the people or if it needed to be changed.

545 A citizens' assembly is a body formed from a cross-section of the public, randomly selected and representative of Canadian society (demographically and geographically), to study the options available on an issue or issues of national importance.

546 ERRE, *Evidence*, 1st Session, 42nd Parliament, 1 September 2016, 1040 (Graham Fox): "A pan-Canadian citizens' assembly is probably unworkable, given geography and those things, but I think there are other ways you can build a process."

547 ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 July 2016, 1130 (Maryantonett Flumian).

548 ERRE, *Evidence*, 1st Session, 42nd Parliament, 30 August 2016, 1125 (Jean-Sébastien Dufresne, President, Mouvement Démocratie Nouvelle).

There are several good books in the U.S. written on deliberative polling, and it has been used in various places, but it has been on a model a little different from an Internet-based model. I could, however, see some of its principles being extended, because polls have some credibility, if the sampling is done right. If you could get a sample that was not just an instant snapshot of answers to a question but was based on some kind of built-in deliberative process that took place over a period of time, I think that's a possibility we might look at.[549]

Finally, a majority of respondents to the Committee's online consultation questionnaire (itself an engagement tool, though self-selected, used by almost 22,500 Canadians) either strongly agreed (31.9%) or agreed (24.6%) with the statement that "Broad public support should be gauged through … in person and online consultation with Canadians representative of Canadian society (demographically and geographically)."[550]

**Broad public support should be gauged through in-person
and online consultation**

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
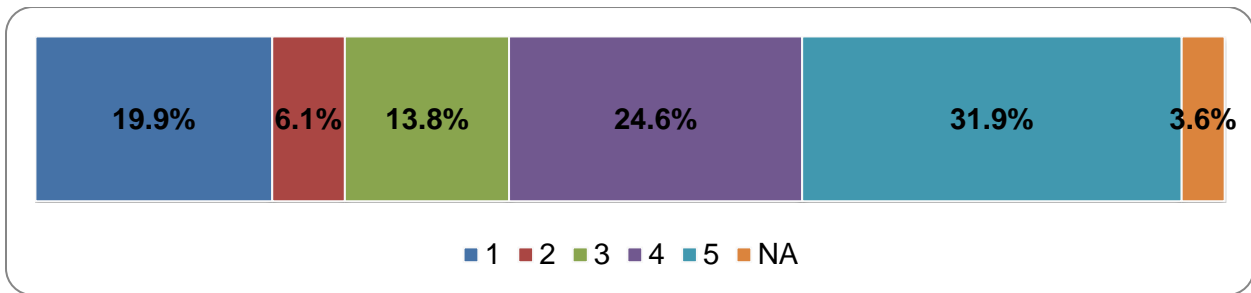
Respondents expressed less support for the statement that "Broad public support should be gauged through … the creation of a citizens' assembly," with roughly the same number of respondents agreeing or disagreeing with the statement, and a further 18.9% of respondents neither agreeing nor disagreeing.[551]

**Broad public support should be gauged through the creation
of a citizens' assembly**

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

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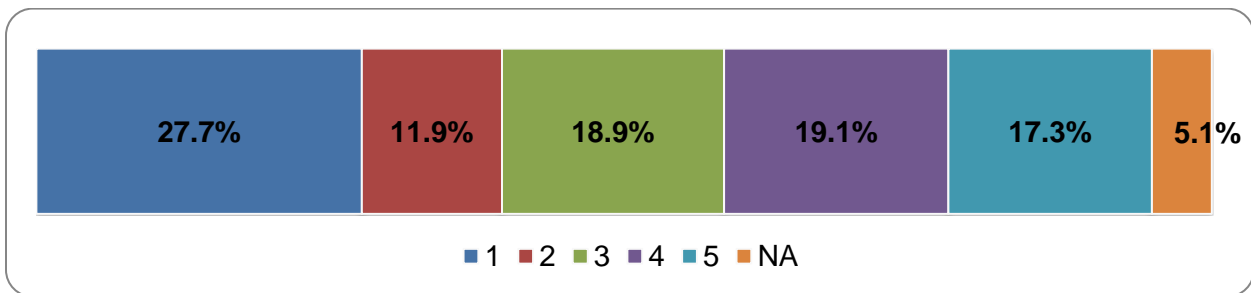
549   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 July 2016, 1535 (Larry LeDuc); National Capital Region Chapter of Fair Vote Canada's submission to the Committee, "Could Deliberative Polling Fill a Gap in the Public Consultation Process?", undated.

550   Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", Table 41 and Figure 38.

551   Ibid., Table 42 and Figure 39.

E. To Referendum or Not to Referendum?

As alluded to above, the question of whether or not a referendum or plebiscite should be used to validate or legitimize a proposal to reform the electoral system was frequently discussed throughout the Committee's study.

Two pollsters presented findings to the Committee, regarding the views of Canadians on the need for a referendum. In his appearance before the Committee on 31 August 2016, Darrell Bricker of Ipsos Research cited a poll, in which respondents were asked:

> Some people say that any change to the electoral system is so fundamental that it would require a national referendum. Others say that a rigorous program of public engagement and parliamentary review should be sufficient. Which statement is closest to your point of view?[552]

He noted that the result was a statistical tie: 49% stated that a referendum was necessary, while 51% stated that a rigorous program of public engagement and parliamentary review would be sufficient.

In that same poll, respondents were then informed of the Committee's public engagement process and were then asked:

> In your view, is the process of public engagement and parliamentary review now being undertaken by the federal government sufficient to give them public consent to fundamentally change our federal election system without a national referendum, or, do you want them to seek public consent for the changes they come up with through a national referendum?[553]

Dr. Bricker summarized the responses as follows:

> To this question, 'consultations are sufficient' dropped by six percentage points to 45%, and 'national referendum' increased by six percentage points to 55%. What this suggests to me is that the more people know about this, the more they actually want to have a direct say themselves.[554]

He added:

> A majority in every demographic category we looked at supported a referendum—by gender, age, education level, income, and whether or not you had kids in your house. A majority of the people who had kids in their house—or didn't have kids in their house—also supported having a referendum.[555]

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552 ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1415 (Darrell Bricker, CEO, IPSOS Public Affairs, as an Individual).

553 Ibid., 1420.

554 Ibid.

555 Ibid.

In his appearance before the Committee on 28 September 2016, Mario Canseco of Insights West released the results of a poll, conducted by his firm earlier that month, in which respondents were asked:

> Regardless of how you feel about electoral reform, do you think a change in the current system should be put to a nationwide referendum, or do you think a vote in the House of Commons is enough to settle the issue?[556]

He noted that 68% responded that a change to the current system should be put to a referendum, while only 21% indicated that a vote in the House of Commons would be sufficient (11% were undecided).[557]

> When asked to interpret these results, Mr. Canseco stated:

> Regardless of which system is ultimately adopted, 68% of Canadians believe a referendum is required to settle the issue of electoral reform. This majority of Canadians encompasses both genders, all age groups, every region, and supporters of the three main political parties represented in the House of Commons. The call for a referendum is not unique to a particular party.[558]

Mr. Canseco also noted that this result "has consistently been at roughly the same level, given the margin of error that we operate under," [559] over the course of three polls conducted by his firm in February, June, and September.

Of note, a majority (almost 55%) of respondents to the Committee's online questionnaire were supportive of the idea of holding a referendum on electoral system reform. Indeed, 43.9% strongly agreed, and a further 10.8% agreed, with the statement that "Broad public support should be gauged through.… A direct vote by Canadians on an option or various options for a future Canadian electoral system (through a plebiscite or referendum)."[560]

Broad public support should be gauged through a direct vote by Canadians
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

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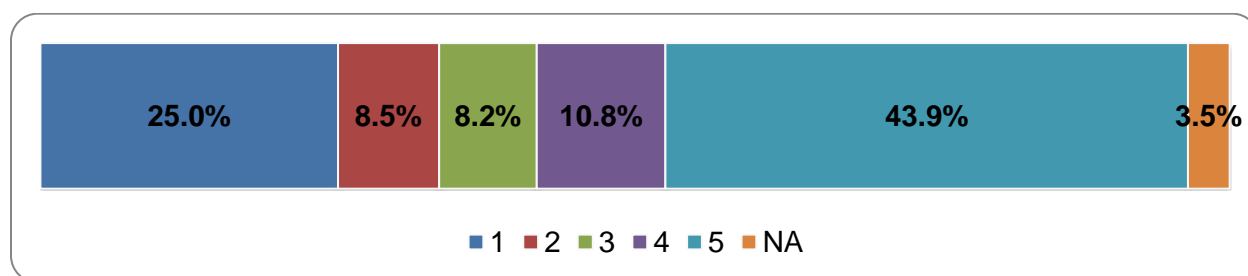
556   Mario Canseco, Insights West, *Presentation to the Special Committee on Electoral Reform,* 28 September 2016.

557   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 September 2016, 1520 (Mario Canseco, Vice President, Public Affairs, Insights West, as an Individual).

558   Ibid.

559   Ibid, 1535.

560   Appendix F, "E-Consultation on Electoral Reform, Summary of Responses", Table 43 and Figure 40.

1. Arguments in Favour of a Referendum on Electoral Reform

The primary arguments raised in favour of a referendum are that Canadians should have the final say on a change to the electoral system, and that politicians and political parties are too self-interested to be trusted with the decision. For example, as expressed by Emmett Macfarlane:

> The question becomes one of who gets to make the final call. With respect, political parties have too much self-interest to be trusted with the end decision. There is already sufficient anecdotal evidence that the parties each of you belong to are already entrenched in their views about the outcome of this process. It would be absurd, especially considering the arguments against first past the post, to enact an electoral system against the wishes of a majority of Canadians.
>
> The government's campaign promises gave it a mandate to pursue reform, but they do not provide a mandate to enact any particular electoral system. An electoral change is not like any other ordinary legislation. Canadians should have a say in the design of the fundamental thing that links them to the state.[561]

Other witnesses, such as David McLaughlin, posited that a referendum would confer legitimacy to the electoral reform process:

> [P]ublic legitimacy of a new electoral system is highly desirable and surmounts party and politician interests. It is about the citizen and voter in a citizen-centred democracy. A referendum is the simplest, clearest, and most acceptable way of conferring legitimacy for the long term, not just on the system but more importantly on the outcomes it produces.[562]

From a comparative perspective, Arthur Lupia stated, "Democracies around the world use referenda to offer legitimacy and elevated legal status to a range of statutory and constitutional proposals."[563]

Benoît Pelletier suggested that a referendum on electoral reform could increase Canadians' confidence in their democratic institutions:

> I am very much in favour of holding a referendum on the matter like this. One of the main reasons is that, if we want to reform the method of voting, it is for the benefit of Canadians themselves so that they have more confidence in their democratic institutions. In that sense, I have a hard time seeing how we could carry out a reform in the method of voting worthy of the name, in other words something significant and substantial, without asking Canadians for their opinion.[564]

Several others argued that a decision of such magnitude should only be decided directly by the people, not by politicians. As Rodney Williams indicated, "[m]y view on

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561   ERRE, *Evidence*, 1st Session, 42nd Parliament, 23 August 2016, 0955–1000 (Emmett Macfarlane).

562   ERRE, *Evidence*, 1st Session, 42nd Parliament, 1 September 2016, 0950 (David McLaughlin).

563   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 October 2016, 1750 (Arthur Lupia, Hal R. Varian Collegiate Professor of Political Science, University of Michigan, as an Individual).

564   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1450 (Benoît Pelletier).

electoral reform is that you have to let the people decide this. That's what you take back to the House of Commons."[565] Suzanne Sexton echoed this sentiment, stating:

> You've been put here by your constituents …, and they had faith in you to do your jobs. Give them that same right to vote on changing our democracy. If they trusted you, you should trust them to choose the system and you should have a very clear question.[566]

On a related note, Rémy Trudel posited that a referendum campaign could be a tool for needed public education on the proposed electoral reform:

> Yes, in my opinion, Canadians have to be consulted because any change would be significant. It would mean turning the page on a system that has been in place for over 200 years. Our democratic institutions will be affected by the change. The population must be consulted, but I really think that a referendum is an outstanding tool for public education.[567]

Others, such as Arthur Lupia, suggested that just because voters voted for candidates or parties who supported electoral reform in their campaign platforms does not necessarily mean that the voters gave the parties the mandate to engage in reform:

> [I]n an election it's very difficult to say that the reason that the electorate chose a particular candidate is because they had a strong feeling about a particular issue. Some people may have felt very strongly about change but other people may have felt strongly about the economy or inequality or social issues or things of that nature. So, as a general matter, it's hard to find one issue that is the reason that a majority cast a vote and for me it's impossible to do without data.[568]

A referendum, it follows, would be the clearest way to know that the public approves a mandate for reform. However, other witnesses, such as James T. Arreak, suggested that having a subsequent election, with proposed reforms clearly laid out, could be a preferable way to proceed:

> Rather than having a referendum, due respect for democratic process and for our parliamentary history would be shown by having each majority party adopt a clear position on a detailed program for electoral reform prior to the next federal election and then let the voters make their judgments on those proposals as part of casting their votes. In that fashion, the next Parliament would have a mandate to proceed.[569]

2. Arguments Against Holding a Referendum on Electoral Reform

As detailed below, the primary arguments that witnesses who appeared before the Committee made against holding a referendum or plebiscite on electoral system reform are that it is a flawed instrument that does not lend itself well to the reform process; they tend to breed misinformation and favour the status quo; they are divisive; and that the cost is not worth the effort.

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565   ERRE, *Evidence*, 1st Session, 42nd Parliament, 19 September 2016, 2030 (Rodney Williams, as an Individual).

566   ERRE, *Evidence*, 1st Session, 42nd Parliament, 20 September 2016, 2035 (Suzanne Sexton, as an Individual).

567   ERRE, *Evidence*, 1st Session, 42nd Parliament, 3 October 2016, 1520 (Rémy Trudel).

568   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 October 2016, 1925 (Arthur Lupia).

569   ERRE, *Evidence*, 1st Session, 42nd Parliament, 17 October 2016, 1350 (James T. Arreak)

Maryantonett Flumian commented on how referendums tend to be blunt, and less useful, instruments to decide complex policy matters:

> It's [a referendum] a very blunt instrument that leads to binary choices on very complicated matters when we haven't even figured out what the questions are yet in a governance ecosystem.
>
> When I look around the room, I look at the age of this committee and at my own age. I am the generation, as you are the generation, of people who are the recipients of national referenda and referenda recovery in a world where our national referenda have tended to be extremely divisive, not leading to goodwill and greater understanding on the importance of the issue. This is why it's so important that all of you, as parliamentarians, take this role seriously in what you're going to be doing. There's nothing more important.[570]

A number of witnesses and open mic participants expressed concern about the potentially divisive nature of referendums. For example, James T Arreak, speaking from Iqaluit, noted that:

> Given the small population weight of Nunavut in Canada, our voice would be a very small one in any national referendum or plebiscite. That would be an important drawback in itself. The larger and more compelling drawback to a referendum would be its potential to divide Canadians from one another, reopen old lines of division, and create new ones.[571]

Other witnesses, such as Arthur Lupia, commented on the prevalence of misinformation and confusion that often exists in referendum campaigns, particularly on issues deemed "arcane" or "abstract." As well, in consequence, groups that are already underrepresented in the political process tend to not participate:

> If it seems like this arcane and abstract type of thing that really isn't connected to their life. It might be something that just the elites are arguing about. That's when they stay away. Even if they go to the polls to vote for another candidate, there's this idea of drop-off, where referendum is just too confusing or too abstract, they just wash their hands of it. That's the main variation. The other thing that I'll say is, when that happens, the people who are more likely not to turn out, tend to be people who are lower in socio-economic scales. If you're worried about people who have less education or less income being part of this process, then if you have a situation where the referendum is confusing and the interests groups aren't telling people what's going on, the folks who that are most likely not to participate would be lower SEC, and of lower education.[572]

Arend Lijphart suggested that the misinformation and emotion found in referendums renders their outcomes volatile and unpredictable:

> I am skeptical because outcomes of referendums are often highly volatile and unpredictable. They often involve a lot of emotion, demagoguery, and outright lies.[573]

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570   ERRE, *Evidence*, 1st Session, 42nd Parliament, 28 July 2016, 1125 (Maryantonett Flumian).

571   ERRE, *Evidence*, 1st Session, 42nd Parliament, 17 October 2016, 1350 (James T. Arreak).

572   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 October 2016, 1830 (Arthur Lupia).

573   ERRE, *Evidence*, 1st Session, 42nd Parliament, 22 August 2016, 1505 (Arend Lijphart).

On a related note, witnesses such as Yasmin Dawood commented on how referendum education campaigns often do not sufficiently enable voters to make informed decisions:

> [W]hat the research seems to show in a number of studies is that there isn't sufficient education or money put into educating people in terms of what is at stake in a referendum. Given that fact, people often tend to favour the status quo.[574]

The notion that referendums tend to favour the status quo was further explained by Arthur Lupia:

> In terms of campaigning, the no campaign always has this advantage if they can make their case well, because if you vote no, you continue with something known. At the time of the campaign, yes is an imaginary thing. Yes is this virtual world, this thing that has to be described to you. No one has lived it before. The modus operandi for a no campaign is to find a worst-case scenario and run with it. It's very easy to do that if you know what scares voters. The yes campaign has to find a simple, urgent, and direct message to try to relate it to people's lives. It can be done, but it's harder. I would say that, if two sides are given equal amounts of money, the no side still has this advantage because it's just built in. They are advocating for something that people have lived through, while the yes side is advocating for something that, at least at the moment, people can only imagine.[575]

He added that a referendum that did not include the status quo as an option would be non-traditional and would challenge the usual dynamic:

> [If a referendum does not include status quo option] That's a non-traditional referendum. Usually, there's one proposal put forward and people vote Yes or No. If that wasn't on the table, then the status quo...that dynamic would not be present. Then it would be more like a candidate campaign, where you have ostensibly two new people.[576]

3. Logistical Considerations

One area of discussion was the logistics associated with holding a referendum to approve a new electoral system. Two issues raised by witnesses were the financial cost of a referendum, and the time constraints associated with holding a referendum on a new electoral system, and then implementing the system in time for the 2019 election.

At his 7 July appearance before the Committee, Chief Electoral Officer Marc Mayrand stated, "Our estimate is that it would be around $300 million to run a referendum."[577] However, Mr. Mayrand indicated that these costs could be lowered, if legislation were enacted to permit innovations. In response to a question at the same meeting, he observed:

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574   ERRE, *Evidence*, 1st Session, 42nd Parliament, 29 August 2016, 1635 (Yasmin Dawood).

575   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 October 2016, 1905 (Arthur Lupia).

576   Ibid., 1915.

577   ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1030 (Marc Mayrand).

[M]ore and more, referendums are being conducted by mail, and that significantly reduces the cost. As I said, all sorts of scenarios are possible, but it will be necessary to revisit the legislation.[578]

In testimony delivered to the Procedure and House Affairs Committee on 4 October, Mr. Mayrand stated:

The other question for this committee to consider---and it's not for Elections Canada---is whether in this modern age there are alternatives to how we run a referendum. I understand that in B.C. they run plebiscites by mail. I understand that in P.E.I. next month they will be running a plebiscite online and by phone. There's nothing about those modern alternatives that's available under our federal statutes, which causes a significant cost to a federal referendum.[579]

Some indication of the degree to which the costs associated with a referendum might be reduced via the use of a postal ballot was given by British Columbia's chief electoral officer, Keith Archer, who described to the Committee of his experience administering a mail-in referendum on the province's Harmonized Sales Tax (HST):

One of the arguments that has been used in British Columbia for the mail-in ballot is its cost-effectiveness. Our budget for the last provincial general election was about $35 million. The HST referendum that was conducted with mail-in balloting was just over $8 million. It's a much less expensive option and in British Columbia we have confidence in the integrity of a referendum process that uses mail-in ballots.[580]

He noted, in addition, "[t]he cost of the plebiscite in 2015 was $5.4 million, or $3.44 per registered voter."[581]

Dr. Archer also noted that the cost of holding a referendum at the same time as a general election – something not currently permitted at the federal level – could reduce the costs still further:

In 2005, Elections BC's total costs in administering the general elections were $22.9 million, or just over $8 per registered voter. The cost of the referendum was just over $1 million, or an additional 37¢ per registered voter, so this thin layer is very inexpensive to administer.[582]

Finally, one idea, which was raised by several witnesses, and by more than 20 open mic participants, was to implement a new electoral system by means of ordinary legislation (i.e. without a referendum), and then to hold a referendum after one or more elections had been held under the new electoral system. The rationale for this approach is that it eliminates the perceived tendency of voters to reflexively vote in favour of the status quo and against any new or novel electoral system. Lee Ward expressed this view as follows:

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578   Ibid., 1125.

579   House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, 4 October 2016, 1220 (Marc Mayrand).

580   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 September 2016, 1535 (Keith Archer).

581   Ibid., 1515.

582   Ibid.

> I support a referendum. I support a referendum on all kinds of issues. I think the referendum has to be an intelligent one, though, and it has to be comparing apples with apples. I think there should be a sunset clause in the legislation whereby, after two elections with a new system, we have a referendum to compare it with the old one so that the public has a genuine choice. I wouldn't buy a car without a test drive.[583]

This kind of *post facto* referendum has never been attempted in Canada or in the United States. When asked about holding a referendum only after one or more election cycles under a new electoral system, Professor Lupia responded,

> The situation you've described is quite rare, that you enact the change and then ask for a vote later. What's more common is that you would have an advisory referendum. First you say that you're going to put this out to a vote, but we're not going to implement it yet and it's not going to count; we just want to get a sense of the people. That's a little more common as an alternative to the normal referenda where you vote on it and they implement it.

> The case that you've described happens, but it's pretty rare. Once governments invest in a change like this, typically there's a reticence to put it out there and change it. It has happened, but it's really rare.[584]

Finally, recent experience suggests that the extent to which voters may opt against changing the electoral system in a referendum or plebiscite may be overstated. Indeed, following the November 2016 plebiscite in P.E.I., where a majority of those who voted opted for electoral system reform, proposals to replace FPTP have received majority support in two out of five such votes held since 2005 (as discussed above, the 2005 referendum in B.C. on BC-STV was supported by over 57% of voters).

4. Lessons Learned from Referendums and Plebiscites Past

If a decision is made to hold a referendum, the natural next question is how the referendum ought to be conducted. As elaborated more fully in Chapter 3 (regarding the history of reform at the federal and provincial levels), provincial plebiscite experiences in British Columbia, Ontario and P.E.I. offer useful lessons.

A number of witnesses highlighted the importance of educating the public about the alternatives being considered in a referendum or plebiscite. For example, in preparation for the 2016 plebiscite in P.E.I., the Chief Electoral Officer set up a website dedicated to explaining the technical aspects of each of the options on the ballot. According to P.E.I. Member of the Legislative Assembly (MLA) Jordan Brown, who chaired the legislature's Special Legislative Committee on Democratic Renewal, this educational initiative was designed, in part, as a response to complaints following the 2005 plebiscite, that the MMP option being considered at the time was overly complex and insufficiently explained.[585]

Turning to the experiences of other provinces that have conducted referendums on electoral reform, Brian Tanguay noted that a "lack of education, a lack of information, and

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583   ERRE, *Evidence*, 1st Session, 42nd Parliament, 19 September 2016, 1935 (Lee Ward).

584   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 October 2016, 1910 (Arthur Lupia).

585   ERRE, *Evidence*, 1st Session, 42nd Parliament, 6 October 2016, 1340 (Jordan Brown).

confusing signals sent out by the parties themselves, all … led to a less than optimal context for the conduct of the referendum vote itself."[586] Professor Tanguay had served as the lead author on the Law Commission of Canada's 2004 report titled *Voting Counts: Electoral Reform in Canada*, and had appeared as an expert witness before the Ontario and Quebec legislatures to discuss electoral reform.

In a similar vein, Leslie Seidle noted, "you cannot divorce a referendum from a public education campaign."[587] Nicole Goodman added that "[e]ducation and outreach need to be key elements of the referendum process."[588] Irish Professor Michael Marsh emphasized the importance of setting aside significant resources to inform the public during a referendum campaign:

> If you do have referendums, I think you need an awful lot of resources going in to inform people. We have a referendum commission charged with mobilizing voters and occasionally with disentangling truth from fiction. It doesn't campaign and it no longer puts out a booklet telling you exactly what the referendum is about in fine detail … we leave that to parties and civil society groups, and the one control over that is that no public money is spent.[589]

This advice regarding the importance of robust public education was offered to the Committee in the interest of achieving a well-informed electorate. However, one witness articulated the fundamental challenge for advocates of electoral system reform to persuade voters in a referendum. Professor Lupia explained the challenge facing the pro-change campaign:

> As a general matter, 'Yes' campaigns are more difficult to wage than 'No' campaigns. 'Yes' campaigns seek to persuade citizens that invisible and unprecedented change will improve their lives. 'No' campaigns seek to persuade citizens that change is dangerous and scary.
>
> So if your members want electoral reform to pass, the 'Yes' campaign will need to focus on relating consequences of the change to the aspirations and daily struggles of Canadian citizens. If the 'Yes' campaign offers intellectual abstractions while the 'No' campaign offers emotionally salient reasons to fear change, 'No' will have an important advantage.[590]

Another concern raised by witnesses was the prospect of one side in a referendum campaign spending far more than the other side. The most remarkable example of this kind of large-scale referendum spending was related to the Committee by Professor Lupia:

> [In 1988] there were five different referenda [on the ballot at the same time] in one state, in California, and the amount of money spent for and against these five referenda was more money than was spent in the presidential election nationally that was happening at the same time…. [Y]ou can get in the $150 million to $200 million range at the top end.[591]

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586   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 July 2016, 1505 (Brian Tanguay).

587   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 July 2016, 1445 (Leslie Seidle).

588   ERRE, *Evidence,* 1st Session, 42nd Parliament, 23 August 2016, 1140 (Nicole Goodman).

589   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 1120 (Michael Marsh).

590   Arthur Lupia, "What Citizens Know about Referenda: Facts and Implications," submission to the Special Committee on Electoral Reform, October 2016, p. 2.

591   ERRE, *Evidence*, 1st Session, 42nd Parliament, 25 October 2016, 1900 (Arthur Lupia).

While no witness suggested that the spending on either side in a referendum on electoral reform would be anywhere close to the levels recorded in California, the issue was raised regarding the need to update or replace the federal *Referendum Act*.[592] One such update would be to set spending limits on the participants as currently no such limits exist.[593]

In addition to public education, any referendum campaign should make voting as accessible as possible. Jordan Brown suggested to the Committee that the reduced number of polling stations, and the fact that there was only one day to vote, resulted in lower voter turnout in P.E.I.'s 2005 plebiscite. For the 2016 plebiscite, voting was allowed over a number of days, and in addition, voters were able to cast their votes electronically or by telephone.[594]

As well, Elections Canada must be given sufficient time to address the technical issues associated with conducting a referendum. Marc Mayrand outlined these issues to the Committee as follows:

> [W]e would have to prepare the ballot, setting out the question to Canadians. We would need to revise all the material that hasn't been reviewed since 1992 and redo all the training manuals for elections staff. Basically, we would have to prepare the materials to train the 255,000 Canadians who help administer elections.
>
> We would also need to review all of our systems that are not yet tailored to a referendum. We estimate that about 15 computer systems would need to be adapted. What's more, certain contracting arrangements would be necessary as far as supplies and equipment were concerned.[595]

Mr. Mayrand estimated that these changes would take about six months, and so conducting a referendum would add to the overall timeframe for implementing a new electoral system.[596] He indicated in an appearance on 4 October 2016 at the Standing Committee on Procedure and House Affairs:

> First, we need to update the regulation under the *Referendum Act*. That's the very first thing that needs to be done, because that sets out the specific tasks and the variances that exist with the normal conduct of an election. Bringing that regulation up do date would be the top

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592 *Referendum Act* (S.C. 1992, c. 30)

593 House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, 4 October 2016, 1135 (Marc Mayrand):

> First we need to update the regulation under the *Referendum Act*. That's the very first thing that needs to be done, because that sets out the specific tasks and the variances that exist with the normal conduct of an election. Bringing that regulation up to date would be the top priority for Elections Canada. It has been done once in the last 10 years, so it needs to be revised, updated, and tabled before Parliament.

594 ERRE, *Evidence*, 1st Session, 42nd Parliament, 6 October 2016, 1340 (Jordan Brown).

595 ERRE, *Evidence*, 1st Session, 42nd Parliament, 7 July 2016, 1040–1045 (Marc Mayrand).

596 Ibid., 1045–1050.

priority for Elections Canada. It has been done once in the last 10 years, so it needs to be revised, updated, and tabled before Parliament.[597]

Another issue that was raised during Committee testimony was the 60% threshold set for the B.C. referendum on electoral reform. As observed by Gordon Gibson, the B.C. referendum did not fail, as it "received the affirmative support of almost 58% of the electorate," had a turnout of 61.5%, and "secured an absolute majority in 77 of 79 ridings."[598] Craig Henschel added that members of the Citizens' Assembly were particularly concerned about the 60% threshold,[599] and fellow Citizens' Assembly member Diana Byford saw the threshold as a failure on the part of the B.C. government.[600]

By contrast, New Zealand Chief Electoral Officer reiterated that in New Zealand, the referendum threshold is 50%, the same basis for the elections of members of Parliament (MPs).[601]

One idea raised over the course of the Committee's study[602] was to open the vote on any referendum on electoral system reform to 16 and 17 year olds. Indeed, 16 and 17 year olds were able to vote in the November 2016 P.E.I. electoral reform plebiscite. Mr Brown further explained that the vote was opened to 16 and 17 years olds as "they will vote in the next election," they are in school, and "they will be engaged in a setting where, effectively, there's some structure to how they learn about politics and democracy and they're able to participate in it."[603] As well, Scotland lowered its voting age to include 16 and 17 year olds in its September 2014 referendum on independence, and there was high turnout in the new age bracket.[604] Subsequently, the British Prime Minister agreed to set a separate voting age, of 16 rather than 18, for all elections to the Scottish Parliament and local Scottish authorities.[605]

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597   House of Commons, Standing Committee on Procedure and House Affairs, *Evidence*, 1st Session, 42nd Parliament, 4 October 2016, 1135-1140 (Marc Mayrand).

    Given the short timeline involved, the "likely approach" to updating the regulations under *Referendum Act*, would be for the Chief Electoral Officer to exercise his power to recommend changes to the regulations, as he has done from time to time in the past. These changes would then be incorporated by Order in Council into the regulations. For example, with regard to the tariff of fees paid to referendum workers, "to the extent that the tasks are similar under an election or a referendum, we would propose the same tariff."

598   ERRE, *Evidence*, 1st Session, 42nd Parliament, 31 August 2016, 1425 (Gordon Gibson).

599   ERRE, *Evidence*, 1st Session, 42nd Parliament, 27 September 2016, 1530 (Craig Henschel).

600   Ibid., 1650 (Diana Byford).

601   ERRE, *Evidence*, 1st Session, 42nd Parliament, 26 July 2016, 2120 (Robert Peden).

602   By experts from the Electoral Commission UK in Scotland, the Electoral Management Board for Scotland, by witnesses in P.E.I., as well as in submissions made to the Committee.

603   ERRE, *Evidence*, 1st Session, 42nd Parliament, 6 October 2016, 1420 (Jordan Brown).

604   John Curtice, *So How Many 16 and 17 Year Olds Voted?*," *What Scotland Thinks*, Economic and Social Research Council, 16 December 2014.

605   "David Cameron accepts Scottish Parliament votes at 16," *BBC News*, 15 December 2014.

Finally, Katie Ghose, Chief Executive of the Electoral Reform Society UK shared the Society's reflections on recent referendums held in the UK. She concluded that:

> Done well, referendums can hope to achieve high-quality public information and debate in the run-up to polling day. Done badly, a referendum can obliterate any chance of meaningful public and political debate, as the ballot topic is completely overtaken by proxy issues.[606]

F. Observation and Recommendations

Recommendation 11

The Committee recommends that electoral system reform be accompanied by a comprehensive study of the effects on other aspects of Canada's "governance ecosystem", namely:

- **the relationship between, and operations of, the legislative and executive branches of government;**

- **the relationship between, and operations of, the House of Commons and the Senate;**

- **parliamentary procedure and conventions related to government formation and dismissal;**

- **the impact on the operations of political parties.**

Recommendation 12

Observation: The Committee acknowledges that, of those who wanted change, the overwhelming majority of testimony was in favour of proportional representation. The Committee recognizes the utility of the Gallagher Index, a tool that has been developed to measure an electoral system's relative disproportionality between votes received and seats allotted in a legislature, as a means of assessing the proportionality of different electoral system options.

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606   ERRE, *Evidence*, 1st Session, 42nd Parliament, 19 October 2016, 1935 (Katie Ghose, Chief Executive, Electoral Reform Society United Kingdom). She also shared the Electoral Reform Society UK's recent publication: Will Brett, *It's Good to Talk Doing referendums differently after the EU Vote*, Electoral Reform Society UK, UK, September 2016. Pages 9 and 10 contain recommendations on how to conduct a successful referendum.

The Committee recommends that:

- **The Government hold a referendum, in which the current system is on the ballot;**

- **That the referendum propose a proportional electoral system that achieves a Gallagher Index score of 5 or less; and**

- **That the Government complete the design of the alternate electoral system that is proposed on the referendum ballot prior to the start of the referendum campaign period.**

Recommendation 13

The Committee recommends that Elections Canada should produce and make available to the public materials describing any option, including maps depicting potential electoral district boundaries applicable under that option and sample ballot design, prior to the start of the referendum campaign period.

LIST OF RECOMMENDATIONS

Recommendation 11

The Committee recommends that electoral system reform be accompanied by a comprehensive study of the effects on other aspects of Canada's "governance ecosystem", namely:

- the relationship between, and operations of, the legislative and executive branches of government;

- the relationship between, and operations of, the House of Commons and the Senate;

- parliamentary procedure and conventions related to government formation and dismissal;

- the impact on the operations of political parties.

Recommendation 12

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The Committee recommends that:

- **The Government hold a referendum, in which the current system is on the ballot;**

- **That the referendum propose a proportional electoral system that achieves a Gallagher Index score of 5 or less; and**

- **That the Government complete the design of the alternate electoral system that is proposed on the referendum ballot prior to the start of the referendum campaign period.**

Recommendation 13

The Committee recommends that Elections Canada should produce and make available to the public materials describing any option, including maps depicting potential electoral district boundaries applicable under that option and sample ballot design, prior to the start of the referendum campaign period.

Extract from the Journals of the House of Commons   Tuesday, June 7 2016

Pursuant to Standing Order 81(16), the House proceeded to the putting of the question on the main motion, as amended, of Mr. Cullen (Skeena—Bulkley Valley), seconded by Mr. Dubé (Beloeil—Chambly), — That a Special Committee on electoral reform be appointed to identify and conduct a study of viable alternate voting systems to replace the first-past-the-post system, as well as to examine mandatory voting and online voting, and to assess the extent to which the options identified could advance the following principles for electoral reform:

1) Effectiveness and legitimacy: that the proposed measure would increase public confidence among Canadians that their democratic will, as expressed by their votes, will be fairly translated and that the proposed measure reduces distortion and strengthens the link between voter intention and the election of representatives;

2) Engagement: that the proposed measure would encourage voting and participation in the democratic process, foster greater civility and collaboration in politics, enhance social cohesion and offer opportunities for inclusion of underrepresented groups in the political process;

3) Accessibility and inclusiveness: that the proposed measure would avoid undue complexity in the voting process, while respecting the other principles, and that it would support access by all eligible voters regardless of physical or social condition;

4) Integrity: that the proposed measure can be implemented while safeguarding public trust in the election process, by ensuring reliable and verifiable results obtained through an effective and objective process that is secure and preserves vote secrecy for individual Canadians;

5) Local representation: that the proposed measure would ensure accountability and recognize the value that Canadians attach to community, to Members of Parliament understanding local conditions and advancing local needs at the national level, and to having access to Members of Parliament to facilitate resolution of their concerns and participation in the democratic process;

that the Committee be directed to issue an invitation to each Member of Parliament to conduct a town hall in their respective constituencies and provide the Committee with a written report of the input from their constituents to be filed with the Clerk of the Committee no later than October 14, 2016;

that the Committee be directed to take into account the applicable constitutional, legal and implementation parameters in the development of its recommendations; accordingly, the Committee should seek out expert testimony on these matters;

that the Committee be directed to consult broadly with relevant experts and organizations, take into consideration consultations that have been undertaken on the issue, examine relevant research studies and literature, and review models being used or developed in other jurisdictions;

that the Committee be directed to develop its consultation agenda, working methods, and recommendations on electoral reform with the goal of strengthening the inclusion of all Canadians in our diverse society, including women, Indigenous Peoples, youth, seniors, Canadians with disabilities, new Canadians, and residents of rural and remote communities;

that the Committee be directed to conduct a national engagement process that includes a comprehensive and inclusive consultation with Canadians, including through written submissions and online engagement tools;

that the Committee be directed to study and advise on additional methods for obtaining the views of Canadians;

that the Committee be composed of twelve (12) members of which five (5) shall be government members, three (3) shall be from the Official Opposition, two (2) shall be from the New Democratic Party, one (1) member shall be from the Bloc Québécois, and the Member for Saanich—Gulf Islands;

that changes in the membership of the Committee be effective immediately after notification by the Whip has been filed with the Clerk of the House;

that membership substitutions be permitted, if required, in the manner provided for in Standing Order 114(2);

that, with the exception of the Member for Saanich—Gulf Islands, all other members shall be named by their respective Whip by depositing with the Clerk of the House the list of their members to serve on the Committee no later than ten (10) sitting days following the adoption of this motion;

that the Committee be chaired by a member of the government party; that, in addition to the Chair, there be one (1) Vice-Chair from the Official Opposition and one (1) Vice-Chair from the New Democratic Party, and that all candidates for the position of Chair or Vice-Chair shall be elected by secret ballot, and that each candidate be permitted to address the Committee for not more than three (3) minutes;

that the quorum of the Committee be as provided for in Standing Order 118, provided that at least four (4) members are present and provided that one (1) member from the government party and one (1) member from an opposition party are present;

that the Committee be granted all of the powers of a standing committee, as provided in the Standing Orders, as well as the power to travel, accompanied by the necessary staff, inside and outside of Canada;

that the Committee have the power to authorize video and audio broadcasting of any or all of its proceedings; and

that the Committee present its final report no later than December 1, 2016.

APPENDIX B
LIST OF WITNESSES

Organizations and Individuals	Date	Meeting
Privy Council Office	2016/07/06	3
Hon. Maryam Monsef, Minister of Democratic Institutions		
Isabelle Mondou, Assistant Secretary to the Cabinet and Counsel to the Clerk of the Privy Council		
Elections Canada	2016/07/07	4
Marc Mayrand, Chief Electoral Officer		
Stéphane Perrault, Deputy Chief Electoral Officer, Regulatory Affairs		
Michel Roussel, Deputy Chief Electoral Officer, Electoral Events		
As an individual	2016/07/07	5
Jean-Pierre Kingsley, Chief Electoral Officer, 1990-2007		
As individuals	2016/07/25	6
R. Kenneth Carty, Professor Emeritus, The University of British Columbia		
Brian Tanguay, Professor, Political Science, Wilfrid Laurier University		
Nelson Wiseman, Director, Canadian Studies Program and Professor, Department of Political Science, University of Toronto		
As individuals	2016/07/26	7
Michael Gallagher, Professor of Comparative Politics, Trinity College Dublin		
Michael Marsh, Emeritus Professor,Trinity College Dublin		
As individuals	2016/07/26	8
Patrice Dutil, Professor, Ryerson University		
Peter Russell, Professor Emeritus, Department of Political Science, University of Toronto		
New Zealand Electoral Commission	2016/07/26	9
Robert Peden, Chief Electoral Officer		
As an individual		
Tom Rogers, Electoral Commissioner, Australian Electoral Commission		
As individuals	2016/07/27	10
André Blais, Professor, Department of Political Science, Université de Montréal		
Alex Himelfarb, Clerk of the Privy Council, 2002-2006		

Organizations and Individuals	Date	Meeting
Henry Milner, Senior Researcher, Chair in Electoral Studies, Université de Montréal		
As individuals	2016/07/27	11
Hugo Cyr, Dean, Faculty of Political Science and Law, Université du Québec à Montréal		
Larry LeDuc, Professor Emeritus, University of Toronto		
Institute for Research on Public Policy		
Leslie Seidle, Research Director, Canada's Changing Federal Community		
As individuals	2016/07/28	12
Dennis Pilon, Associate Professor, Department of Political Science, York University		
Jonathan Rose, Associate Professor, Department of Policital Studies, Queen's University		
Institute on Governance		
Maryantonett Flumian, President		
As individuals	2016/08/22	13
Arend Lijphart, Research Professor Emeritus of Political Science, University of California, San Diego		
Benoît Pelletier, Full Professor, Faculty of Law, University of Ottawa		
As individuals	2016/08/22	14
Nathalie Des Rosiers, Dean, Faculty of Law, Civil Law, Ottawa University		
Christian Dufour, Political Scientist, Analyst and Writer		
Harold Jansen, Professor of Political Science, University of Lethbridge		
As individuals	2016/08/23	15
Barry Cooper, Professor, University of Calgary		
Nicole Goodman, Director, Centre for e-Democracy, Assistant Professor, Munk School of Global Affairs		
Emmett Macfarlane, Assistant Professor, University of Waterloo		
As individuals	2016/08/23	16
Thomas S. Axworthy, Public Policy Chair, Massey College, University of Toronto		
Matthew P. Harrington, Professor, Faculty of Law, Université de Montréal		

Organizations and Individuals	Date	Meeting
As an individual		
Pippa Norris, Professor of Government Relations and Laureate Fellow, University of Sydney, McGuire Lecturer in Comparative Politics, Harvard, Director of the Electoral Integrity Project		
As individuals	2016/08/29	17
Jean-Pierre Charbonneau, Minister for Democratic Reform, Government of Quebec (2002-2003)		
Yasmin Dawood, Associate Professor and Canada Research Chair in Democracy, Constitutionalism and Electoral Law, Faculty of Law, University of Toronto		
Broadbent Institute		
Hon. Ed Broadbent, Chair and Founder		
As individuals	2016/08/30	18
Peter John Loewen, Director, School of Public Policy and Governance and Associate Professor, Department of Political Science, University of Toronto		
Eric Maskin, Adams University Professor, Department of Economics, Harvard University		
Movement for a New Democracy		
Jean-Sébastien Dufresne, President		
As individuals	2016/08/30	19
Louis Massicotte, Professor, Department of Political Science, Laval University		
Melanee Thomas, Assistant Professor, Department of Political Science, University of Calgary		
Leadnow.ca		
Katelynn Northam, Campaigner-Electoral Reform		
As individuals	2016/08/31	20
Joachim Behnke, Professor, Chair, Political Science, Zeppelin University, Germany		
Friedrich Pukelsheim, Professor, Institut für Mathematik, Universität Augsburg, Germany		
The Electoral Commission		
Andy O'Neill, Head of Electoral Commission, Scotland		
The Electoral Management Board for Scotland		
Chris Highcock, Secretary		
Mary Pitcaithly, Convener		
As an individual	2016/08/31	21
Darrell Bricker, CEO IPSOS Public Affairs		
Gordon F. Gibson		

Organizations and Individuals	Date	Meeting
Richard Johnston, Professor, Department of Political Science, The University of British Columbia		
Civix	2016/08/31	22
Taylor Gunn, President		
Institut du Nouveau Monde		
Dominic Vézina, Strategic Advisor Institut du Nouveau Monde		
Samara		
Jane Hilderman, Executive Director		
As individuals	2016/09/01	23
David McLaughlin		
Craig Scott, Professor of Law, Osgoode Hall Law School, York University		
Institute for Research on Public Policy		
Graham Fox, President and Chief Executive Officer		
As individuals	2016/09/19	24
Jane Anweiler		
William Baker		
Robert J. Bandurka		
Nancy Carswell		
Carl M. Cherland		
William Clary		
Dauna Ditson		
Patricia A. Donovan		
Lorna Doreen Elizabeth Evans		
Patricia Farnese		
Jim Harding, Co-Chair, Qu'Appelle Valley Environmental Association		
Russ Husum		
Kenneth Imhoff		
Calvin Johnson		
Erich N. Keser		
John M.T. Klein		
D-Jay Krozer		
Nial Kuyek		
Randall W. Lebell		
Maria Lewans		
Rachel Morgan		

Organizations and Individuals	Date	Meeting
Dave A.J. Orban		
Norman L. Petry		
David Sabine		
Dastageer Sakhizai		
Frances Simonson		
Shane Simpson		
Charles Smith, Associate Professor, St. Thomas More College, University of Saskatchewan		
Lee Ward, Associate Professor of Political Science, Campion College, University of Regina		
Rodney Williams		
Canadian Labour Congress		
Darla Deguire, Director, Prairie Region		
Elections Saskatchewan		
Michael Boda, Chief Electoral Officer		
Nicor Group		
Ross Keith, President		
As individuals	2016/09/20	25
Edward W. Alexander		
John Alexander		
Mona Fallis, Mayor, Village of St-Pierre-Jolys		
Terrance Hayward		
Dirk Hoeppner		
Gavin R. Jag		
Richard Kidd		
Royce Koop, Associate Professor and Department Head, Department of Polical Studies, University of Manitoba		
Blair Mahaffy		
Charles J. Mayer		
Bruce R. McKee		
Bryan Schwartz, Law Professor, University of Manitoba		
Katharine Storey		
Unifor		
Darren Gibson, Coordinator, Political Action Membership Mobilization		
Unifor		
Gina Smoke, National Representative		

Organizations and Individuals	Date	Meeting
As individuals	2016/09/20	26
Michael Bailey		
James Beddome		
Morrissa Boerchers		
Gene Degen		
Ian Elwood-Oates		
Aleeza Cara Gerstein		
Jeremie Gosselin		
Marcel Gosselin		
Niall Harney		
Judith S. Herscovitch		
Rosemary K. Hnatiuk		
Dirk Hoeppner		
Erin L. Keating		
Shawn Deborah Kettner		
Evan Jacob Krosney		
Louise Lamb		
Ann LaTouche		
Shauna-Lei Leslie		
David Lobson		
Matthew Maclean		
Allan Menard		
Glenn D.M. Morison		
Charles David Nickarz		
Andrew Park		
Randall J. Proven		
Shona Rae Boris		
Sandy Rubinfeld		
Suzannel Sexton		
Henry D. Shore		
Eric Suderman Siemens		
Karl Taliesin		
Paul G. Thomas, Professor Emeritus Political Studies, University of Manitoba		
Joseph Harry Wasylycia-Leis		
Alon David Weinberg		

Organizations and Individuals	Date	Meeting
David John Woods		
Terry Woods		
Council of Canadians with Disabilities		
April D'Aubin, Member, Research Analyst		
Carlos Sosa, Second Vice-Chair		
As individuals	2016/09/21	27
Scott J. Allardyce		
Miriam Anderson		
David Arthur		
Zach Aysan		
Trevor Ball		
Tamara Basilios		
Michael J. Bednarski		
Jeff Braunstein		
Mark Brown		
Mojdeh Cox		
Tom Cullen		
Kristen Dahl		
Donna Dasko		
Wilfred Day		
Adam Deutsch		
John F. Deverell		
Benjamin Dichter		
Christopher Durrant		
Jeffrey Edmonds		
Christine Elwell		
Ettore Fiorani		
Jason Andrew Flower		
Linda Fraser		
Sam Frydman		
Jane Garthson		
Ryan Germann		
Sam Gnanasabesan		
Rhys Goldstein		
Erin Harrison		
Mark Henschel		

Organizations and Individuals	Date	Meeting
Gregg Hill		
Sharon Howarth		
David Hwang		
Chaitanya Kalevar		
Michael Klimuntowski		
Anna Lermer		
Raymond Li		
June E. MacDonald		
Meredith MacFarquhar		
Edelgard E. Mahant		
Kenneth McCracken		
Patricia E. McGrail		
Darcy P. McLenaghen		
David Meslin		
Andrei Neacsu		
Bonnie North		
Grant E. Orchard		
Aly Pabani		
Michael James Paskewitz		
Judy Pelham		
Dimitre Popov		
Philip J. Pothen		
John Rae		
Boyd Reimer		
Naureen Fatima Rizvi		
Kenneth Robertson		
Ben Ross		
Joyce Rowlands		
Michael Schreiner		
Kinsey Schurm		
Gary Shaul		
Linda Jane Sheppard		
Brynne Sinclair-Waters		
Martin Smith		
Norman Wayne Smith		
Sharon Sommervale		

Organizations and Individuals	Date	Meeting
Lorena Spooner		
Laura Stephenson		
Andrew Stewart		
Michael Oliver Stewart		
Dustin Su		
Mark Thompson		
Jeffrey Tighe		
Christopher Tolley		
Benjamin J. Trister		
Michael Ufford		
Elizabeth Vandermeer		
Megan Whitfield		
Canadian Federation of University Women		
Sheila I. Lacroix		
Canadian National Institute for the Blind		
Diane Bergeron, Executive Director Strategic Relations and Engagement		
City of Toronto		
Justin Di Ciano, City Councillor Ward 5 Etobicoke-Lakeshore		
Elections Ontario		
Greg Essensa, Chief Electoral Officer		
As individuals	2016/09/22	28
Maurice Berthelot		
Guy Boivin		
Bernard Colas, Attorney, CMKZ LLP, former Commissioner of the Law Commission of Canada		
Raymond Côté		
Jean-Pierre Derriennic, Associate Professor, Department of Political Science, Université Laval		
Gerrit Dogger		
Richard Domm		
Yvan Dutil, Consultant and Tutor, Université TELUQ		
Esther Lapointe		
Serge Marcotte		
Samuel Moisan-Domm		
Éric Montigny, Executive Director, Research Chair on Democracy and Parliamentary Institutions,		

Organizations and Individuals	Date	Meeting
Department of Political Science, Université Laval		
Blanche Paradis		
Jean Rémillard		
Jean Rousseau		
Nicolas Saucier		
As individuals	2016/09/23	29
Ken Battah		
Francis Blais		
Jon Breslaw, Professor Emeritus of Economics, Concordia University		
Hernestro Castro		
Thérèse Chaput		
Sylvain Chartier		
Thérèse Desrochers		
Daniel Green		
Jean-François Massicotte		
Csaba Nikolenyi, Professor, Department of Political Science, Concordia University		
Yves Perron		
Claude Rainville		
Mercédez Roberge, Campaigner		
Daniel Samson		
Linda Schwey		
Éric Trottier		
Gérard Vincent		
Centre d'amitié autochtone de Lanaudière		
France Robertson, Manager		
FADOQ-Région Lanaudière		
Danielle Perreault, General Manager		
Regroupement des étudiants et étudiantes du Cégep de Lanaudière		
Fred-William Mireault, President		
As individuals	2016/09/26	30
Mary Elizabeth Amerongen		
Duane Andrew Aucoin		
Peter Becker		
David Brekke		
Jimmy Burisenko		

Organizations and Individuals	Date	Meeting
Corliss Rae Burke		
Kirk Cameron		
Charles Stuart Clark		
François Clark		
Yuuri Daiku		
Paul Woodard Davis		
Jean-François Des Lauriers		
Michael Dougherty		
William F. Drischler		
Gordon Wayne Gilgan		
Brook Land-Murphy		
Michael James Lauer		
Linda Maria Leon		
Mary Ann Lewis		
Robert Lewis		
Shelby Maunder		
John Kenneth McKinnon, Former Senior Adviser on Electoral Reform, Yukon Government		
Lauren Elizabeth Muir		
Richard Thomas Price		
Donald Joseph Roberts		
Astrid Sidaway-Wolf		
John Streicker		
Samuel Connor Whitehouse		
Colin Whitlaw		
Sarah Wright		
Green Party of Canada - Yukon		
Gerald P. Haase		
New Democratic Party Yukon federal riding association		
Élaine Michaud, Representative		
As individuals	2016/09/27	31
Roger Allen		
John Amon		
Katherine Armitage		
Patricia Armitage		
Jeremy Arney		

Organizations and Individuals	**Date**	**Meeting**
Martin Barker		
Ryder Bergerud		
Francis Black		
John Lloyd Bradbury		
Michael Brinsmead		
Catus Brooks		
Craig Carmichael		
Adriane Carr		
David Charles		
James Allen Coccola		
Dana Cook		
Nancy Cooley		
Guy Dauncey		
Theodore Dixon		
Hon. John Duncan		
Jack Etkin		
David Farmer		
Stephanie Ferguson		
John Miles Fuller		
James Gallagher		
Sharon Fay Gallagher		
Zoe Green		
Natasha Odessa Grimard		
Diane Guthrie		
Richard Habgood		
Jacob Nicholas Harrigan		
Gregory Holloway		
Daniel Hryhorchuk		
Mark Jeffers		
Cooper William Johnston		
Tana Jukes		
Guy Laflam		
Patricia Sheela Lane		
Hunter Lastiwka		
Larry Layne		
Shelagh Levey		

Organizations and Individuals	Date	Meeting
Shari Lukens		
Robert Mackie		
Colin MacKinnon		
Mel McLachlan		
Bronwen Merle		
David Merner		
Trevor Moat		
Sean Murray		
Mehdi Najari		
Laura Parker		
Cliff Plumpton		
Martin John Pratt		
Merran Proctor		
Katherine Putt		
Jordan Andrew Reichert		
Joan Grace Robinson		
Michael Rosser		
William Russell		
Donald Scott		
Tirda Shirvani		
Derek John Skinner		
Samuel Slanina		
Ned Taylor		
Thomas Teuwen		
Kym Thrift		
Ken Waldron		
Alexis White		
Harald Wolf		
Citizens' Assembly on Electoral Reform		
Diana Byford		
Kathleen Gibson		
Craig Henschel, Member		
Elections BC		
Keith Archer, Chief Electoral Officer		
Fair Voting BC		
Antony Hodgson		

Organizations and Individuals	Date	Meeting
Vancouver Community Television Association		
Pedro Mora		
As individuals	2016/09/28	32
Elaine Margaret Allan		
Maxwell Gerard Anderson		
Lesley Bernbaum		
Stephen Bohus		
Derek Brackley		
Valerie Brown		
Meara Brown		
Mario Canseco, Vice President, Public Affairs Insights West		
Dave Carter		
Jerry Chen		
Derek Collins		
Ben Cornwell-Mott		
Brian Couche		
Eline de Rooij		
Greg DePaco		
Jackie Deroo		
Megan Dias, Graduate student, Department of Political Science, The University of British Columbia		
Dana Dolezsar		
William Dunkley		
Ariane Eckardt		
Siegfried Eckardt		
Ivan Filippov		
Ian Paul Forster		
Norman Franks		
Grant Munro Fraser		
Duncan Graham		
Roy Grinshpan		
Myer Grinshpan		
Colleen Hardwick		
Benjamin Harris		
Dave Hayer		
David Huntley		

Organizations and Individuals	Date	Meeting
David A. Hutcheon		
Tamara Jansen		
Patrick Jeffery Jewell		
Timothy John Jones		
Christopher Kam, Associate Professor, Department of Political Science, The University of British Columbia		
Paul Keenleyside		
Harley Lang, Graduate Student Researcher		
Ellena Lawrence		
Elizabeth Lockhart		
Nick Loenen		
Jon Lumer		
Iain Macanulty		
Jana MacDonald		
David Matthews		
Gavin McGarrigle		
Jason McLaren		
Jacquelyn Miller		
Maurice Earl Mills		
Gail Milner		
Zak Mndebele		
David Moscrop, Ph.D. Candidate, Department of Political Science, The University of British Columbia		
Krista Lee Munro		
Erik Paulsson		
Les Pickard		
Keith Poore		
Richard Prest		
Lynne Quarmby		
Kelly Shawn Reid		
Andrew Saxton		
Marc Schenker		
Andreas Schulz		
Bijan Michael Sepehri		
Gordon Shank		
Barbara Simons		
Valerie Sing Turner		

Organizations and Individuals	Date	Meeting
Hans Julian Sloman		
Angela Smailes		
Derek Thomas Smith		
Colin L. Soskolne		
Jane Spitz		
Sheldon Starrett		
Rachel Tetrault		
Alex Tunner		
Alison Jean Watt		
Brian Whiteford		
Ellen Woodsworth		
Rod Zahavi		
As individuals	2016/09/29	33
Peter Adamski		
Doug Bailie		
David Blain		
Laurene Brown		
Roger Buxton		
David Fraser		
David Garrett		
Susanne Goshko		
Sean Graham		
Joseph M. Green		
Robyn Hoffman		
Sally Issenman		
Kristy Jackson		
Peter Johnston		
Loreen Lennon		
Cori Longo		
Ashley Macinnis		
David Nash, Professor Emeritus, University of Alberta		
Patricia Paradis, Executive Director, Centre for Constitutional Studies, University of Alberta		
David J. Parker		
Vanessa Peacock		
Reta Pettit		

Organizations and Individuals	Date	Meeting
Natalie Pon		
Joe Pound		
Lance Sarcon		
Ken Solomon		
Martin Stout		
Donald Turton		
Andrea Vogel		
Christine Watts		
Jeremy Wiebe		
John Wodak		
Roderick Wood, Professor, Faculty of Law University of Alberta		
Heather Workman		
As individuals	2016/09/30	34
Janaki Balakrishnan		
Dennis Bevington		
Mark Bogan		
Georges Erasmus		
Karen Hamre		
Hermina Joldersma		
Marcelle Marion		
Maria Pelova		
Hon. Louis Sebert		
Tasha Stephenson		
Nancy Vail		
Alternatives North		
Andrew Robinson		
Council of Canadians - Northwest Territories Chapters		
Lois Little, Co-Chair		
Northern Territories Federation of Labour		
Alexander Lambrecht, President		
OpenNWT		
David Wasylciw, Chair		
As individuals	2016/10/03	35
Diallo Amara		
Marie Claude Bertrand		
Fred Bild		

Organizations and Individuals	Date	Meeting
Anne-Marie Bouchard		
Benoit Bouchard		
Sylvie Boulianne		
Johan Boyden		
Alain Charbonneau		
Daniela Chivu		
Ruth Dassonneville, Assistant Professor, Department of Political Science, Université de Montréal		
Guy Demers		
Fernand Deschamps		
Jean-Sébastien Dufresne		
Serafino Fabrizi		
Samuel Fanning		
William Gagnon		
Olivier Germain		
Cymry Gomery		
Alexandre Gorchkov		
Daniel Green		
Marc Heckmann		
Ian Henderson		
Douglas Jack		
Michael Jensen		
Diane Johnston		
Veronika Jolicoeur		
Sidney Klein		
Maksym Kovalenkov		
Pierre Labreche		
Samuel Leclerc		
Bryan Lee		
Kathrin Luthi		
Alain Marois		
Robert McDonald		
Laurie Neale		
Jean-Claude Noël		
Steven R. Scott		
Resham Singh		

Organizations and Individuals	Date	Meeting
Rhoda Sollazzo		
Gerard Talbot		
Gabrielle Tanguay		
Katie Thomson		
Selim Totah		
Mireille Tremblay		
Rémy Trudel, Guest Professor, École nationale d'administration publique		
Jacinthe Villeneuve		
Jimmy Yu		
Apathy is Boring		
Carolyn Loutfi, Executive Director		
Fédération étudiante collégiale du Québec		
Raphaël Pilon-Robitaille, Coordinator in Sociopolitical Affairs and Research		
Forum jeunesse de l'Île de Montréal		
Santiago Risso, President		
Quebec Community Groups Network		
Kevin Dobie, Director		
Stephen Thompson, Director Policy, Research and Public Affairs		
As individuals	2016/10/04	36
David Barrett		
Robert Batherson		
Robert Berard		
James Bickerton, Professor		
David Blackwell		
Stephen Chafe		
Hannah Dawson-Murphy		
Patrice Deschênes		
Kenneth Dewar, Professor		
Howard Epstein		
Denis Falvey		
Aubrey Fricker		
Brian Gifford		
Suzanne Hauer		
Francis MacGillivray		

Organizations and Individuals	Date	Meeting
Suzanne MacNeil		
Daniel Makenzie		
Michael Marshall		
Chris Maxwell		
Michael McFadden		
Nan McFadgen		
Matthew McMillan		
Larry Pardy		
Matt Risser		
Alan Ruffman		
Daniel A.J. Sokolov		
Thomas Trappenberg		
Kim Vance		
Deirdre Wear		
Marlene Wells		
Shauna Wilcox		
William Zimmerman		
Richard Zurawski		
Democracy: Vox Populi		
Christopher Majka, Director		
Fair Vote Nova Scotia		
Andy Blair, President		
Springtide Collective		
Mark Coffin, Executive Director		
Unifor		
Jessica Smith		
As individuals	2016/10/05	37
Amanda Bittner, Associate Professor Memorial University of Newfoundland		
David Brake		
Kathleen Burt		
Michael Chalker		
Christopher Dunn, Professor, Political Science Department, Memorial University of Newfoundland		
Helen Forsey		
Kenneth LeDez		
Jean Ann Ledwell		

Organizations and Individuals	Date	Meeting
Greg Malone		
Liam O'Neill		
Mary Power		
Kelsey Reichel		
Marilyn Reid		
Robert Ring		
Peter Roth		
Lev Tarasoff		
Norman Whalen		
Fred Winsor		
New Democratic Party of Newfoundland and Labrador		
Earle McCurdy, Leader		
Newfoundland and Labrador Youth Parliament		
Brendon Dixon, President		
As individuals	2016/10/06	38
Peter Bevan-Baker		
Philip Brown		
Leo Cheverie		
Mary Cowper-Smith		
Don Desserud, Professor, Department of Political Science University of Prince Edward Island		
Donna Dingwell		
Teresa Doyle		
George Hunter		
Anna Keenan		
Peter Kizoff		
Darcie Lanthier		
Ron MacMillan		
Lucy Morkunas		
Lewis Newman		
Brenda Oslawsky		
Sylvia Poirier		
Eleanor Reddin		
Patrick Reid		
Judy Shaw		
Josh Underhay		

Organizations and Individuals	Date	Meeting

Commission on PEI's Electoral Future

Leonard Russell, Chair

Cooper Institute

Marie Burge, Member

PEI Advisory Council on the Status of Women

Jane Ledwell, Executive Director

PEI Coalition for Women in Government

Dawn Wilson, Executive Director

PEI Council of People with Disabilities

Marcia Carroll, Executive Director

Special Legislative Committee on Democratic Renewal

Jordan Brown, Chair,
Legislative Assembly of Prince Edward Island

As individuals	2016/10/07	39

David Raymond Amos

Gail Campbell

Helen Chenell

Stephanie Coburn

Margaret Connell

Rhonda Connell

Renée Davis

Nicholas Decarie

Leonid Elbert

Joanna Everitt, Professor of Political Science, Dean of Arts
University of New Brunswick

John Filliter

John Gagnon

Maurice Harquail

Daniel Hay

Joel Howe

Paul Howe, Professor
Department of Political Science, University of New Brunswick

David Kersey

J.P. Kirby

Roch Leblanc

J.P. Lewis, Assistant Professor,
Department of History and Politics, University of New Brunswick

Patrick Lynch

Organizations and Individuals	Date	Meeting
Andrew Maclean		
Julie Maitland		
Andrea Moody		
James Norfolk		
Lise Ouellette		
Jason Pugh		
Jonathan Richardson		
Wendy Robbins		
Brenda Sansom		
Romana Sehic		
Margo Sheppard		
Mat Willman		
James Wilson		
Hamish Wright		

Fédération des jeunes francophones du Nouveau-Brunswick

Sue Duguay, President

Dennis Glen Patterson, Senator	2016/10/17	40

As individuals

Hon. Paul Okalik, Member of the Legislative Assembly, Constituency of Iqaluit-Sinaa

Thomas Ahlfors

Jack I. Anawak

Franco Siutiapik Buscemi

Brad Chambers

Terry Forth

Victor Tootoo

Aaron Watson

Peter Williamson

National Inuit Youth Council

Maatalii Okalik, President

Nunavut Association of Municipalities

Brian Fleming, Executive Director

Nunavut Tunngavik Inc.

James T. Arreak, Chief Executive Officer, Executive Services

John Merritt, Legal Counsel

Organizations and Individuals	Date	Meeting
Town of Iqaluit		
Kuthula Matshazi, Councillor		
As an individual	2016/10/19	42
Byron Weber Becker		
Dominion Voting Systems, Corp.		
John McKinstry, Account Executive		
John Poulos, President and Chief Executive Officer		
Electoral Reform Society United Kingdom		
Katie Ghose, Chief Executive		
Hon. Darren Hughes, Deputy Chief Executive		
As an individual	2016/10/20	43
William Cross, Professor, Carleton University		
Canadian Federation of University Women		
Sheila I. Lacroix		
Madeleine Webb, Advocacy Coordinator		
Forum Research Inc.		
Lorne Bozinoff, President and CEO		
William Schatten, Research Director		
EKOS Research Associates Inc.	2016/10/20	44
Francis Graves, President		
Fair Vote Canada		
Réal Lavergne, président		
Kelly Carmichael, Executive Director		
Fédération des communautés francophones et acadienne du Canada (FCFA)		
Sylviane Lanthier, President		
YWCA Canada		
Ann Decter, Director, Advocacy and Public Policy		
As an individual	2016/10/25	45
Arthur Lupia, Hal R Varian Professor, Political Science, University of Michigan		
Canadian Association of Retired Persons		
Wanda Morris, Chief Operating Officer, Vice-President of Advocacy		
Wade Poziomka, Director of Policy, General Counsel of Advocacy		
Canadian Forces		
Gordon Dave Corbould, Commanding Officer, Joint Personal Support Unit		

Organizations and Individuals	Date	Meeting
Vihar Joshi, Deputy Judge Advocate General, Administrative Law		
Legislative Assembly of New Brunswick		
R. Bruce Fitch, Interim leader of the Progressive Conservative Party of New Brunswick		
Unifor		
Jerome Dias, National President		
Ron McKinnon, M.P., Coquitlam—Port Coquitlam	2016/10/26	46
As individuals		
Gerald Ackerman		
Aurora Arrioja		
Ann-Marie Balasubramaniam		
Mark Batten-Carew		
Colin Betts		
Carole Bezaire		
Darian Bittle		
John Carley		
Joel Charbonneau		
Gary Corbett		
Paul Cosgrove		
Ted Cragg		
Jay Fallis		
Denzil Feinberg		
David Gibbons		
A.C. Gullon		
David Gussow		
Andrew Hodgson		
Brett Hodnett		
Lucas Holtvluwer		
Daniel Kyle Horn		
Adam Houblen		
Helen Johansen		
Marlene Koehler		
Jerry Dan Kovaks		
Martin Laplante		
John Legg		
Teresa Legrand		

Organizations and Individuals	Date	Meeting
Ian MacDonald		
Andrew Madill		
Chelsea Mahon		
Christopher Mahon		
Michael Mallett		
Jean-Nicholas Martineau		
Eric McCabe		
Bradley Mullen		
Steve Nickerson		
Marilyn Olsen		
Julian Potvin-Bernal		
Roderick Ramsden		
John Redins		
Sharon Reeves		
John Schioler		
David Shostal		
Sonia Smee		
Carl Stieren		
Andrea Strathdee		
Nicholas Thompson		
Jon Peter Westlund		
Alan White		
Christopher Wilson		
Fair Vote Canada		
Réal Lavergne, President		
Fair Vote Canada National Capital Region Chapter		
Julien Lamarche, President		
New Democratic Youth of Canada		
Nathan Hauch		
Pearson Centre for Progressive Policy		
Andrew Cardozo		
Regional Municipality of Ottawa-Carleton		
Clive Doucet, Regional Councillor, Capital Ward		

APPENDIX C
LIST OF BRIEFS

Organizations and Individuals

123 Canada

Adam, Daniel

Akerman, Richard

Allen, Beverly

Alliance 4 Democracy Sunshine Coast

Andersen, Bill

Anderson, Ralph

Arrioja, Aurora

Arthur, David

Ashby, Eric

Ashdown, Ken

Axworthy, Thomas S.

Bahar, Ali

Bailey, Ian

Bailie, Doug

Balakrishnan, Janaki

Ball, Trevor

Bandurka, Robert J.

Barlow, Craig

Batten-Carew, Mark

Be the Vote

Beaudoin, Michael

Becker, Byron Weber

Bednarski, Michael J.

Beeson, Barbara

Behnke, Joachim

Belfry, Mark

Belfry, Patricia

Bell, Jim

Bennett, Jim

Bergeron, Jean-Gabriel

Bernier, Ray

Bertram, James

Bezaire, Carole

Bidochka, John

Bigland-Pritchard, Mark

Black, Peter

Blackwell, David

Blain, David

Block, Niko

Boivin, Guy

Bot, Mo

Boutilier, Roger

Boyle, John

Bradford, Henry

Bradshaw, Chris

Brantford-Brant Multi-Party Community Forum on Electoral Reform

Breeze, William

Brekke, David

Breslaw, Jon

Broadbent Institute

Bromilow, James

Brophey, Stan

Brown, Leslie

Brown, Mark

Brun, Henri

Brzustowski, Marc Andre

Buchanan, Margaret

Buckles, Brian

Budd, Bruce

Budreski, John

Bueckert, Chardaye

Bunting, Rapley G.

Burnett, Colin

Burningham, Mark

Callaghan, Sean

Cameron, Aimee

Cameron, Maxwell A.

Campbell, Ron

Campbell, Ryan

Canadian Action Party

Canadian Federation of University Women

Canadian National Institute for the Blind

Canadian Union of Public Employees - Local 543

Canadian Unitarians for Social Justice

Canseco, Mario

Canzi, Michael

Carlyle, Larry W.

Carr, Adriane

Cawthra Mansions Co-operative

CDN 1100

Chalker, Michael

Chambers, Brad

Charlton, Tyler

Cherniack, Howard

Choptiany, Dennis

Christian Heritage Party of Canada

Citizens' Democracy Forum

Citizens for Public Justice

Citizens for Voter Equality

Clark, Patrick

Clements, Reed

Clunie, Barnaby

Coalition Avenir Québec

Coburn, Carolynn

Collins, Norm

Committee For Voting Equity in BC

Communist Party of Canada

Concordia University Young Greens

Conroy, Laura

Cooperman, Jim

Cornerstone Guelph Dialogue

Côté, Raymond

Council of Canadians - Comox Valley Chapter

Council of Canadians - Thunder Bay Chapter

Crowe, David

Cyr, Hugo

Dale, Lisa

Dance-Bennink, Terry

Danial, Amathul

Dauncey, Guy

Daurio, Donald

Davies, Gavin

Day, Kirk

Day, Wilfred

De La Matter, Doug

de Wolff, Alice

DeLaHunt, Jim

Demers, Guy

Democracy: Vox Populi

DePaco, Greg

Derby, Donald

Derkx, Sjeng

Derriennic, Jean-Pierre

Deverell, John F.

Dewar, Kenneth

Di Franco, Michele

Diltz, Charles H.

Divine, Mike

Dodwell, Beth

Dominion Voting Systems, Corp.

Donovan, Robert

Dorion, David

Douglas, Jack

Downtown Muslim Professional Network

Dubé, Maxime

Duffy, Katie

Dufour, Christian

Dufour, Louis

Dunaway, David S.

Dunn, Christopher

Duttle, Diane

Dutton, John

Eastman, Dianne

Eddy, Brian

Edwards, Christopher

Eiriksson, Jan

Eiriksson, Sig

EKOS Research Associates Inc.

Elbert, Leonid

Eldridge, Julie

Election Districts Voting

Elections North West Territories

Ellard, Susan

Epstein, Howard

Equal Voice

Essex, Aleksander

Ethelo Democracy

Everson, Lenny

Fahrig, Lenore

Fair Vote Canada

Fair Vote Canada - North Island Powell River Federal Green Party EDA

Fair Vote Canada - Waterloo Region Chapter

Fair Vote Canada Langley Region

Fair Vote Canada National Capital Region Chapter

Fair Vote Fort Frances

Fair Vote Nova Scotia

Fair Vote Peel Region

Fair Vote Saskatchewan

Fair Vote United States

Fair Vote Victoria

Fair Vote Yukon

Fair Voting BC

FairView Proportion

Fall, Joseph

Fallis, Jay

Falvey, Denis

Fédération de la jeunesse canadienne-française

Fédération des communautés francophones et acadienne du Canada (FCFA)

Fédération des femmes du Québec

Fédération des jeunes francophones du Nouveau-Brunswick

Fell, Brian

Ferland, Benjamin

Ferri, Spencer

Filliter, John

First Unitarian Congregation of Ottawa

Forum jeunesse de l'Île de Montréal

Forum Research Inc.

Foster, David

Foster, Joe

Fox, Allan J.

Francoeur, Reg

Franson, Gyavin

Fraser, David

Fredericton Odell Park Lodge

Fuller, Roslyn

Gadotti, Daniela

Gaetan, Joseph A.

Gallagher, Michael

Garland, Gordon

Geier, Wilfred

Geraets, Theodore

Gibb, Brian

Giberson, Don

Gilmore, Christopher

Gilmour, James

Gingerich, Denver

Glass, Geoffrey

Goertzen, Edward

Goldstein, Rhys

Goodings, John

Gorchkov, Alexandre

Gourd, Frédéric

Graham, Sean

Gray, Allan Donald

Green, Joseph M.

Green, Joyce

Gregg, Breezy Brian

Gregory, Allan

Grice, Daniel

Griffiths, Colin

Group of Registered Voters, Centre Wellington, Ontario

Grout, Nigel

Gudmundson, Murray Norman

Guest, William Denis

Guse Salah, Donald

Gussow, David

Haeffely, Jad

Hahn, David

Hall, Thomas

Hammond, Jason

Hanson, Bill

Hanson, Jason

Harewood, W. Glenn

Harpe, Sasha

Harrison, Esther D.

Harrison, Jane

Harrison, Stephen

Hart, Douglas

Hauer, S.J.

Heale, Arthur

Hedlund, Dave

Hendrickson, Victor

Henschel, Craig

Henschel, Mark

Hermiston, Ross

Herringer, James

Hildebrand, Myles

Hissen, Jurgen

Hodgson, Adrian

Hodgson, Antony

Hogan, Corey

Holloway, Gregory

Horn, Daniel Kyle

Houldin, Russ

Howarth, Sharon

Howatt, Julian

Howe, Paul

Hughes, Jenny

Humanist Association of Ottawa

Huot, André

Husum, Russ

Hutcheon, David A.

Hyde, Timothy

Institut du Nouveau Monde

International, Political and Policies Studies Students Association

Jackson, William

Jappert, Christopher

Jeffers, Mark

Jewell, P. Jeffery

Jhappan, Radha

Johnson, Joel

Johnston, Frederick

Johnston, Jan

Johnston, Jim

Johnston, Richard

Johnston, William

Jones, Mark

Jones, Ray

Jones, Timothy John

Jonkman, Bob

Jordan, Peter

Kaller, Elizabeth

Kamloops-Thompson-Cariboo Election Reform Committee

Kearey-Moreland, Jacob

Kemp, Geoffrey

Kenney, James

Keough, Todd

Kerman, Bryan

Kidd, Richard

Kirby, J.P.

Kirjan, Corneliu

Kitching, Katherine

Klaus, Wolf-Dieter

Koch, Warren

Koreen, Richard

Kovacs, Jerry

Krayenhoff, Rolph

Kryski, Larry

Kyba, Daniel

Kyle, David

Labelle, Raymond

Labrèche, Pierre

Lang, Harley

Laurentian Leadership Centre

Laurier–Sainte–Marie Federal Liberal Association

Laverty, Norman

Laverty, Patrick

Lawrence, Felix

Leadnow Youth

Leadnow.ca

Leclerc, Samuel

LeDez, Kenneth

LeDuc, Lawrence

Lee, James

Legg, E.J.

Legrand, Teresa

Lemire, Bertrand

Leon, Raymond

Li, Raymond

Libdemo Movement

Lioce, Joseph

Loenen, Nick

Loewen, Peter John

Longstaff, Bill

Longueuil Saint-Hubert Federal Liberal Association

Lung, Richard

Lupia, Arthur

Macanulty, Iain

Macfarlane, Emmett

MacLennan, Ken

Macy, Richard Hooe

Mallory, Krysta

Manchee, Rod

Manougian, Harout

Manzer, Gary

Marceau, Michel

Marsh, Michael

Martin, Kaitlin

Maskin, Eric

Maslic, Rastko

Massicotte, Louis

Maxwell, Chris

McAlister, Sean

McCabe, Daniel

McCall, Lewis

McCormack, Lee

McCraney, Doak

McCrory, Kim

McCroskey, Robert

McCulloch, Stephen

McDonald, Callum

McGrail, Patricia E.

McKeever, Cathrine

McLaren, David

McLaren, Jason

McNeil, Donna

McQuail, Fran

McQuail, Tony

Mehzenta, Yared

Meilleur, Pierre

Mellor, Brian

Merle, Bronwen

Miedema, Yelda

Miles, Jim

Miller, James

Milner, Henry

Mineau, Philippe

Mirabel Centre for Policy Development

Mitchell, Valerie

Moller, Peter

Mollison, Denis

Moore, Pete

Morgan, Alanna

Morgan, Peter

Morin, Mathieu

Movement for a New Democracy

Muise, Len

Mullins, Gary

Murray, Ken

Musgrave, Paul Francis

Narayanan, Ramu

Nash, David

Negative Vote Association

New Zealand Electoral Commission

Newman, Mike

Niagara West Citizens Group

Nicholls, Gordon

Nickerson, Anita

Nickerson, Steve

Nijjar, Paul

Noël, Jean-Claude

None of the Above Party of Ontario

Norfolk, James

Normand, Sophie

North Okanagan-Shuswap Electoral District Association

North Shore Community Resources Society

O'Connor, Kathleen

Okurley, Ashley

Oppen, Katie

Oshanek, Dom

Oxman, Heather

Paisley TownHall

Palfree, Roger

Pardy, Larry

Pattison, Adam

Pawson, Robert

Pearson Centre for Progressive Policy

Phillips, Stephen

Pilon, Dennis

Plant Recreation Centre Dialogue

Polowick, Mike

Poore, Keith

Popkevich, Mark

Potter, David

Pound, Joe

Prest, Stewart

Prins, Phil

Professional Institute of the Public Service of Canada

Pukelsheim, Friedrich

Qu'Appelle Valley Environmental Association

Quebec Community Groups Network

Quick, Brian

Radford, Robert Charles

Ramsey-Falquier, Suzanne

Rawls, Don

Reaume, Denise

Rebuilding Our Democratic Canada

Reeves, Sharon

Regina Qu'Appelle NDP Federal Riding Association

Regional District of East Kootenay

Reid, Charles

Reid, Colin

Reid, Marilyn

Reimer, Boyd

Reitsma, Elek

Rémillard, Jean

Remnant, Ann

Ridd, Laurel

Ridley, Leanne

Ring, Robert

Risser, Matt

Roberge, Mercédez

Robertson, Terrance W.

Robinson, Laurence

Robinson, Nicholas Michael

Roddy, Susan

Rosenblum, Simon

Ross, Jennifer

Rossi, Dominic

Rouillon, Stéphane

Rourke, Tim

Russell, Peter

Russell, William

Russwurm, Laurel L.

Sandy, Gerald

Scarrow, James

Scheer, Laurie

Schellenbert, Paul

Scheuneman, Eric

Scholefield, Peter

Schouten, Jack

Schubert, Philip

Schulze, Markus

Schykulski, Ken

Scott, Craig

Scott, Donald

Scott, Jason

Scott, Steven R.

Sedgman, Elaine

Sepehri, Bijan Michael

Sheppard, Judith

Sheppard, Linda Jane

Sherman, Ian

Siever, Shaun

Simcoe North Federal Liberal Electoral District Association

Simply Voting

Sinclair Waters, Brynne

Sing Turner, Valerie

Slaven, Robert

Slinn, Patrick

Small, Tamara A.

Smallshaw, Brian

Smee, Sonia

Smith, Adam

Smith, Trevor

Smith, Wayne

Sokolov, Daniel A.J.

Sommerville, Sharon

Soule, Don

Springtide Collective

Stack, Arthur

Stark, Chris

Stark, Eric

Stark, Marie

Steeves, Wayne

Stephen, Gord

Stephen, Rebecca

Stewart, Toby

Stewart, William J.

Stillich, John

Streicker, John

Su, Dustin

Sundhu, William

Symons, Philip

Szijarto, Ken

Table de concertation de Laval en condition féminine

Taliesin, Karl

Tanguay, Gabrielle

Tardif, Claude

Taylor, George

The Electoral Commission

The Electoral Management Board for Scotland

Thomas, Paul G.

Thornton, John

Threlkeld, Simon

Tighe, Jeffrey

Tindall, David

Tomek, Jennifer

Tomlin, Robin

Tremblay, Mireille

Trent, John

Trister, Benjamin J.

Trister, Rachel

Trottier, Marc

Truelsen, Kristian

Tsukalas, Athanasios

Tunnacliffe, Nicholas

Tunner, Alex

Tupper, Gary

Tupper, Laura

Turnbull, Shirley

Turner, Mel

Twardawa, Natalie

Unger, Vivian

Ungrin, Mark

UNICEF Canada

Unifor

Urquhart, Caitlin

Valeriote, Frank

Van Der Rassel, Ishmael

Van Drielen, Amber

Van Drielen, Ralph

Van Uum, Rafique

van Walraven, Anton

Veevers, Gregory

Veniot, C.J.

Viney, Paul

Volek, Dave

Waddingham, Mike

Waddington, John

Wallis, Cliff

Ward, Lee

Warkentin, John Clarke

Warner, James

Warren, John

Waterloo Region Greens

Watson, Susan

Webster, Stu

Weinberg, Alon David

Wesche, Marjorie

Wesche, Stefan

West, Andrew

Wheatley, Michael

Whitehead, Tyson

Wibowo, Arif

Wiens, Muriel E.

Willard, Martha Jo

Williams, Paul

Williams, Robert

Williamson, Rod

Willms, Allan

Wilson, Christopher

Wilson, James M.

Winter, Laura

Wirsching, Eric

Witts, Benjamin N.

Wolfe, Stephanie

Wood, Roderick

Woodard, Douglas

Woodsworth, Ellen

Woodworth, Sabra

Wright, Doug

Wright, Roberta

Wvong, Russil

Young, Gary

Yu, Jasmine

Yuen, Danny Sek-Kwong

Yukon Green Party

Zavitz, Peter

Zimmerman, William

APPENDIX D
LIST OF MEMBERS' REPORTS

Member and Riding

Alghabra, Omar (Mississauga Centre, Ontario)

Amos, William (Pontiac, Quebec)

Anandasangaree, Gary (Scarborough – Rouge Park, Ontario)

Arseneault, René (Madawaska – Restigouche, New Brunswick)

Arya, Chandra (Nepean, Ontario)

Ayoub, Ramez (Thérèse-De Blainville, Quebec)

Bains, Hon. Navdeep (Mississauga – Malton, Ontario)

Baylis, Frank (Pierrefonds – Dollard, Quebec)

Beech, Terry (Burnaby North – Seymour, British Columbia)

Bennett, Hon. Carolyn (Toronto – St. Paul's, Ontario)

Bibeau, Marie-Claude (Compton – Stanstead, Quebec)

Bittle, Chris (St. Catharines, Ontario)

Blaikie, Daniel (Elmwood – Transcona, Manitoba)

Blair, Bill (Scarborough Southwest, Ontario)

Boissonnault, Randy (Edmonton Centre, Alberta)

Bossio, Mike (Hastings – Lennox and Addington, Ontario)

Boudrias, Michel (Terrebonne, Quebec)

Brison, Hon. Scott (Kings – Hants, Nova Scotia)

Brown, Gordon (Leeds – Grenville – Thousand Islands and Rideau Lakes, Ontario)

Caesar-Chavannes, Celina (Whitby, Ontario)

Carr, Hon. Jim (Winnipeg South Centre, Manitoba)

Casey, Bill (Cumberland – Colchester, Nova Scotia)

Casey, Sean (Charlottetown, Prince Edward Island)

Chagger, Hon. Bardish (Waterloo, Ontario)

Chan, Arnold (Scarborough – Agincourt, Ontario)

Chen, Shaun (Scarborough North, Ontario)

Christopherson, David (Hamilton Centre, Ontario)

Conservative Caucus

Dabrusin, Julie (Toronto – Danforth, Ontario)

Damoff, Pam (Oakville North – Burlington, Ontario)

DeCourcey, Matt (Fredericton, New Brunswick)

Dhillon, Anju (Dorval – Lachine – LaSalle, Quebec)

Di Iorio, Nicola (Saint-Léonard – Saint-Michel, Quebec)

Dion, Hon. Stéphane (Saint-Laurent, Quebec)

Drouin, Francis (Glengarry – Prescott – Russell, Ontario)

Duncan, Hon. Kirsty (Etobicoke North, Ontario)

Duvall, Scott (Hamilton Mountain, Ontario)

Dzerowicz, Julie (Davenport, Ontario)

Easter, Hon. Wayne (Malpeque, Prince Edward Island)

Ehsassi, Ali (Willowdale, Ontario)

El-Khoury, Fayçal (Laval – Les Îles, Quebec)

Ellis, Neil (Bay of Quinte, Ontario)

Erskine-Smith, Nathaniel (Beaches – East York, Ontario)

Eyking, Hon. Mark (Sydney – Victoria, Nova Scotia)

Eyolfson, Doug (Charleswood – St. James – Assiniboia – Headingley, Manitoba)

Fast, Hon. Ed (Abbotsford, British Columbia)

Fergus, Greg (Hull – Aylmer, Quebec)

Fillmore, Andy (Halifax, Nova Scotia)

Finley, Hon. Diane (Haldimand – Norfolk, Ontario)

Finnigan, Pat (Miramichi – Grand Lake, New Brunswick)

Fisher, Darren (Dartmouth – Cole Harbour, Nova Scotia)

Fonseca, Peter (Mississauga East – Cooksville, Ontario)

Foote, Hon. Judy (Bonavista – Burin – Trinity, Newfoundland and Labrador)

Fortin, Rhéal Éloi (Rivière-du-Nord, Quebec)

Fragiskatos, Peter (London North Centre, Ontario)

Fraser, Colin (West Nova, Nova Scotia)

Fraser, Sean (Central Nova, Nova Scotia)

Fry, Hon. Hedy (Vancouver Centre, British Columbia)

Fuhr, Stephen (Kelowna – Lake Country, British Columbia)

Garneau, Hon. Marc (Notre-Dame-de-Grâce – Westmount, Quebec)

Genuis, Garnett (Sherwood Park – Fort Saskatchewan, Alberta)

Gerretsen, Mark (Kingston and the Islands, Ontario)

Gill, Marilène (Manicouagan, Quebec)

Gladu, Marilyn (Sarnia – Lambton, Ontario)

Gould, Karina (Burlington, Ontario)

Graham, David de Burgh (Laurentides – Labelle, Quebec)

Grewal, Raj (Brampton East, Ontario)

Harder, Rachael (Lethbridge, Alberta)

Hardie, Ken (Fleetwood – Port Kells, British Columbia)

Harvey, T. J. (Tobique – Mactaquac, New-Brunswick)

Holland, Mark (Ajax, Ontario)

Housefather, Anthony (Mount Royal, Quebec)

Hussen, Ahmed (York South – Weston, Ontario)

Hutchings, Gudie (Long Range Mountains, Newfoundland and Labrador)

Iacono, Angelo (Alfred-Pellan, Quebec)

Jones, Yvonne (Labrador, Newfoundland and Labrador)

Jordan, Bernadette (South Shore – St. Margarets, Nova Scotia)

Jowhari, Majid (Richmond Hill, Ontario)

Khalid, Iqra (Mississauga – Erin Mills, Ontario)

Khera, Kamal (Brampton West, Ontario)

Kmiec, Tom (Calgary Shepard, Alberta)

Lametti, David (LaSalle – Émard – Verdun, Quebec)

Lamoureux, Kevin (Winnipeg North, Manitoba)

Lapointe, Linda (Rivière-des-Mille-Îles, Quebec)

Leslie, Hon. Andrew (Orléans, Ontario)

Levitt, Michael (York Centre, Ontario)

Lightbound, Joël (Louis-Hébert, Quebec)

Longfield, Lloyd (Guelph, Ontario)

Ludwig, Karen (New Brunswick Southwest, New Brunswick)

MacAuley, Hon. Lawrence (Cardigan, Prince Edward Island)

MacKinnon, Steven (Gatineau, Quebec)

Maguire, Larry (Brandon – Souris, Manitoba)

Maloney, James (Etobicoke – Lakeshore, Ontario)

Marcil, Simon (Mirabel, Quebec)

Mathyssen, Irene (London – Fanshawe, Ontario)

May, Bryan (Cambridge, Ontario)

May, Elizabeth (Saanich – Gulf Islands, British Columbia)

McCallum, Hon. John (Markham – Thornhill, Ontario)

McCrimmon, Karen (Kanata – Carleton, Ontario)

McDonald, Ken (Avalon, Newfoundland and Labrador)

McKay, Hon. John (Scarborough – Guildwood, Ontario)

McKenna, Hon. Catherine (Ottawa Centre, Ontario)

McKinnon, Ron (Coquitlam – Port Coquitlam, British Columbia)

McLeod, Cathy (Kamloops – Thompson – Cariboo, British Columbia)

McLeod, Michael (Northwest Territories, Northwest Territories)

Mendicino, Marco (Eglinton – Lawrence, Ontario)

Miller, Larry (Bruce – Grey – Owen Sound, Ontario)

Miller, Marc (Ville-Marie – Le Sud-Ouest – Île-des-Soeurs, Quebec)

Monsef, Hon. Maryam (Peterborough – Kawartha, Ontario)

Morrissey, Robert (Egmont, Prince Edward Island)

Murray, Joyce (Vancouver Quadra, British Columbia)

Nassif, Eva (Vimy, Quebec)

Nater, John (Perth – Wellington, Ontario)

Nault, Hon. Robert (Kenora, Ontario)

NDP Caucus

O'Connell, Jennifer (Pickering – Uxbridge, Ontario)

Oliphant, Rob (Don Valley West, Ontario)

Oliver, John (Oakville, Ontario)

Ottawa-Vanier (Ontario)

Ouellette, Robert-Falcon (Winnipeg Centre, Manitoba)

Pauzé, Monique (Repentigny, Quebec)

Peschisolido, Joe (Steveston – Richmond East, British Columbia)

Peterson, Kyle (Newmarket – Aurora, Ontario)

Petitpas Taylor, Ginette (Moncton – Riverview – Dieppe, New Brunswick)

Philpott, Hon. Jane (Markham – Stouffville, Ontario)

Plamondon, Louis (Bécancour – Nicolet – Saurel, Quebec)

Qualtrough, Hon. Carla (Delta, British Columbia)

Rayes, Alain (Richmond – Arthabaska, Quebec)

Regan, Hon. Geoff (Halifax West, Nova Scotia)

Rempel, Hon. Michelle (Calgary Nose Hill, Alberta)

Richards, Blake (Banff – Airdrie, Alberta)

Ritz, Hon. Gerry (Battlefords – Lloydminster, Saskatchewan)

Robillard, Yves (Marc-Aurèle-Fortin, Quebec)

Rodriguez, Pablo (Honoré-Mercier, Quebec)

Romanado, Sherry (Longueil – Charles-LeMoyne, Quebec)

Rudd, Kim (Northumberland – Peterborough South, Ontario)

Ruimy, Dan (Pitt Meadows – Maple Ridge, British Columbia)

Rusnak, Don (Thunder Bay – Rainy River, Ontario)

Sahota, Ruby (Brampton North, Ontario)

Saini, Raj (Kitchener Centre, Ontario)

Sajjan, Hon. Harjit S. (Vancouver South, British Columbia)

Samson, Darrell (Sackville – Preston – Chezzetcook, Nova Scotia)

Sarai, Randeep (Surrey Centre, British Columbia)

Scarpaleggia, Francis (Lac-Saint-Louis, Quebec)

Schiefke, Peter (Vaudreuil – Soulanges, Quebec)

Schulte, Deborah (King – Vaughan, Ontario)

Serré, Marc (Nickel Belt, Ontario)

Sidhu, Jati (Mission – Matsqui – Fraser Canyon, British Columbia)

Simms, Scott (Coast of Bays – Central – Notre Dame, Newfoundland and Labrador)

Sikand, Gagan (Mississauga – Streetville, Ontario)

Sohi, Hon. Amarjeet (Edmonton Mill Woods, Alberta)

Sorbara, Francesco (Vaughan – Woodbridge, Ontario)

Spengemann, Sven (Mississauga – Lakeshore, Ontario)

Stanton, Bruce (Simcoe North, Ontario)

Strahl, Mark (Chilliwack – Hope, British Columbia)

Sweet, David (Flamborough – Glanbrook, Ontario)

Tabbara, Marwan (Kitchener South – Hespeler, Ontario)

Tassi, Filomena (Hamilton West – Ancaster – Dundas, Ontario)

Thériault, Luc (Montcalm, Quebec)

Trost, Brad (Saskatoon – University, Saskatchewan)

Trudeau, Right Hon. Justin (Papineau, Quebec)

Vandenbeld, Anita (Ottawa West – Nepean, Ontario)

Vaughan, Adam (Spadina – Fort York, Ontario)

Vecchio, Karen (Elgin – Middlesex – London, Ontario)

Virani, Arif (Parkdale – High Park, Ontario)

Warawa, Mark (Langley – Aldergrove, British Columbia)

Waugh, Kevin (Saskatoon – Grasswood, Saskatchewan)

Webber, Len (Calgary Confederation, Alberta)

Wilkinson, Jonathan (North Vancouver, British Columbia)

Wilson-Raybould, Hon. Jody (Vancouver Granville, British Columbia)

Wong, Hon. Alice (Richmond Centre, British Columbia)

Wrzesnewskyj, Borys (Etobicoke Centre, Ontario)

Young, Kate (London West, Ontario)

Zahid, Salma (Scarborough Centre, Ontario)

Special Committee on Electoral Reform

E-CONSULTATION ON ELECTORAL REFORM

Introduction and Consent Form

The House of Commons has created a Special Committee on Electoral Reform to identify viable alternative federal voting systems to replace the first-past-the-post system and to conduct a study of them, as well as to examine mandatory voting and online voting. As part of its mandate, the Committee is using various tools and methods to consult with Canadians. This e-consultation is one such consultation tool intended to solicit Canadians' views both on voting and on the election of Members of Parliament. The Committee's report to the House of Commons will take into consideration the results of this consultation.

What to Expect

Before completing the e-consultation, you will have the opportunity to familiarize yourself with background material on electoral systems.

If you consent to participate in this e-consultation, you can expect to complete the questionnaire within approximately 30 minutes.

You do not need to complete the questionnaire in one sitting. You can interrupt the e-consultation at any question, save your work, and return to it at a later time. If you plan to complete the e-consultation in more than one sitting, it is recommended that you bookmark this webpage.

Until you complete the entire questionnaire and submit your responses, you can use the 'Previous' and 'Next' buttons at the bottom of each page to review your answers.

Use the 'Submit' button at the end of the questionnaire to submit your completed e-consultation.

Contact

If you have any questions regarding this e-consultation or experience difficulties with the content or functionalities of the website, please contact the Clerks of the Committee at ERRE@parl.gc.ca.

Statement of Consent

I understand that my participation in this e-consultation on electoral reform is entirely voluntary.

By participating in the e-consultation I consent to the use and disclosure of submitted information as outlined in the *Additional Information, E-Consultation Important Notices*.

• **I have read the *E-Consultation Important Notices* and voluntarily consent to participate in this e-consultation.**

☐ Yes

E-CONSULTATION ON ELECTORAL REFORM

Electoral Systems 101

At its most basic, an electoral system sets out how votes get translated into seats in a legislature. Some important characteristics that differentiate electoral systems from one another are these:

- **Ballot:** Does the elector place a mark beside a single candidate's name (making more than one mark spoils the ballot), or must the elector rank or order candidates or parties from a list on the ballot?

- **Number of candidates per constituency:** In each constituency, is one candidate elected or are multiple candidates elected?

- **Procedure to determine winners:** How many steps are there, and therefore how simple or complex is it to determine how many seats each party has won and which candidate has won which seat?

- **Threshold for determining winners:** What is the percentage of votes needed for a candidate or party to obtain a seat?

Electoral systems are generally grouped in three categories:

- **plurality or majority systems**, where the winning candidate is the individual who garners the most votes in an electoral district;

- **proportional representation systems**, which seek to closely match a political party's overall vote share across the country with its seat allocation in the legislature; and

- **mixed electoral systems**, which combine elements of a plurality or majority system with proportional representation (citizens generally cast two votes – one for a local representative and one for a political party).

For more information on electoral reform, please consult the background paper *Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview*, prepared by the Library of Parliament.

Special Committee on Electoral Reform

E-CONSULTATION ON ELECTORAL REFORM

Respondent Identification

• **Contact information:**

First name [   ]

Last name [   ]

Email [   ]

• **Postal code: (*Without spaces*)**

[   ]

• **Province/Territory:**

Using the drop-down list below, please select your province/territory of residence or indicate if you are living abroad.

[▼]

• **Gender:**

☐ Female
☐ Male
☐ Transgender
☐ Other / Not specified

• **Age Group:**

☐ 17 and under
☐ 18-24
☐ 25-34
☐ 35-44
☐ 45-54
☐ 55-64
☐ 65-74
☐ 75 and over

- **Primary official language:**

☐ English
☐ French
☐ Bilingual

- **Do you self-identify as:**

You may check all that apply.

☐ Indigenous
☐ Individual with a disability
☐ New Canadian
☐ A resident of a rural or remote community

- **Are you a Canadian citizen?**

☐ Yes
☐ No

- **Did you vote in the last federal election, which took place in October 2015?**

☐ Yes
☐ No

Special Committee on Electoral Reform

E-CONSULTATION ON ELECTORAL REFORM

Your Vote

• **Do you vote in federal elections?**

☐ On every occasion that I have been eligible to vote

☐ Sometimes

☐ No

Special Committee on Electoral Reform

E-CONSULTATION ON ELECTORAL REFORM

Your Vote

- **When you vote, do you feel that your vote "counts"?**

☐ Yes
☐ No

- **(*Optional*) Please tell us briefly why you feel that way:**

(Max. 150 characters)

- **When you have voted, what motivated you to cast your ballot?**

Check all that apply.

☐ Civic duty
☐ Support for a local candidate
☐ Support for party policy / platform
☐ Opposition to party policy / platform
☐ Support for a political party
☐ Opposition to a political party
☐ Support for a political party leader
☐ Opposition to a political party leader
☐ Other
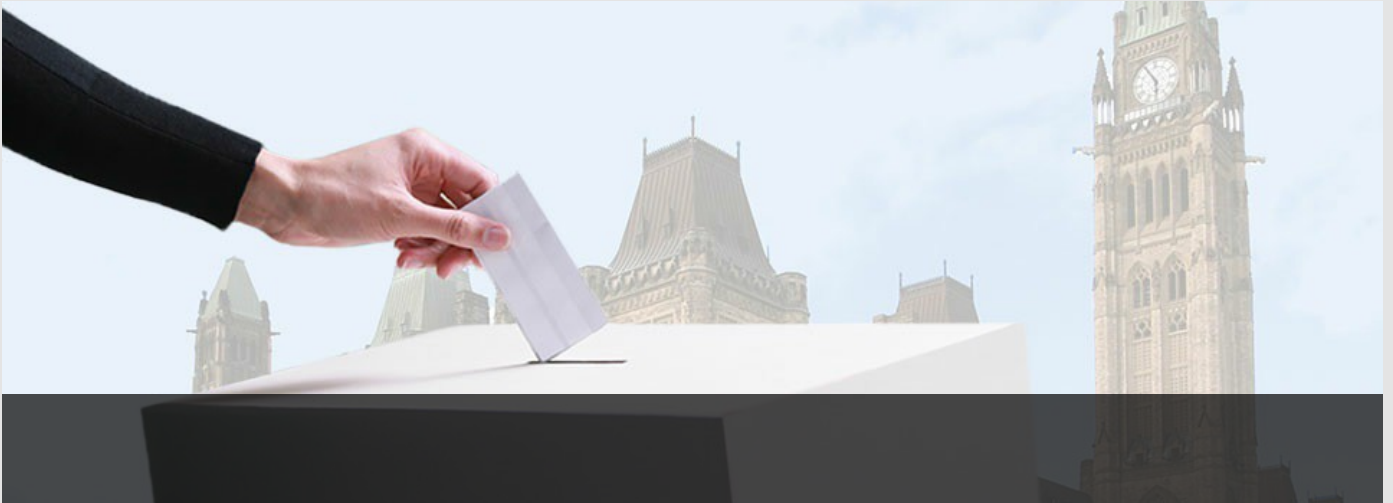
Your Vote

- **When you have not voted, what has been the reason?**

Check all that apply.

☐ Lack of time / Other responsibilities

☐ Did not know where to vote

☐ Unable to access polling station because of physical access barriers (for example the weather, a physical obstruction, a long line at the polling station)

☐ Unable to access polling station because of distance barriers (polling station in inconvenient or inaccessible location)

☐ Unable to access polling station because of lack of transportation

☐ Not aware that it was election day

☐ Not interested

☐ Felt that my vote would not count / would not impact the outcome

☐ Did not support any candidates running in my riding

☐ Was unable to register to vote and/or to provide sufficient identification and/or proof of address

☐ Lack of confidence in candidates and/or parties and/or leaders

☐ Other

Special Committee on Electoral Reform

E-CONSULTATION ON ELECTORAL REFORM

Goals of a Voting System

This section seeks to gauge your opinion on what an electoral system should accomplish.

- **Please indicate how important each of the following elements are to you:**

  On the scale from 1 to 5, a rating of 5 means very important.

	Not Important				Very Important
	1	2	3	4	5
To know your local representative	○	○	○	○	○
To be affiliated with a political party	○	○	○	○	○
To be aware of political party platforms	○	○	○	○	○

- **Please indicate whether you agree or disagree with each of the following statements:**

  On the scale from 1 to 5, a rating of 5 means that you strongly agree.

	Disagree			Agree		Not sure
	1	2	3	4	5	
Canada's electoral system should favour the following outcome: one political party holds a majority of seats in Parliament and is able to implement its campaign platform.	○	○	○	○	○	○
Canada's electoral system should favour the following outcome: no single political party holds the majority of seats in Parliament, thereby increasing the likelihood that political parties will work together to pass legislation.	○	○	○	○	○	○
Canada's electoral system should ensure that voters elect local candidates to represent them in Parliament.	○	○	○	○	○	○
Canada's electoral system should ensure that the number of seats held by a party in Parliament reflects the proportion of votes it received across the country.	○	○	○	○	○	○
Independent candidates (not part of a political party) should be able to be elected to Parliament.	○	○	○	○	○	○

Special Committee on Electoral Reform
E-CONSULTATION ON ELECTORAL REFORM

Current Electoral System

• **Please indicate whether you agree or disagree with each of the following statements:**

On the scale from 1 to 5, a rating of 5 means that you strongly agree.

	Disagree			Agree		
	1	2	3	4	5	Not sure
The current electoral system adequately reflects voters' intentions.	○	○	○	○	○	○
If I vote for a candidate in my riding who does not win, my vote is wasted.	○	○	○	○	○	○
The current electoral system should be maintained.	○	○	○	○	○	○
The current electoral system should be changed.	○	○	○	○	○	○

Special Committee on Electoral Reform

E-CONSULTATION ON ELECTORAL REFORM

The following questions seek your opinion on the elements of different voting systems. For more information on voting systems, please consult the Library of Parliament's publication, *Electoral Systems and Electoral Reform in Canada and Elsewhere: An Overview*.

Plurality or Majority Systems

In plurality or majority electoral systems, the winning candidate is the individual who receives the most votes in an electoral district. Depending on the particular rules of the system, the winner may need to receive a plurality (more votes than the other candidates) or a majority (over 50% of the votes cast).

- **Example 1 – First Past the Post (FPTP):** Under FPTP (the system currently used in Canada), a voter casts a single vote for a candidate to represent the electoral district in which the voter resides. The candidate who wins the most votes is elected. A party has as many seats in the legislature as it has candidates elected.
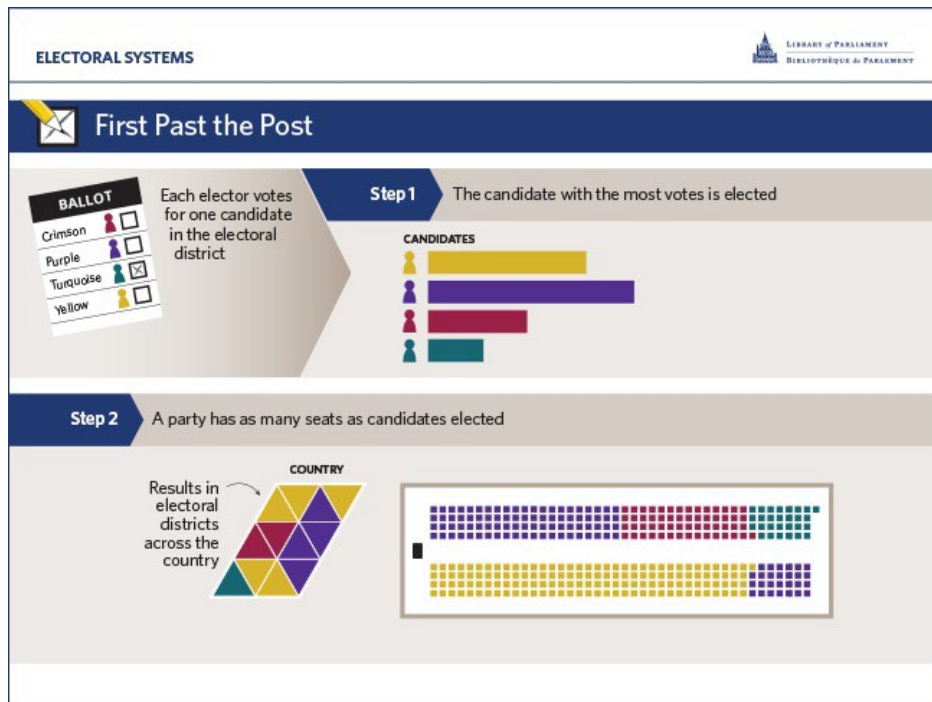
- **Please indicate whether you agree or disagree with each of the following statements:**

  On the scale from 1 to 5, a rating of 5 means that you strongly agree.

	1	2	3	4	5	Not sure
Seats in the House of Commons should be filled by the candidates who receive the most votes in their ridings, even if they receive less than 50% of the total votes cast.	○	○	○	○	○	○

E-CONSULTATION ON ELECTORAL REFORM

Plurality or Majority Systems

In plurality or majority electoral systems, the winning candidate is the individual who receives the most votes in an electoral district. Depending on the particular rules of the system, the winner may need to receive a plurality (or more votes than the other candidates) or a majority (over 50% of the votes cast).

- **Example 2 – Alternative Vote (AV):** On the ballot, voters rank the candidates running in their electoral district in order of their preference. To be elected, a candidate must receive a majority (more than 50%) of the votes cast. If no one receives a majority on the first count, additional counts take place until a candidate wins.
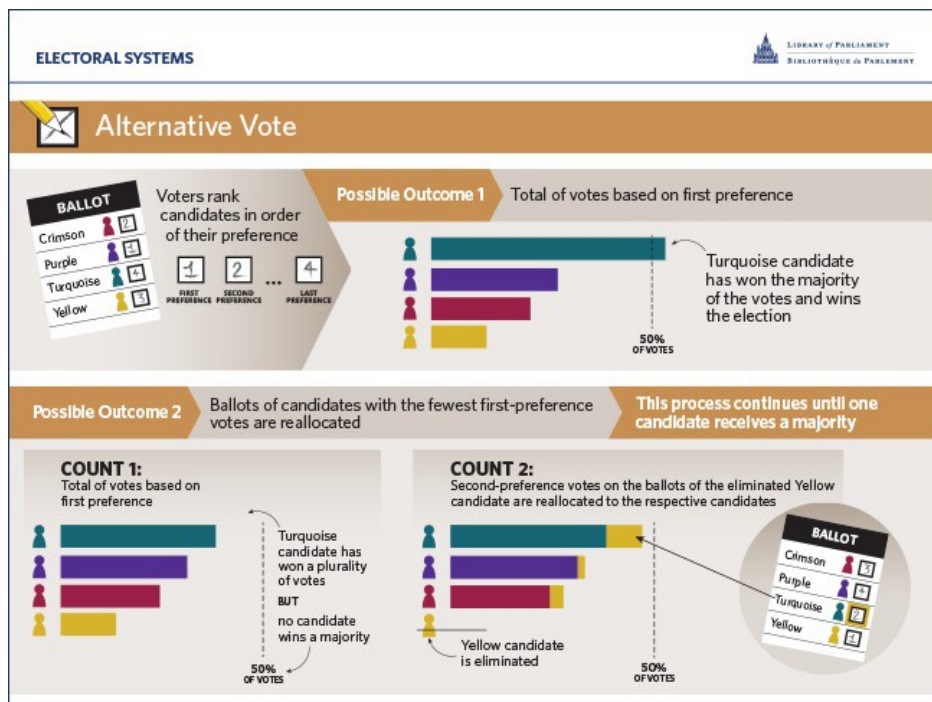
As noted in the diagram, if no candidate wins a majority of the votes on the first round of counting, the lowest-ranked candidate is eliminated and the second-preference ballots on the votes of the eliminated candidate are reallocated to the other candidates. This process continues until one candidate receives a majority.

- **Please indicate whether you agree or disagree with each of the following statements:**

On the scale from 1 to 5, a rating of 5 means that you strongly agree.

	Disagree			Agree		
	1	2	3	4	5	Not sure
In order to be elected in a riding, a candidate should have to obtain more than half of the votes cast.	○	○	○	○	○	○
For a candidate to obtain a majority of votes in one round of voting, voters should be able to rank candidates on the ballot and have the outcome determined based on a tally of preferences.	○	○	○	○	○	○
Alternatively, a second round of voting should take place between the top two candidates to determine the victor if no candidate obtains more than half the votes cast during a first round of voting.	○	○	○	○	○	○

Proportional Representation Systems

Proportional representation (PR) systems seek to closely match a political party's seat allocation in the legislature with its vote share.

- **Example 1 – List Proportional Representation (List PR):** There are two main forms of List PR: closed-list and open-list. Both forms elect members from lists of candidates drawn up by each party before election day. Voters vote for a political party (closed-list PR) or for preferred candidates from a party list (open-list PR), and each party is allocated seats in the legislature in proportion to its share of the national vote.

- **Please indicate whether you agree or disagree with each of the following statements:**

  On the scale from 1 to 5, a rating of 5 means that you strongly agree.

	Disagree				Agree	

	1	2	3	4	5	Not sure
Voters should vote for political parties (not specific candidates) and the seats in the House of Commons should be allocated based on the percentage of votes obtained by each political party.	○	○	○	○	○	○
Political parties should determine which of their candidates get elected from their list.	○	○	○	○	○	○
Voters should determine which candidates get elected from a party's list and the seats in the House of Commons should be allocated based on the percentage of votes obtained by each political party.	○	○	○	○	○	○

E-CONSULTATION ON ELECTORAL REFORM

Proportional Representation Systems

Proportional representation (PR) systems seek to closely match a political party's vote share with its seat allocation in the legislature.

- **Example 2 – Single Transferable Vote (STV):** Citizens in multi-member electoral districts (for example of 3 to 5 representatives) rank candidates on the ballot. They may rank as few or as many candidates as they wish. Candidates get elected based on how well they rank overall. Unlike the Alternative Vote, which also uses ranking, the result in STV is proportional because each district is represented by a number of MPs that together represent the overall vote.

Single Transferable Vote

Election Is Called

The country has been divided into multi-member electoral districts. In this example, the district has three House of Commons seats.

COUNTRY

ELECTORAL DISTRICT

RANKING

Five candidates run for the three seats in the electoral district

Voters rank them based on their preferences

FIRST PREFERENCE · SECOND PREFERENCE · ... · LAST PREFERENCE

BALLOT
Crimson
Pink
Purple
Turquoise
Yellow

Count 1

To be elected, three candidates need to meet or exceed the vote quota. A vote quota is based on a formula involving votes cast and available seats.

Yellow candidate wins a seat by exceeding the quota

ESTABLISHED VOTE QUOTA

Extra Count: Step 1

Second-preference votes on the excess ballots of the elected Yellow candidate are reallocated to the respective candidates

BALLOT
Crimson
Pink
Purple
Turquoise
Yellow

ESTABLISHED VOTE QUOTA

Extra Count: Step 2

Second-preference votes on the ballots of the eliminated Turquoise candidate are reallocated to the respective candidates

This extra count process continues until three candidates are elected in the electoral district

Purple candidate wins a seat by exceeding the quota

Turquoise candidate has the least number of votes and is eliminated

ESTABLISHED VOTE QUOTA

As noted in the diagram, a country using the STV electoral system is divided into multi-member electoral districts. In the diagram example, the district has three House of Commons seats. Five candidates run for the three seats in the electoral district. Voters rank them (1, 2, 3…) based on their preferences. To be elected, three candidates must meet or exceed the minimum number of votes needed based on the number of seats to be filled. This is called the "vote quota." In the first count, a candidate who receives enough first-preference votes to reach the quota is elected. If there are still seats to be filled, a two-step count occurs. In the first step, any votes in excess of the quota are redistributed to the second preferences indicated on the ballots of the elected candidates. If no other candidates reach the quota, then the second step takes place in which the lowest-ranked candidate is dropped, and that candidate's second-preference votes are assigned to the remaining candidates. This extra count process continues until three candidates are elected.

- **Please indicate whether you agree or disagree with each of the following statements:**

On the scale from 1 to 5, a rating of 5 means that you strongly agree.

	Disagree				Agree	
	1	2	3	4	5	Not sure
Canada's electoral system should produce a proportional Parliament (where seats roughly match the parties' vote share) through the direct election of local representatives in multi-member electoral districts.	○	○	○	○	○	○

Mixed Electoral Systems

Mixed electoral systems combine elements of a plurality or majority system with proportional representation.

- **Example – Mixed Member Proportional (MMP):** Voters in an electoral district cast two votes: one to directly elect an individual member to serve as their representative, and a second for a party or parties to fill seats in the legislature allocated according to the proportion of the vote share they receive. Each party's seat count is proportional to the share of votes it received in the election. Seats are held by a combination of directly elected MPs and candidates from parties' lists.

- **Please indicate whether you agree or disagree with the following statement:**

  On the scale from 1 to 5, a rating of 5 means that you strongly agree.

	Disagree			Agree	

	1	2	3	4	5	Not sure
Voters should cast two votes on their ballot: one to directly elect a member to serve as their representative, and a second for a party or parties to fill seats in the House of Commons based on the vote share they receive.	○	○	○	○	○	○
Seats in the House of Commons should be allocated in proportion to the percentage of votes received by each political party.	○	○	○	○	○	○

Special Committee on Electoral Reform

E-CONSULTATION ON ELECTORAL REFORM

Mandatory or Compulsory Voting

- **Please indicate whether you agree or disagree with each of the following statements:**

On the scale from 1 to 5, a rating of 5 means that you strongly agree.

	Disagree			Agree		
	1	**2**	**3**	**4**	**5**	**Not sure**
Canadians should be required to cast a ballot in a federal election. (This could include spoiling a ballot.)	○	○	○	○	○	○
Canadians should be fined or receive some other penalty for failing to cast a ballot in a federal election without acceptable justification (e.g., illness, absence).	○	○	○	○	○	○
Incentives should be put in place to encourage Canadians to cast a ballot in a federal election.	○	○	○	○	○	○

Special Committee on Electoral Reform

E-CONSULTATION ON ELECTORAL REFORM

Online Voting

• Please indicate whether you agree or disagree with each of the following statements:

On the scale from 1 to 5, a rating of 5 means that you strongly agree.

	Disagree			Agree		
	1	**2**	**3**	**4**	**5**	**Not sure**
Canadians should be able to vote online in a federal election.	○	○	○	○	○	○
	○	○	○	○	○	○
I am concerned about the security and reliability of online voting.	○	○	○	○	○	○
	○	○	○	○	○	○

Moving Forward on Electoral System Reform

- **Please indicate whether you agree or disagree with each of the following statements:**

  On the scale from 1 to 5, a rating of 5 means that you strongly agree.

	Disagree			Agree		
	1	2	3	4	5	Not sure
Any plans for a future Canadian electoral system should be determined by a majority of members of Parliament.	○	○	○	○	○	○
addition to parliamentary approval.						

- **Please indicate whether you agree or disagree with each of the following statements:**

  On the scale from 1 to 5, a rating of 5 means that you strongly agree.

	Disagree			Agree		
	1	2	3	4	5	Not sure
Broad public support should be gauged through... in-person and online consultation with Canadians representative of Canadian society (demographically and geographically).	○	○	○	○	○	○
Broad public support should be gauged through... the creation of a citizens' assembly. (A citizens' assembly is a body formed from a cross-section of the public, randomly selected and representative of Canadian society [demographically and geographically], to study the options available on an issue or issues of national importance.)	○	○	○	○	○	○
Broad public support should be gauged through... a direct vote by Canadians on an option or various options for a future Canadian electoral system (through a plebiscite or referendum).	○	○	○	○	○	○

Other (*Optional*) - Ma*x. 1,000 characters*

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Special Committee on Electoral Reform

E-CONSULTATION ON ELECTORAL REFORM

Additional Comments

- **If you have any additional comments, please share them below.**

(Max. 1,000 characters)

Submit

In order to complete the consultation and to submit your responses, please click on the 'Submit' button below. Once the questionnaire has been submitted, you will not be able to go back to change your answers.

APPENDIX F
E-CONSULTATION ON ELECTORAL
REFORM, SUMMARY OF RESPONSES

RESPONDENT IDENTIFICATION

Table 1: Provinces/Territories

Province/Territory	Count	Percentage of respondents (%)	Percentage of the Canadian population (%)[1]
Alberta	3199	14.4	11.7
British Columbia	5933	26.7	13.1
Manitoba	744	3.3	3.6
Nova Scotia	567	2.5	2.6
New Brunswick	325	1.5	2.1
Newfoundland and Labrador	115	0.5	1.5
Ontario	8615	38.7	38.5
Prince Edward Island	83	0.4	0.4
Quebec	1676	7.5	22.9
Saskatchewan	668	3.0	3.2
Northwest Territories	37	0.2	0.1
Nunavut	5	0.0	0.1
Yukon	120	0.5	0.1
Currently living abroad	161	0.7	N/A

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1   Statistics Canada, *Population by year, by province and territory (Number)*, 28 September 2016.

Table 2: Gender

Gender	Count	Percentage of respondents (%)	Percentage of the Canadian population (%)[2]
Female	7281	32.7	51.4
Male	14580	65.5	49.6
Transgender	88	0.4	N/A
Other/Not specified	299	1.3	N/A

Figure 1: Gender

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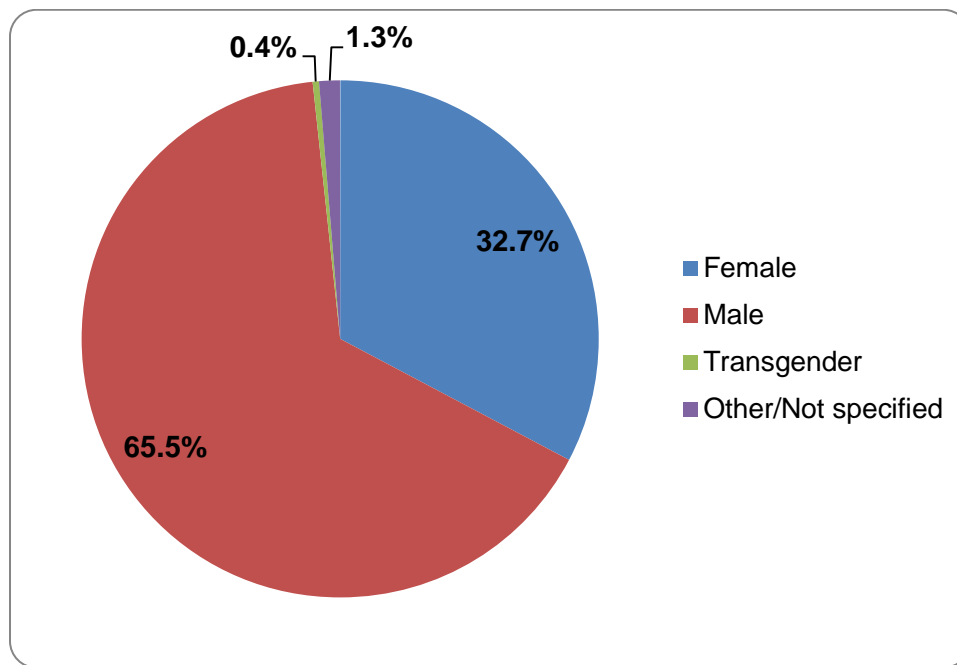
2   Statistics Canada, *Population by sex and age group,* 28 September 2016. NB: Statistics Canada currently does not have a "transgendered" or "other/not specified" category.

Table 3: Age Group

Age Group	Count	Percentage of respondents (%)	Percentage of the Canadian population (%)[3]
17 and under	188	0.8	N/A
18-24	1379	6.2	N/A
25-34	4229	19	13.9
35-44	3156	14.2	13.3
45-54	2830	12.7	14.2
55-64	4242	19.1	13.6
65-74	4652	20.9	9.2
75 and over	1572	7.1	7.2

Figure 2: Age Group

0.8%

■ 17 and under ■ 18-24 ■ 25-34 ■ 34-44 ■ 45-54 ■ 55-64 ■ 65-74 ■ 75 and over

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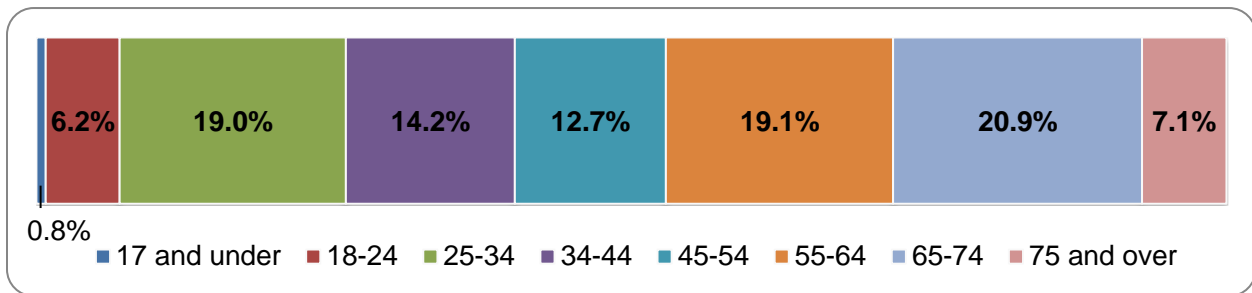
3   Statistics Canada, *Population by sex and age group*, 28 September 2016. NB: Statistics Canada has different age groupings than Elections Canada. Our survey was created based on Elections Canada groupings therefore the groupings from Statistics Canada do not exactly reflect the groupings in the our survey charts.

Table 4: Primary official language

Official language	Count	Percentage of respondents (%)
English	19786	88.9
French	1072	4.8
Bilingual	1390	6.2

Figure 3: Primary official language (%)
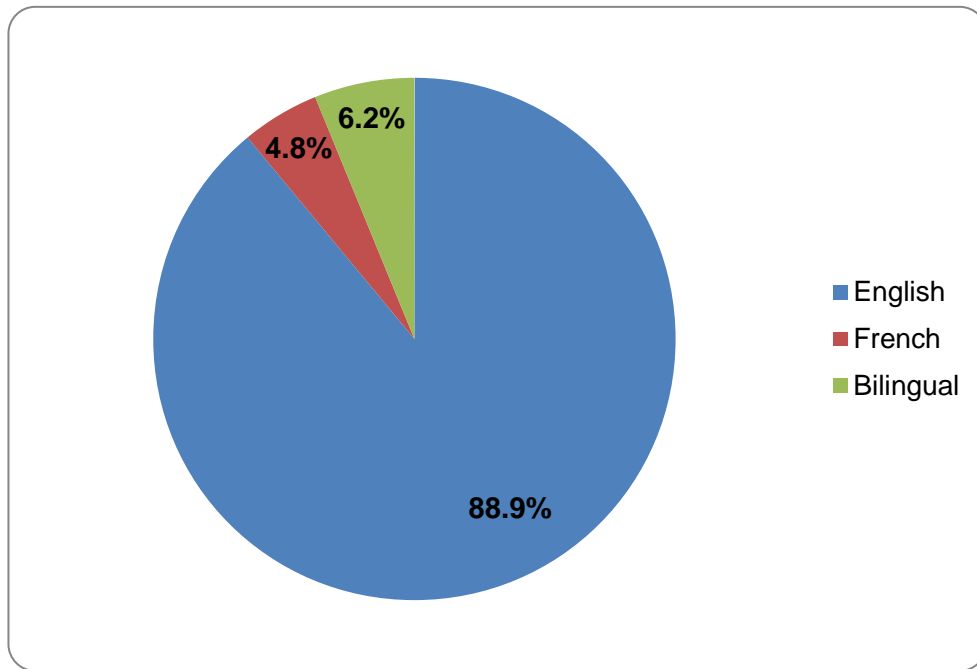
Table 5: Unique status

Status	Count	Percentage of respondents (%)	Percentage of the Canadian population (%)
Indigenous	706	3.2	4.3[4]
Individual with a disability	1441	6.5	13.7[5]
New Canadian	784	3.5	N/A
A resident of a rural of remote community	3787	17.0	19.0[6]
Not answered	15952	71.7	N/A

Table 6: Canadian Citizenship

Citizenship	Count	Percent answer (%)
Yes	22108	99.4
No	140	0.6

Table 7: Did you vote in the last federal election?

Vote	Count	Percent answer of respondents (%)	Percentage of Eligible Voters, 42nd General Election (October 2015) (%)[7]
Yes	21355	96.0	68.0
No	893	4.0	32.0

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4   Statistics Canada, *Aboriginal Peoples in Canada: First Nations People, Métis and Inuit,* based on 2011 National Household Survey.

5   Statistics Canada, *Disability in Canada: Initial findings from the Canadian Survey on Disability,* 2012. *The Canadian Survey on Disability uses the World Health Organization's International Classification of Functioning, Disability and Health framework of disability. This framework defines disability as the relationship between body function and structure, daily activities and social participation, while recognizing the role of environmental factors. In keeping with this framework, the CSD targeted respondents who not only have a difficulty or impairment due to a long-term condition or health problem but also experience a limitation in their daily activities. The CSD definition of disability includes anyone who reported being "sometimes", "often" or "always" limited in their daily activities due to a long-term condition or health problem, as well as anyone who reported being "rarely" limited if they were also unable to do certain tasks or could only do them with a lot of difficulty.*

6   Statistics Canada, *Population, urban and rural, by province and territory,* Statistics Canada defines "rural population" as "persons living outside centres with a population of 1,000 AND outside areas with 400 persons per square kilometre."

7   Office of the Chief Electoral Officer of Canada, *Report on the 42nd General Election of October 19, 2015,* 3 February 2016.

YOUR VOTE

Table 8: Did you vote in federal elections?

Frequency of voting	Count	Percent answer (%)
On every occasion that I have been eligible to vote	20921	95.4
Sometimes	906	4.1
No	94	0.4

Table 9: When you vote, do you feel that your vote "counts"?

Answer	Count	Percent answer (%)
Yes	11425	52.3
No	10402	47.7

Figure 4: When you vote, do you feel that your vote "counts"?
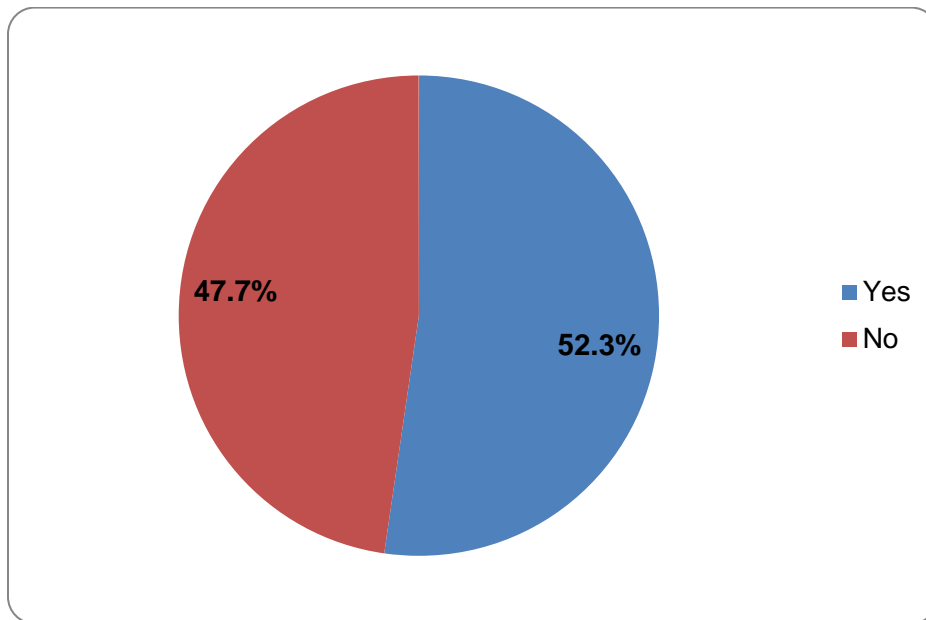
Table 10: When you have voted, what motivated you to cast your ballot?

Source of motivation	Count
Civic duty	17216
Support for a local candidate	11288
Support for a party policy/platform	16403
Opposition to party policy/platform	11948
Support for a political party	11765
Opposition to a political party	10387
Support for a political party leader	9855
Opposition to a political party leader	10198
Other	1037

Figure 5: When you have voted, what motivated you to cast your ballot?
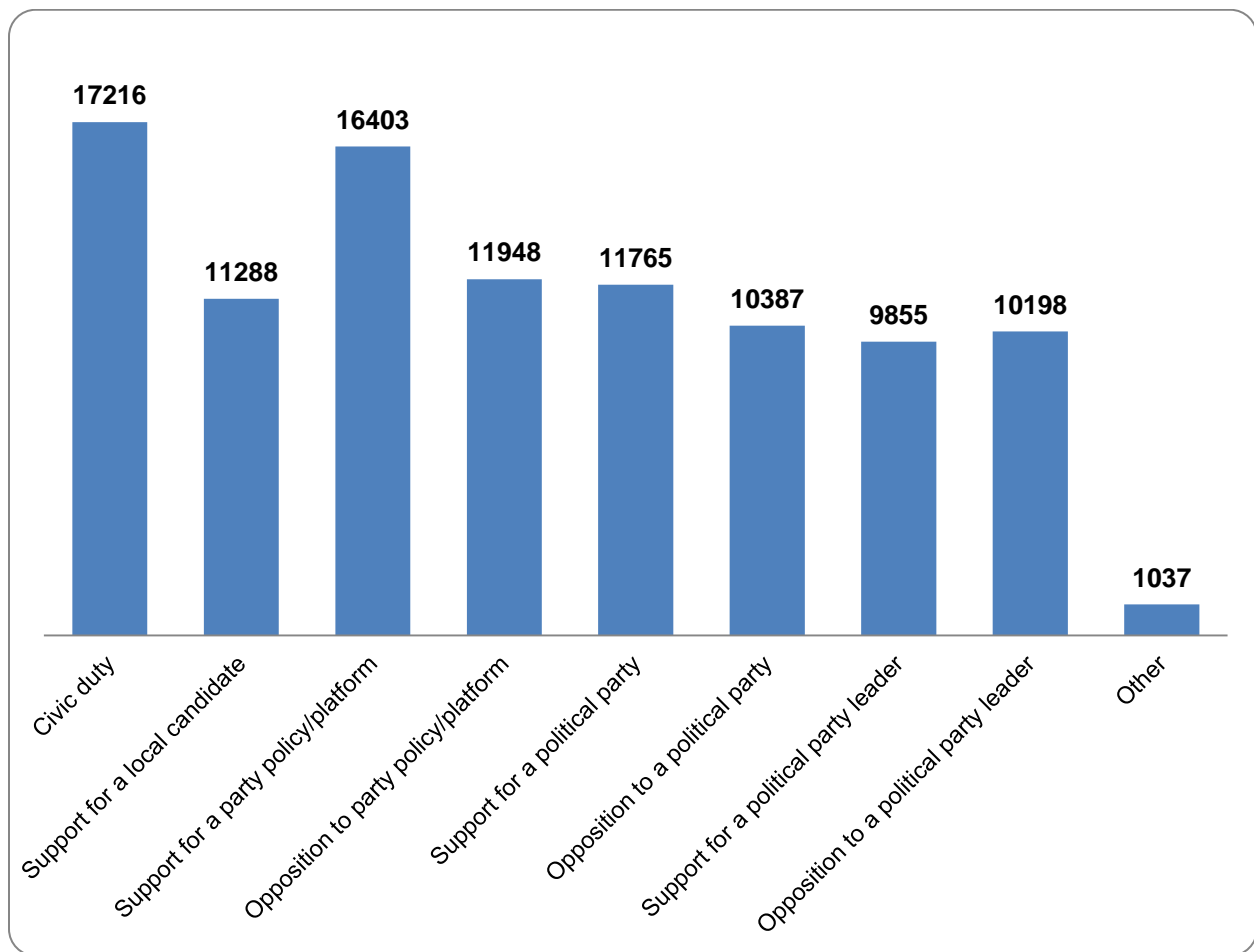
Table 11: When you have not voted, what has been the reason?

Reason	Count
Lack of time / Other responsibilities	249
Did not know where to vote	57
Unable to access polling station because of physical barriers	30
Unable to access polling station because of distant barriers	72
Unable to access polling station because of lack of transportation	34
Not aware that it was election day	38
Not interested	185
Felt that my vote would not count / would not impact the outcome	516
Did not support any candidates running in my riding	297
Unable to register to vote and/or provide sufficient identification and/or proof of address	60
Lack of confidence in candidates and / or parties and/or leaders	468
Other	219

Figure 6: When you have not voted, what has been the reason?
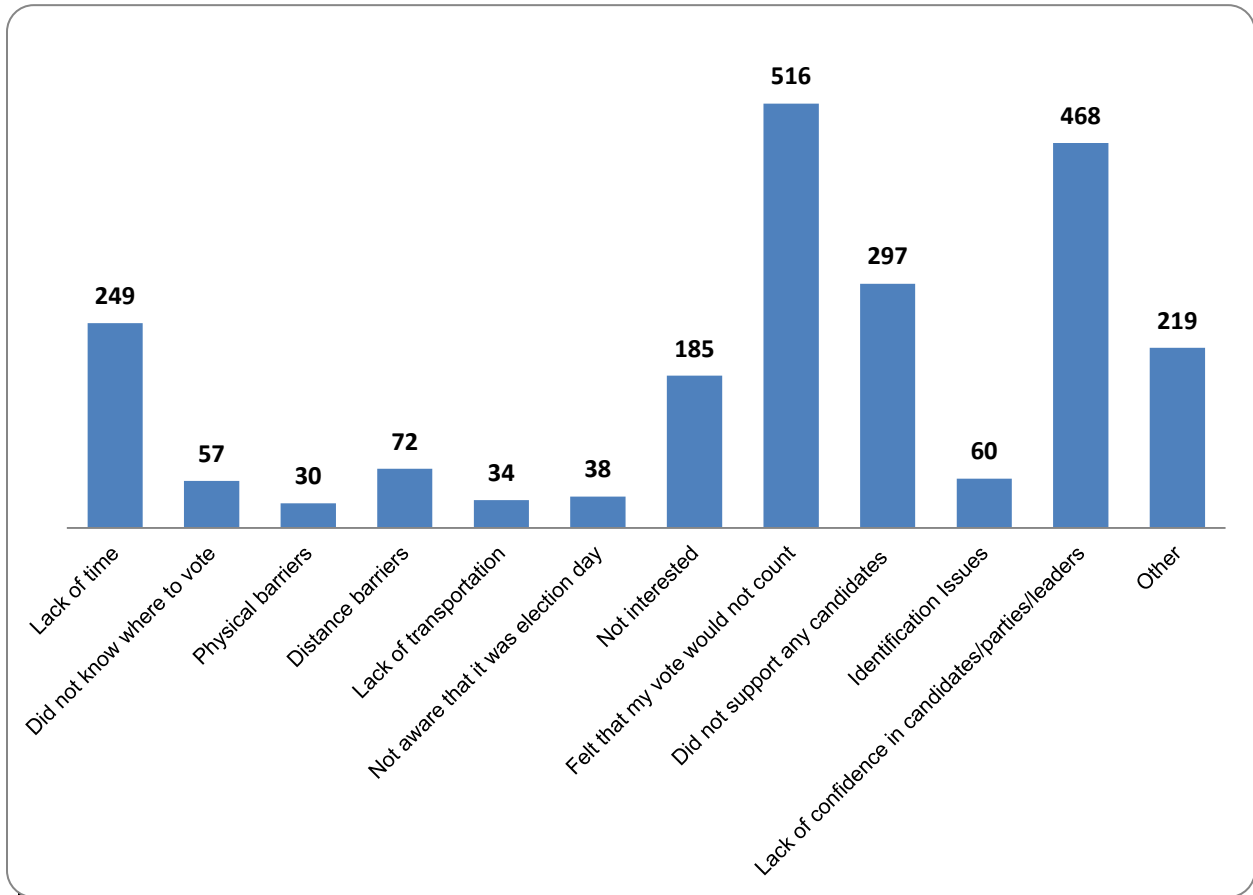
GOALS OF A VOTING SYSTEM

Table 12: How important are each of the following elements to you?
Scale: 1 (Not important) – 5 (Very important)

Elements	Count and percent answers				
	1	2	3	4	5
To know your local representative	877 (3.9%)	1747 (7.9%)	4984 (22.4%)	6743 (30.3%)	7897 (35.5%)
To be affiliated with a political party	5384 (24.2%)	4382 (19.7%)	5817 (26.1%)	3515 (15.8%)	3150 (14.2%)
To be aware of political party platforms	122 (0.5%)	125 (0.6%)	725 (3.3%)	4005 (18.0%)	17271 (77.6%)

Figure 7: How important is it for you to know your local representative?
Scale: 1 (Not important) – 5 (Very important)
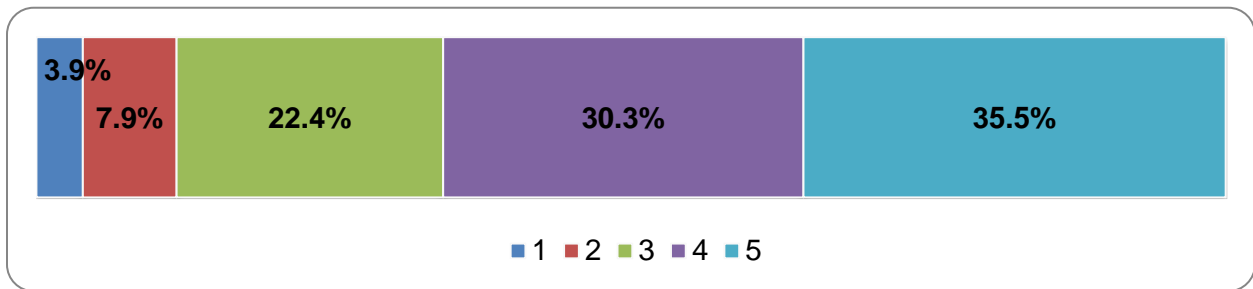
Figure 8: How important is it for you to be affiliated with a political party?
Scale: 1 (Not important) – 5 (Very important)

269
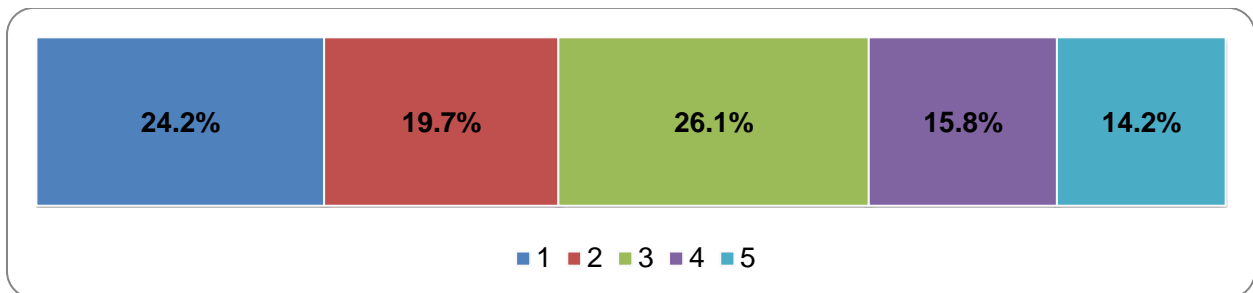
Figure 9: How important is it for you to be aware of political party platforms
Scale: 1 (Not important) – 5 (Very important)

0.5% 0.6% 3.3% 18.0% 77.6%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5
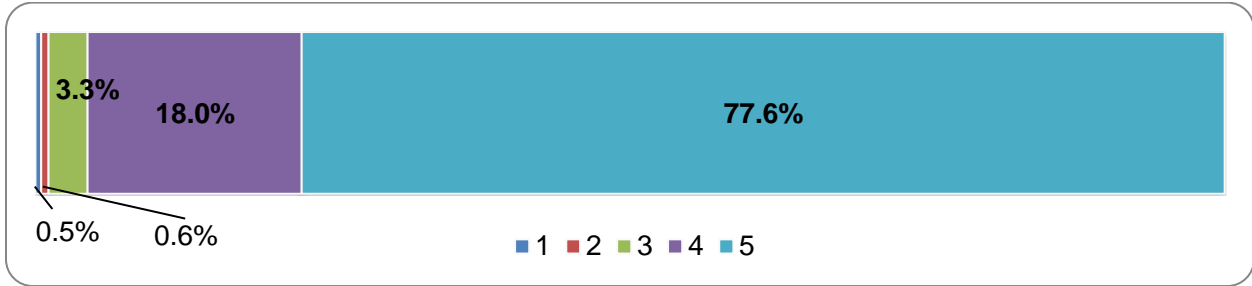
Table 13: One political party should hold a majority of seats in Parliament
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Canada's electoral system should favour the following outcome: one political party holds a majority of seats in Parliament and is able to implement its campaign platform	7166 (32.3%)	4073 (18.3%)	3751 (16.9%)	2630 (11.8%)	3999 (18.0%)	629 (2.8%)

Figure 10: One political party should hold a majority of seats in Parliament
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

32.3% 18.3% 16.9% 11.8% 18.0% 2.8%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
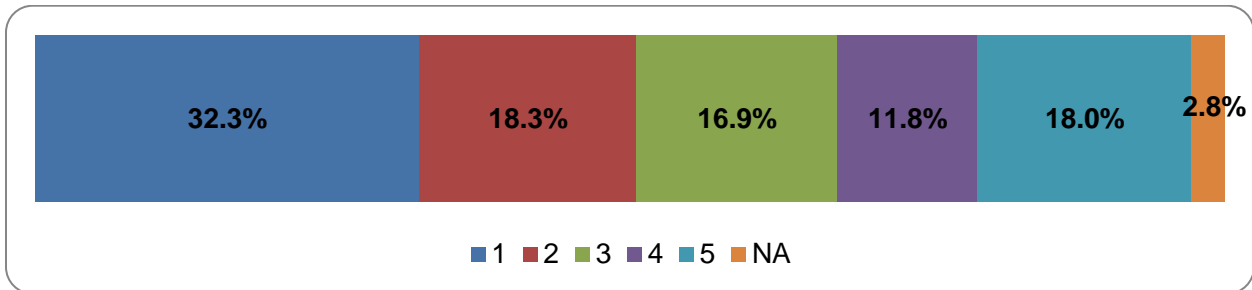
Table 14: No single political party should hold the majority of seats in Parliament, increasing the likelihood of political parties working together to pass legislation
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Canada's electoral system should favour the following outcome: no single political party holds the majority of seats in Parliament, thereby increasing the likelihood that political parties will work together to pass legislation	3907 (17.6%)	2257 (10.1%)	3348 (15.0%)	4820 (21.7%)	7067 (31.8%)	849 (3.8%)

Figure 11: No single political party should hold the majority of seats in Parliament, increasing the likelihood of political parties working together to pass legislation
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
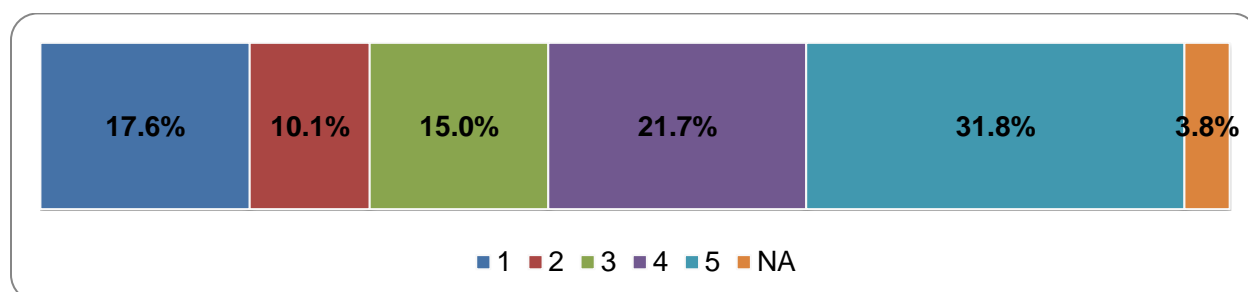
Table 15: Voters should elect local candidates to represent them in Parliament
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Canada's electoral system should ensure that voters elect local candidates to represent them in Parliament	636 (2.9%)	1117 (5.0%)	3516 (15.8%)	5323 (23.9%)	10808 (48.6%)	848 (3.8%)

Figure 12: Voters should elect local candidates to represent them in Parliament
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 2.9% 5.0% | 15.8% | 23.9% | 48.6% | 3.8% |

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
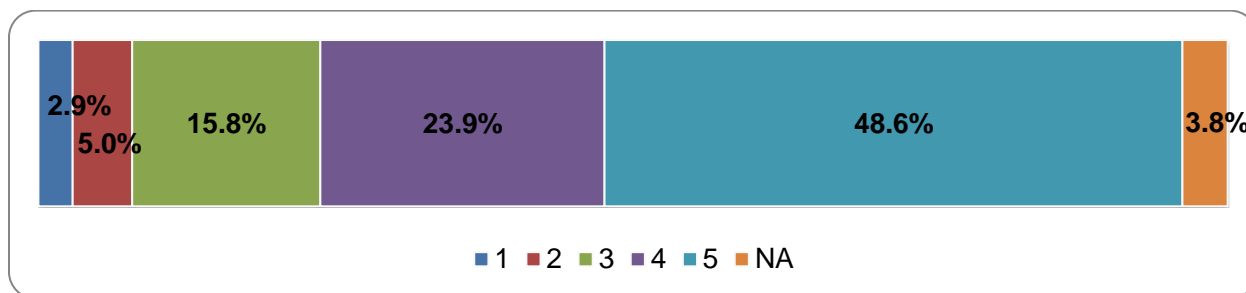
Table 16: Number of seats held by a party in Parliament should reflect the proportion of votes it received across the country
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Canada's electoral system should ensure that the number of seats held by a party in Parliament reflects the proportion of votes it received across the country	2647 (11.9%)	1127 (5.1%)	1483 (6.7%)	2764 (12.4%)	13147 (59.1%)	1082 (4.9%)

Figure 13: Number of seats held by a party in Parliament should reflect the proportion of votes it received across the country
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 11.9% | 5.1% | 6.7% | 12.4% | 59.1% | 4.9% |

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
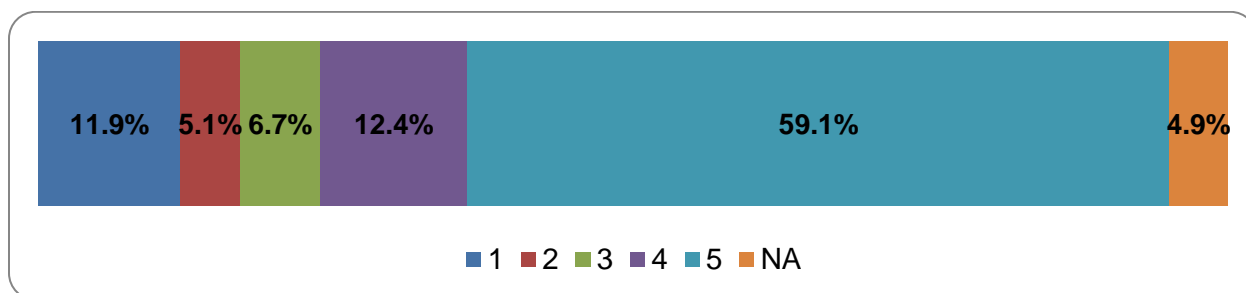
Table 17: Independent candidates should be able to be elected to Parliament
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Independent candidates (not part of a political party) should be able to be elected to Parliament	1075 (4.8%)	692 (3.1%)	2101 (9.4%)	3792 (17.0%)	13420 (60.3%)	1168 (5.2%)

Figure 14: Independent candidates should be able to be elected to Parliament
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

4.8%	3.1%	9.4%	17.0%	60.3%	5.2%

■1 ■2 ■3 ■4 ■5 ■NA

CURRENT ELECTORAL SYSTEM

Table 18: The current electoral system adequately reflects voters' intentions
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
The current electoral system adequately reflects voters' intentions	10075 (45.3%)	4416 (19.8%)	1796 (8.1%)	1594 (7.2%)	4093 (18.4%)	274 (1.2%)

Figure 15: The current electoral system adequately reflects voters' intentions
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

45.3%	19.8%	8.1%	7.2%	18.4%	1.2%

■1 ■2 ■3 ■4 ■5 ■NA
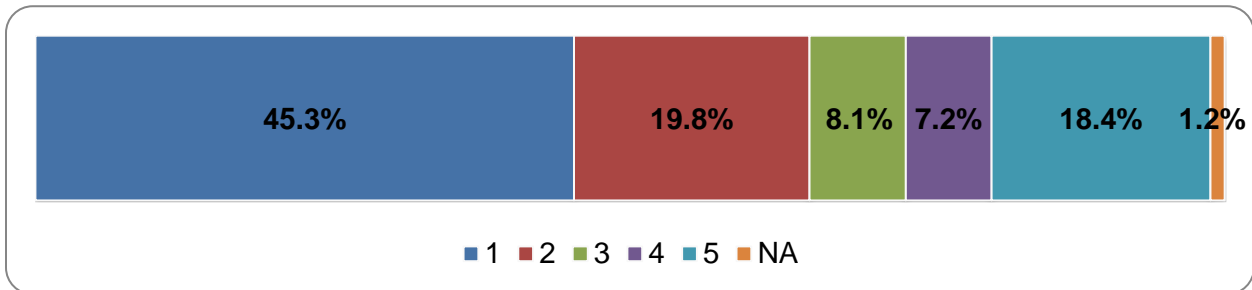
Table 19: If I vote for a candidate in my riding who does not win, my vote is wasted
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
If I vote for a candidate in my riding who does not win, my vote is wasted	6249 (28.1%)	2884 (13.0%)	2885 (13.0%)	3323 (14.9%)	6502 (29.2%)	405 (1.8%)

Figure 16: If I vote for a candidate in my riding who does not win, my vote is wasted

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 28.1% | 13.0% | 13.0% | 14.9% | 29.2% | 1.8% |
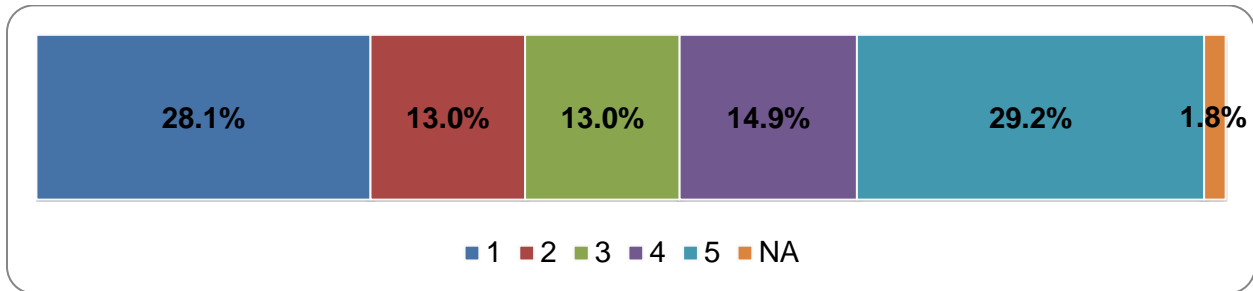
■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA

Table 20: The current electoral system should be maintained

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
The current electoral system should be maintained	12773 (57.4%)	2398 (10.8%)	979 (4.4%)	778 (3.5%)	4829 (21.7%)	491 (2.2%)

Figure 17: The current electoral system should be maintained

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 57.4% | 10.8% | 4.4% | 3.5% | 21.7% | 2.2% |
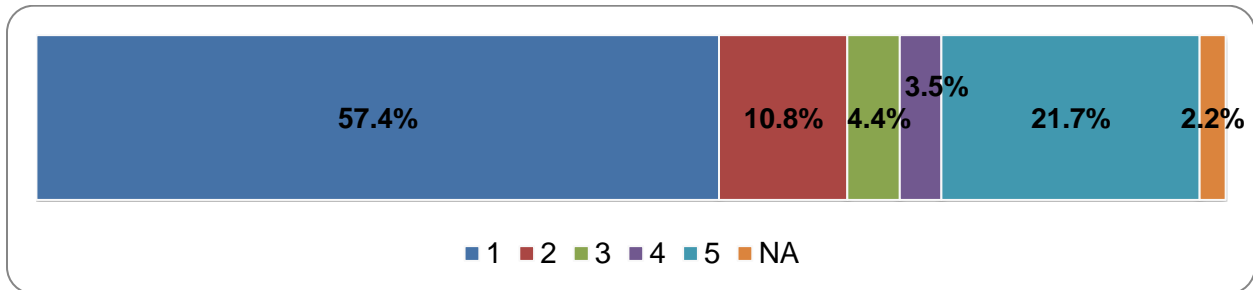
■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA

Table 21: The current electoral system should be changed

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
The current electoral system should be changed	4599 (20.7%)	670 (3.0%)	623 (2.8%)	1842 (8.3%)	13793 (62.0%)	721 (3.2%)

Figure 18: The current electoral system should be changed
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

PLURALITY OR MAJORITY SYSTEMS

Table 22: Seats in the House of Commons should be filled by the candidates who receive the most votes
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Seats in the House of Commons should be filled by the candidates who receive the most votes in their ridings even if they receive less than 50% of the total votes cast	7591 (34.1%)	3907 (17.6%)	2186 (9.8%)	1914 (8.6%)	5768 (25.9%)	881 (4.0%)

Figure 19: Seats in the House of Commons should be filled by the candidates who receive the most votes
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
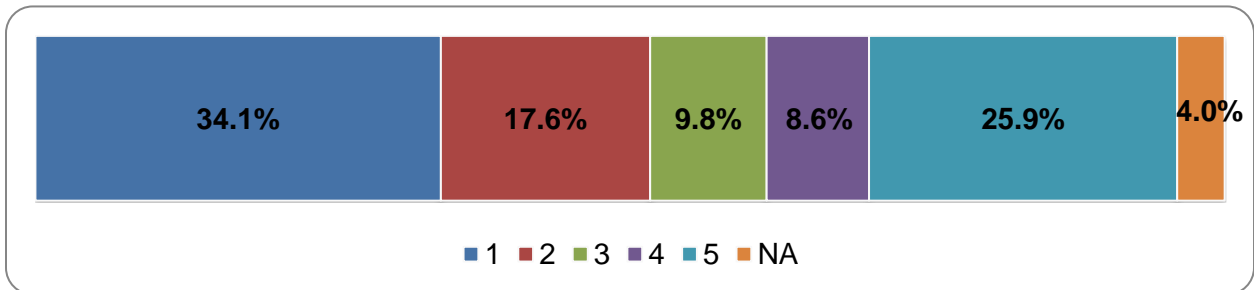
Table 23: In order be elected in a riding, a candidate should have to obtain more than half of the votes cast

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
In order be elected in a riding, a candidate should have to obtain more than half of the votes cast	5421 (24.4%)	2142 (9.6%)	2957 (13.3%)	4791 (21.5%)	5861 (26.3%)	1076 (4.8%)

Figure 20: In order be elected in a riding, a candidate should have to obtain more than half of the votes cast

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
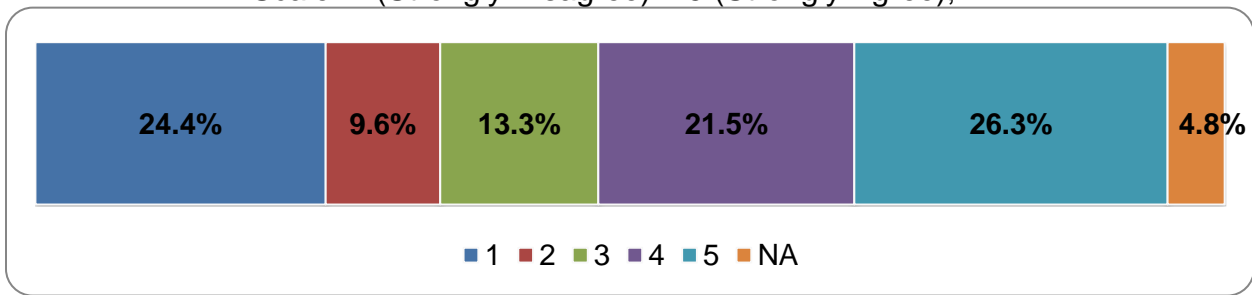
Table 24: Voters should be able to rank the candidates and have the outcome determined based on preferences

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
For a candidate to obtain a majority of votes in one round of voting, voters should be able to rank candidates on the ballot and have the outcome determined based on a tally of preferences	6075 (27.3%)	1529 (6.9%)	2502 (11.2%)	4836 (21.7%)	6183 (27.8%)	1123 (5.0%)

Figure 21: Voters should be able to rank the candidates and have the outcome determined based on preferences
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

27.3%	6.9%	11.2%	21.7%	27.8%	5.0%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
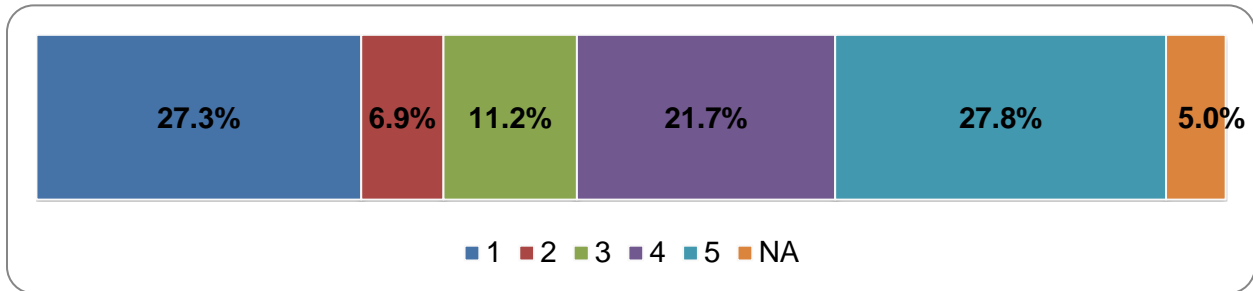
Table 25: A second round should take place between the top two if no candidate obtains more than half the votes cast
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Alternatively, a second round of voting should take place between the top two candidates to determine the victor if no candidate obtains more than half the votes cast during a first round of voting	8561 (38.5%)	3111 (14.0%)	2820 (12.7%)	3083 (13.9%)	3445 (15.5%)	1228 (5.5%)

Figure 22: A second round should take place between the top two if no candidate obtains more than half the votes cast
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

38.5%	14.0%	12.7%	13.9%	15.5%	5.5%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
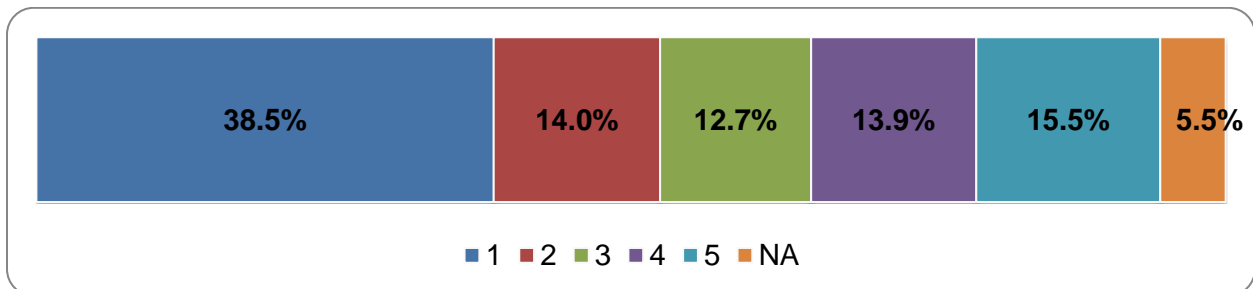
PROPORTIONAL REPRESENTATION SYSTEMS

Table 26: Voters should vote for political parties and the seats should be allocated based on percentage of votes
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Voters should vote for political parties (not specific candidates) and the seats should be allocated based on the percentage of votes obtained by each political party	8285 (37.2%)	3280 (14.7%)	3088 (13.9%)	3070 (13.8%)	3823 (17.2%)	703 (3.2%)

Figure 23: Voters should vote for political parties and the seats should be allocated based on percentage of votes
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 37.2% | 14.7% | 13.9% | 13.8% | 17.2% | 3.2% |

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
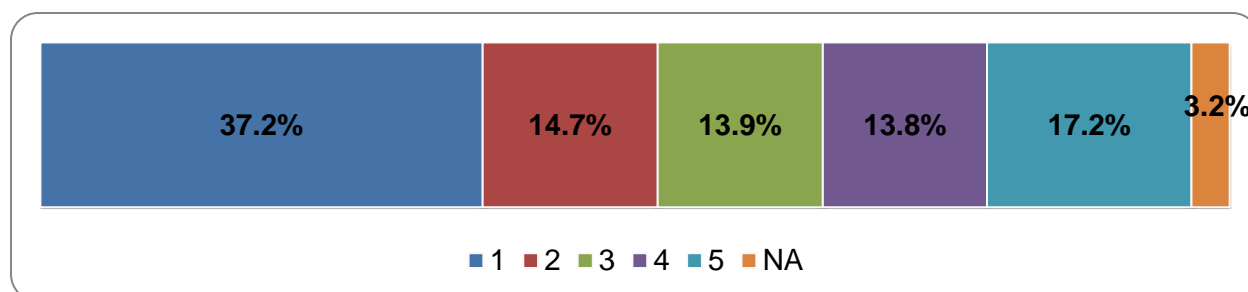
Table 27: Political parties should determine which of their candidates get elected from their list
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Political parties should determine which of their candidates get elected from their list	11029 (49.6%)	4553 (20.5%)	3189 (14.3%)	1396 (6.3%)	1071 (4.8%)	1011 (4.5%)

Figure 24: Political parties should determine which of their candidates get elected from their list

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 49.6% | 20.5% | 14.3% | 6.3% | 4.8% | 4.5% |

■1 ■2 ■3 ■4 ■5 ■NA
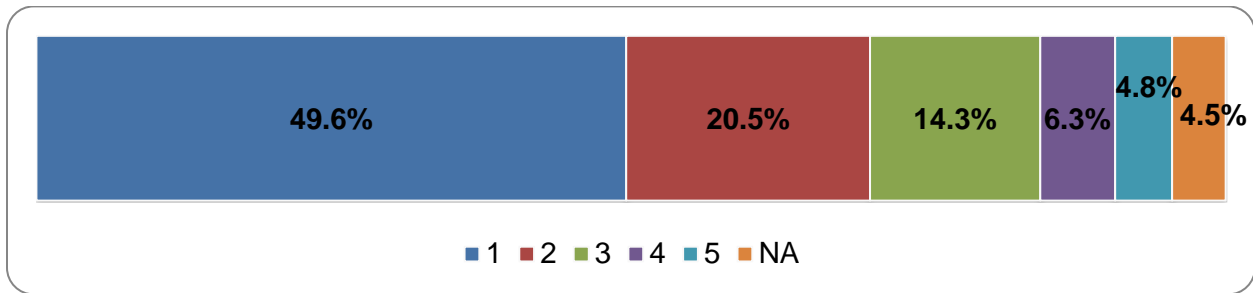
Table 28: Voters should determine which candidates get elected from a party's list

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Voters should determine which candidates get elected from a party's list and the seats in the House of Commons should be allocated based on the percentage of votes obtained by each political party	4474 (20.1%)	1217 (5.5%)	2325 (10.4%)	4889 (22.0%)	8365 (37.6%)	979 (4.4%)

Figure 25: Voters should determine which candidates get elected from a party's list

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 20.1% | 5.5% | 10.4% | 22.0% | 37.6% | 4.4% |

■1 ■2 ■3 ■4 ■5 ■NA
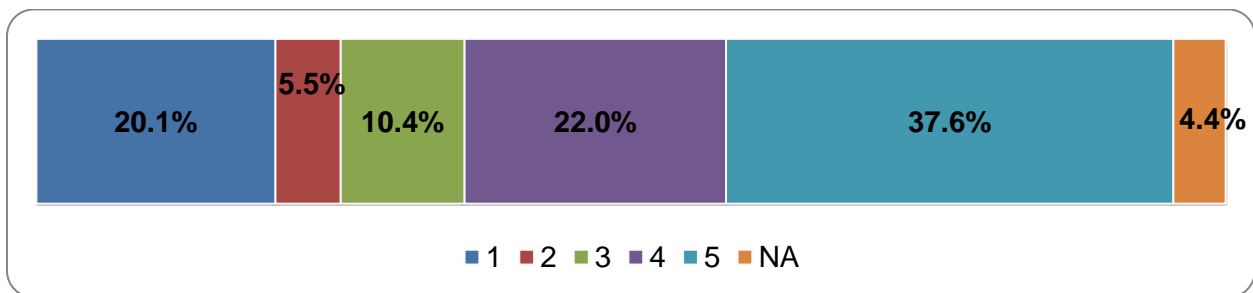
Table 29: Canada's electoral system should produce a proportional Parliament through the direct election of local representatives in multi-member districts
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Canada's electoral system should produce a proportional Parliament (where seats roughly match the parties' vote share) through the direct election of local representatives in multi-member electoral districts	5357 (24.1%)	1472 (6.6%)	2386 (10.7%)	4461 (20.1%)	6973 (31.3%)	1600 (7.2%)

Figure 26: Canada's electoral system should produce a proportional Parliament through the direct election of local representatives in multi-member districts
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
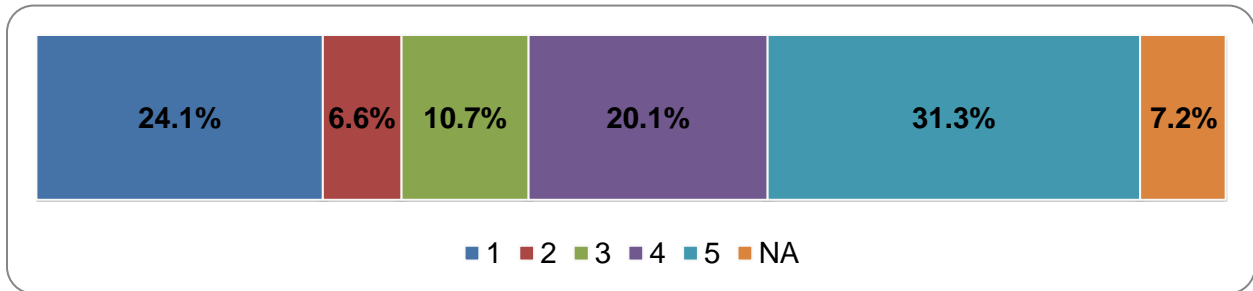
MIXED ELECTORAL SYSTEMS

Table 30: Voters should cast two votes on their ballots: one for a candidate and one for a party
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Voters should cast two votes on their ballots: one to directly elect a member to serve as their representative, and a second for a party or parties to fill seats in the House of Commons based on the vote share they receive	5986 (26.9%)	1784 (8.0%)	2722 (12.2%)	4142 (18.6%)	6372 (28.6%)	1243 (5.6%)

Figure 27: Voters should cast two votes on their ballots: one for a candidate and one for a party
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
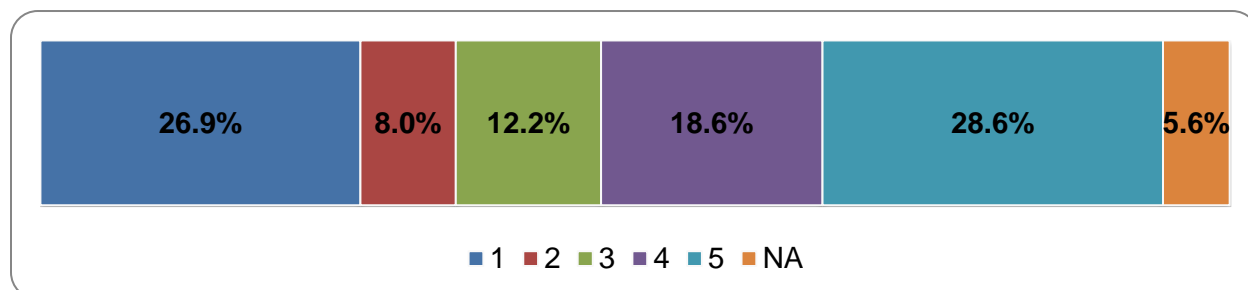
Table 31: Seats should be allocated in proportion to the percentage of votes received by each political party
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Seats in the House of Commons should be allocated in proportion to the percentage of votes received by each political party	4889 (22.0%)	1209 (5.4%)	1997 (9.0%)	3904 (17.5%)	9499 (42.7%)	751 (3.4%)

**Figure 28: Seats should be allocated in proportion
to the percentage of votes received by each political party**
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

22.0%	5.4%	9.0%	17.5%	42.7%	3.4%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
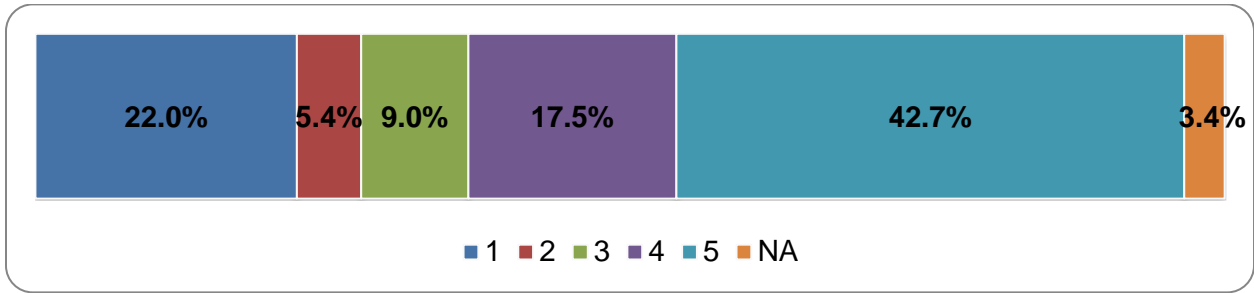
MANDATORY OR COMPULSORY VOTING

Table 32: Canadians should be required to cast a ballot in a federal election
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Canadians should be required to cast a ballot in a federal election. (This could include spoiling a ballot.)	6231 (28.0%)	1846 (8.3%)	2137 (9.6%)	3144 (14.1%)	8064 (36.2%)	826 (3.7%)

**Figure 29: Canadians should be required to cast a ballot in a federal election
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA**

28.0%	8.3%	9.6%	14.1%	36.2%	3.7%

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
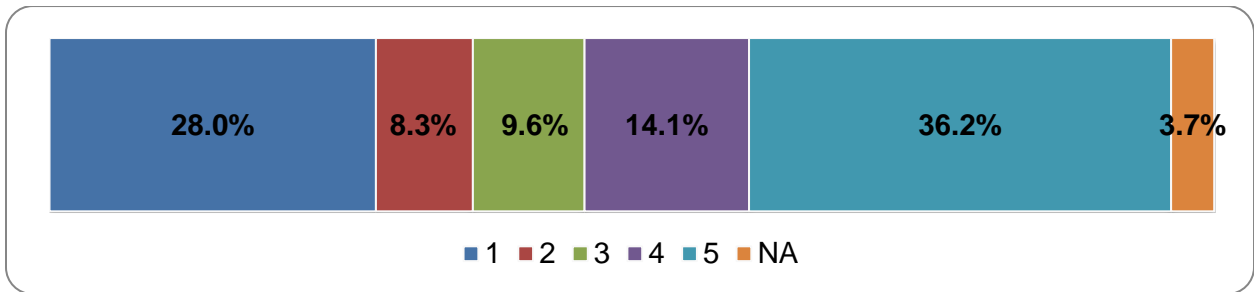
Table 33: Canadians should be penalized for failing to cast a ballot in a federal election

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Canadians should be fined or receive some other penalty for failing to cast a ballot in a federal election without acceptable justification (e.g. illness, absence).	9564 (43.0%)	2628 (11.8%)	2544 (11.4%)	2171 (9.8%)	4361 (19.6%)	980 (4.4%)

Figure 30: Canadians should be penalized for failing to cast a ballot in a federal election

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
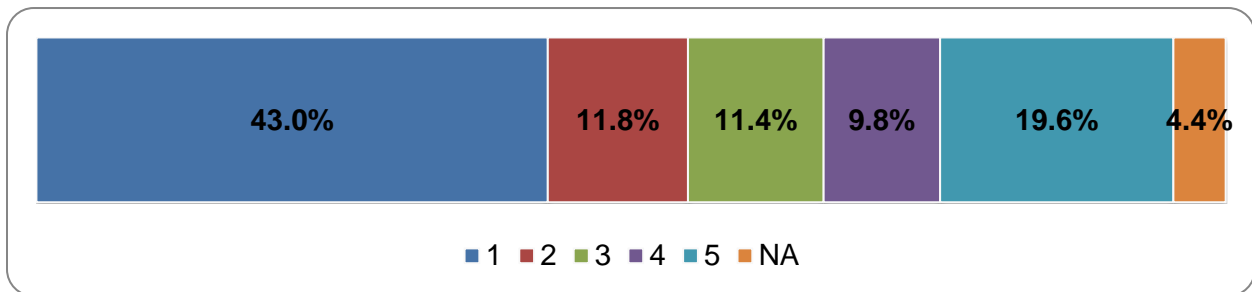
Table 34: Incentives should be put in place to encourage Canadians to cast a ballot

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Incentives should be put in place to encourage Canadians to cast a ballot in a federal election	5118 (23.0%)	1235 (5.6%)	2324 (10.4%)	3457 (15.5%)	9316 (41.9%)	798 (3.6%)

Figure 31: Incentives should be put in place to encourage Canadians to cast a ballot

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
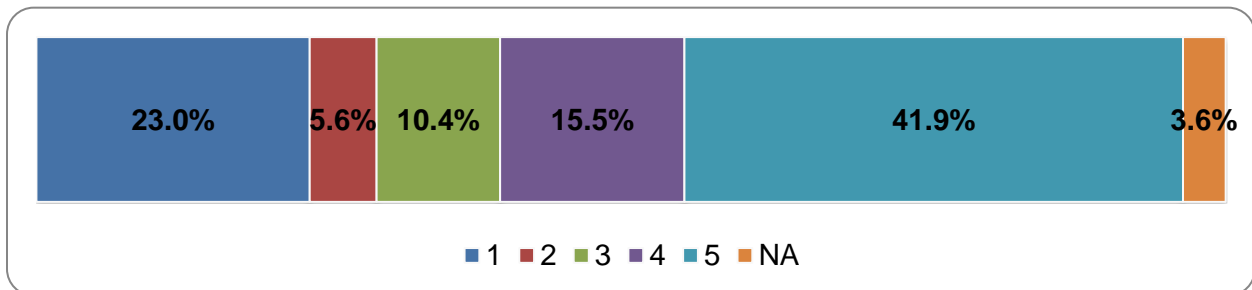
ONLINE VOTING

Table 35: Canadians should be able to vote online in a federal election
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Canadians should be able to vote online in a federal election	5955 (26.8%)	1626 (7.3%)	2567 (11.5%)	3081 (13.8%)	7294 (32.8%)	1725 (7.8%)

Figure 32: Canadians should be able to vote online in a federal election
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
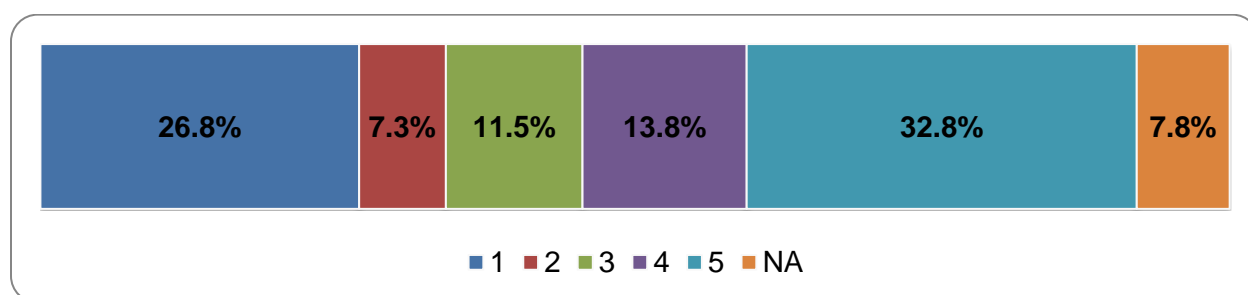
Table 36: There is a public good or value associated with voting in person
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
There is a public good or value associated with voting in person	2015 (9.1%)	1920 (8.6%)	3841 (17.3%)	4278 (19.2%)	9307 (41.8%)	887 (4.0%)

Figure 33: There is a public good or value associated with voting in person
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
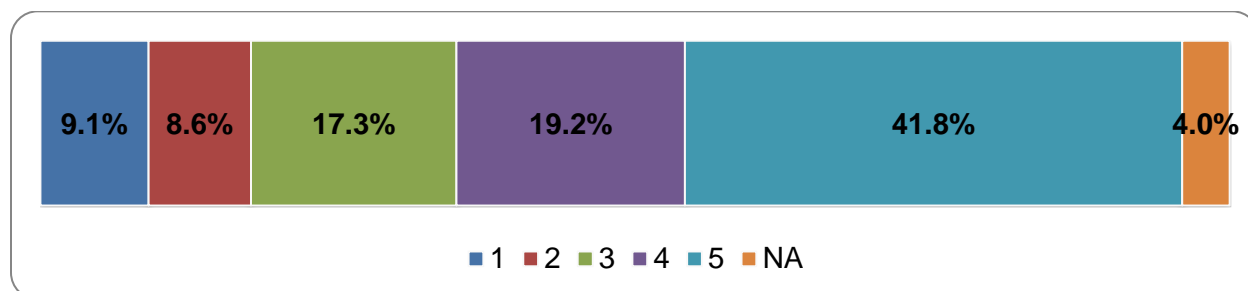
Table 37: I am concerned about the security and reliability of online voting
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
I am concerned about the security and reliability of online voting	2298 (10.3%)	1812 (8.1%)	2464 (11.1%)	3936 (17.7%)	11369 (51.1%)	369 (1.7%)

Figure 34: I am concerned about the security and reliability of online voting
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
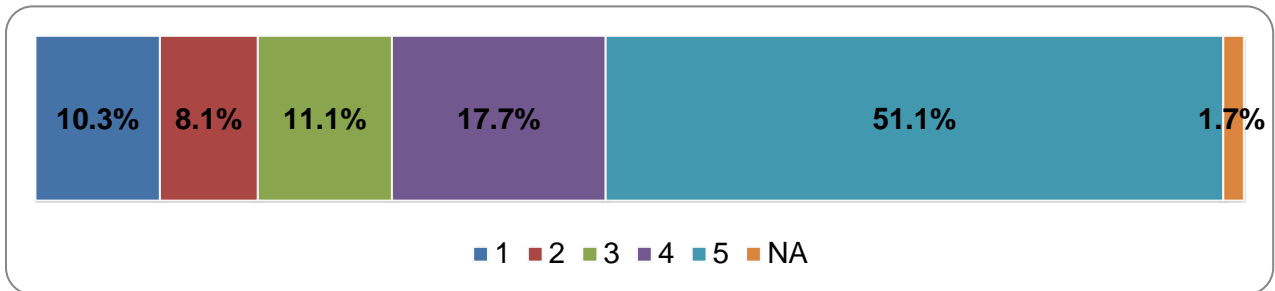
Table 38: Online voting should only be considered as an alternative for people unable to vote in person on election day
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Online voting should only be considered as an alternative for people unable to vote in person on election day	5844 (26.3%)	2888 (13.0%)	3480 (15.6%)	3413 (15.3%)	5116 (23.0%)	1507 (6.8%)

Figure 35: Online voting should only be considered as an alternative for people unable to vote in person on election day
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
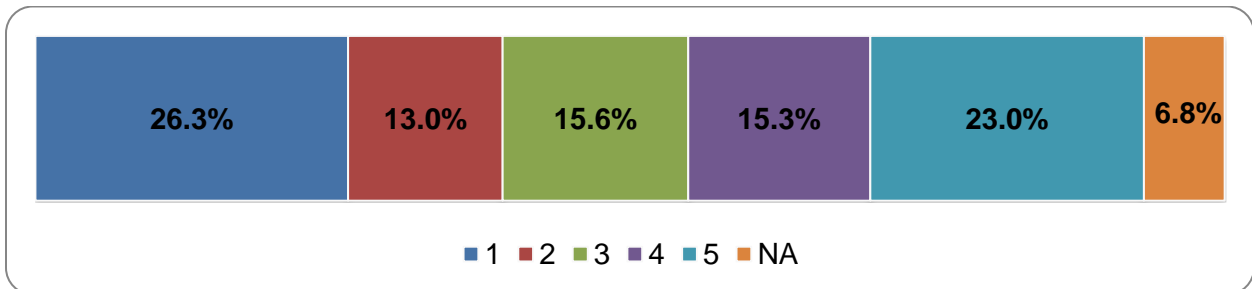
Table 39: Any plans for a future Canadian electoral system should be determined by a majority of members of Parliament
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Any plans for a future Canadian electoral system should be determined by a majority of members of Parliament	7540 (33.9%)	1991 (8.9%)	2862 (12.9%)	3507 (15.8%)	5551 (25.0%)	796 (3.6%)

Figure 36: Any plans for a future Canadian electoral system should be determined by a majority of members of Parliament
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
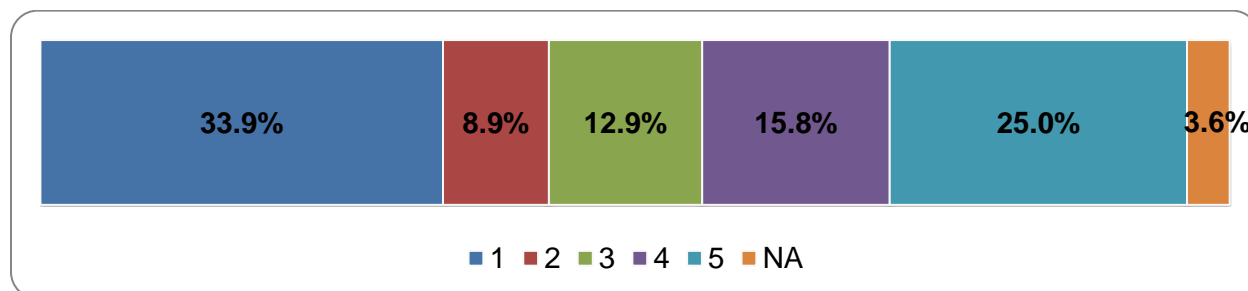
Table 40: Any plans for a future Canadian electoral system should require broad public support
Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Any plans for a future Canadian electoral system should require broad public support, in addition to parliamentary approval	1585 (7.1%)	1398 (6.3%)	2656 (11.9%)	3838 (17.3%)	12239 (55.0%)	531 (2.4%)

Figure 37: Any plans for a future Canadian electoral system should require broad public support

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 7.1% | 6.3% | 11.9% | 17.3% | 55.0% | 2.4% |

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
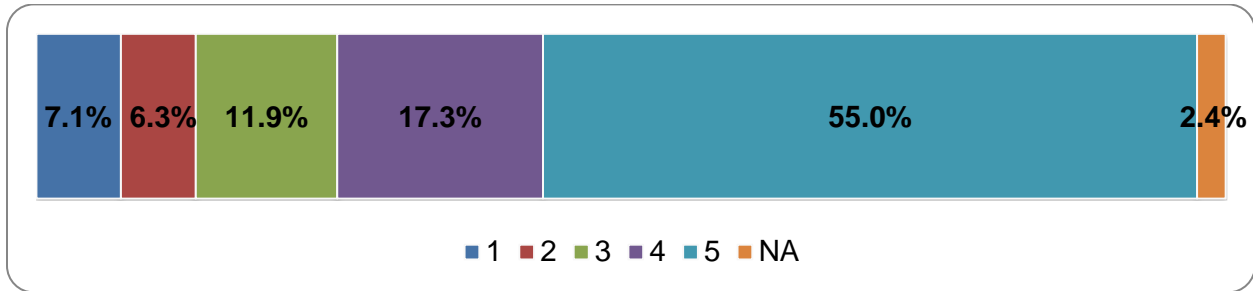
Table 41: Broad public support should be gauged through in-person and online consultation

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Broad public support should be gauged through in-person and online consultation with Canadians representative of Canadian society (demographically and geographically)	4422 (19.9%)	1355 (6.1%)	3080 (13.8%)	5480 (24.6%)	7104 (31.9%)	806 (3.6%)

Figure 38: Broad public support should be gauged through in-person and online consultation

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 19.9% | 6.1% | 13.8% | 24.6% | 31.9% | 3.6% |

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA
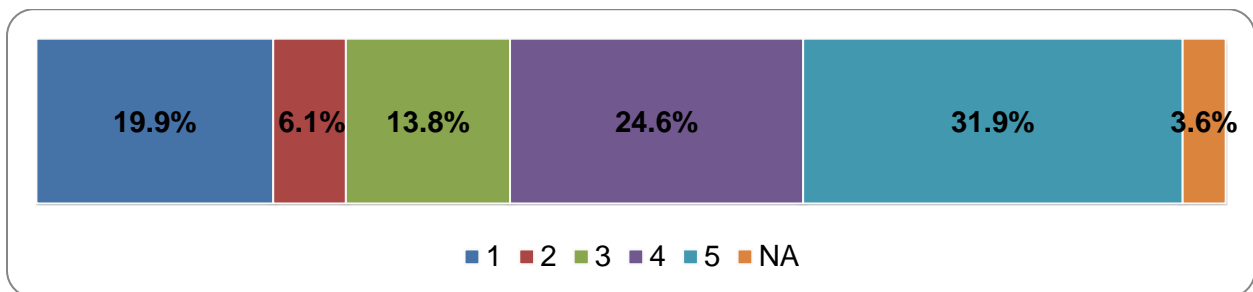
Table 42: Broad public support should be gauged through the creation of a citizens' assembly

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Broad public support should be gauged through the creation of a citizens' assembly. (A citizens' assembly is a body formed from a cross-section of the public, randomly selected and representative of Canadian society [demographically and geographically], to study the options available on an issue or issues of national importance.)	6173 (27.7%)	2642 (11.9%)	4204 (18.9%)	4240 (19.1%)	3844 (17.3%)	1144 (5.1%)

Figure 39: Broad public support should be gauged through the creation of a citizens' assembly

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA
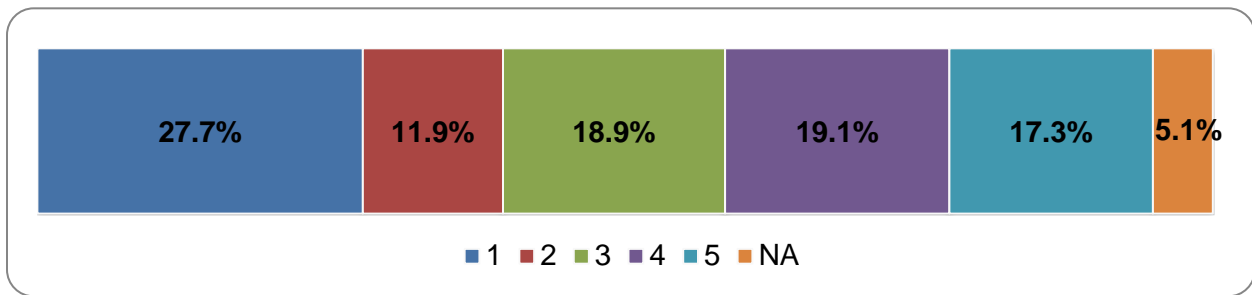
Table 43: Broad public support should be gauged through a direct vote by Canadians

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

Statement	Count and percent answers					
	1	2	3	4	5	NA
Broad public support should be gauged through a direct vote by Canadians on an option or various options for a future Canadian electoral (through a plebiscite or referendum)	5566 (25.0%)	1896 (8.5%)	1814 (8.2%)	2413 (10.8%)	9776 (43.9%)	782 (3.5%)

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Figure 40: Broad public support should be gauged through a direct vote by Canadians

Scale: 1 (Strongly Disagree) – 5 (Strongly Agree); NA

| 25.0% | 8.5% | 8.2% | 10.8% | 43.9% | 3.5% |

■ 1 ■ 2 ■ 3 ■ 4 ■ 5 ■ NA

Distribution of E-Consultation Responses

Number of Responses

National Average: 15

1–15 | 16–35 | 36–70 | 71–245

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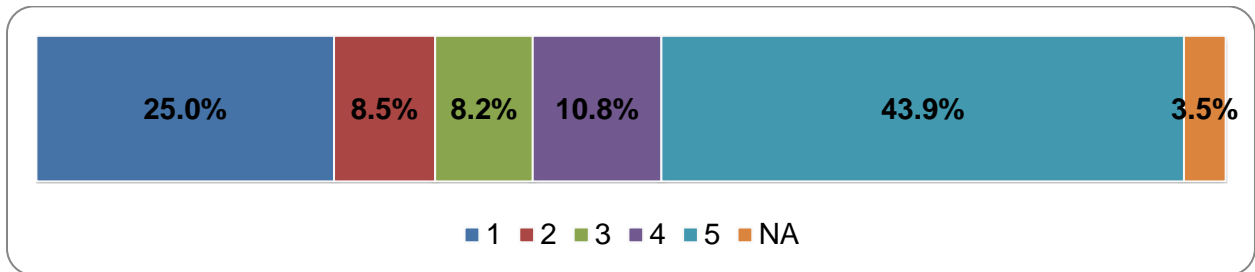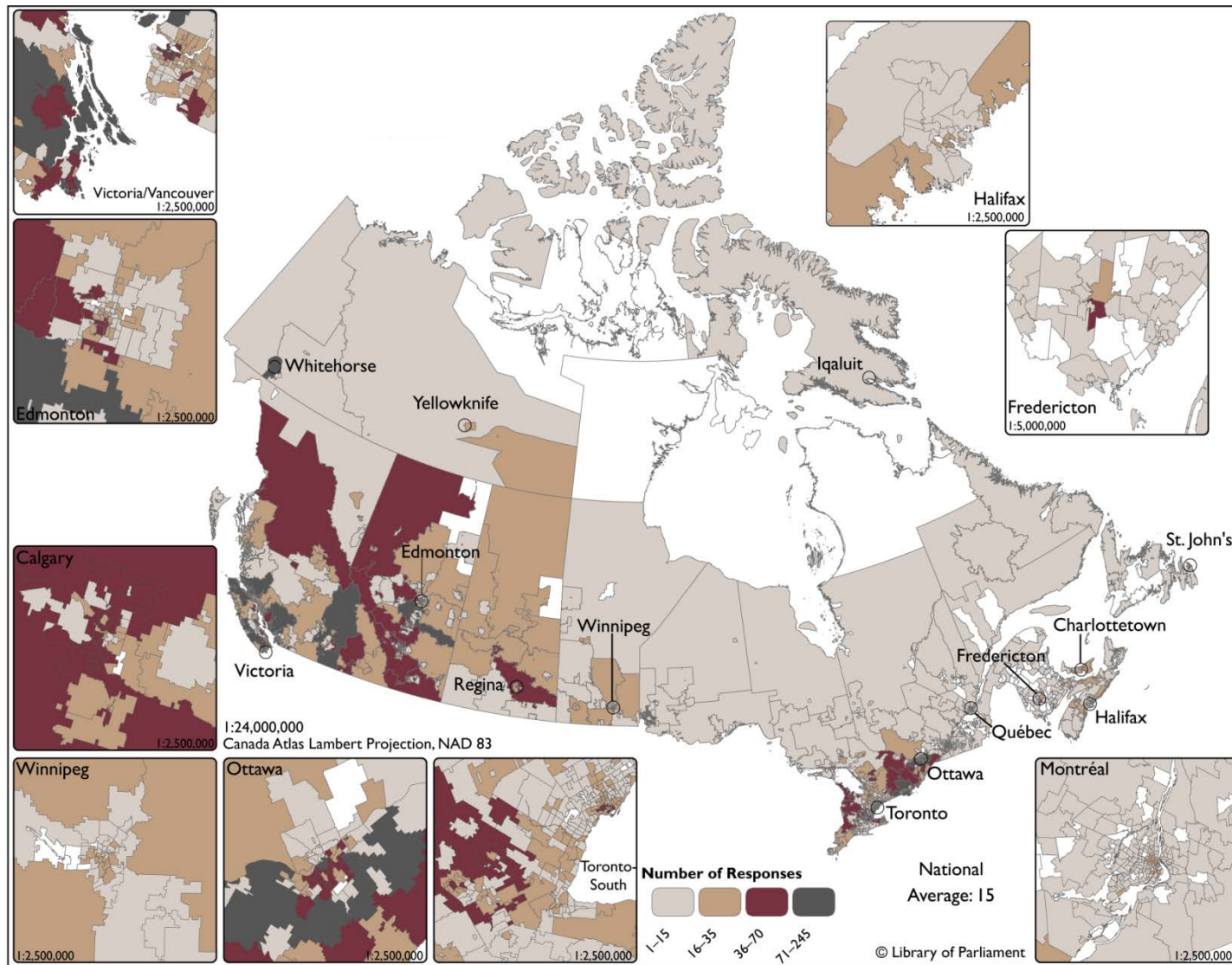
Sources: Map prepared by Library of Parliament using data from the House of Commons Special Committee on Electoral Reform. E-Consultation on Electoral Reform. Ottawa, October 2016; Natural Resources Canada. Place Names. In: Atlas of Canada National Scale Data 1:15,000,000 Series. Ottawa: Natural Resources Canada , 2014; Statistics Canada. Forward Sortation Area Boundary File, 2011 Census. Ottawa: Statistics Canada, 2013. The following software was used: Esri, ArcGIS, version 10.3.1. Contains information licensed under Open Government Licence – Canada.

APPENDIX G
CLASSIFICATION OF BRIEFS
SUBMITTED TO THE COMMITTEE

ELECTORAL SYSTEM

First-Past-The-Post

<div align="center">Presented Arguments in Favour</div>

Association libérale fédérale de Laurier-Sainte-Marie

Beaudoin, Michael

Beeson, Barbara

Block, Niko

Breslaw, John

Brzustowski, Marc-André

Budreski, John

Canseco, Mario

Danial, Amathul

Dewar, Kenneth

DiFranco, Michele

Dorion, David

Eiriksson, Jan and Eiriksson, Sig

Ethelo Democracy

Ferland, Benjamin

Francoeur, Reg

Gaetan, Joseph

Gussow, David

Hendrickson, Victor

Kryski, Larry

Kyba, Daniel

Loewen, Peter John

MacLennan, Ken

Marceau, Michel

McCrany, Doak

McKeever, Cathrine

Mellor, Brian

Murray, Ken

Norfolk, Jim

Pawson, Robert

Radford, Robert Charles

Rémillard, Jean

Ring, Robert

Robinson, Laurence

Schouten, Jack

Schubert, Philip

Steeves, R. Wayne

Taylor, George

Tremblay, Mireille

Tupper, Gary

Turner, Mel

Viney, Paul

Warner, James

Williams, Paul

Presented Arguments Against

Alliance 4 Democracy Sunshine Coast

Arthur, David

Ashby, Eric

Ashdown, Ken

Bahar, Ali

Ball, Trevor

Bandurka, Robert

Barlow, Craig

Batten-Crew, Mark

Bednarski, Michael J.

Belfry, Mark and Belfry, Patricia

Bell, Jim

Bernier, Ray

Bertram, James

Bezaire, Carole

Bigland Pritchard, Mark

Blackwell, David

Bot, Mo

Bradford, Henry

Bradshaw, Chris

Brantford-Brant Electoral Reform Community Forum Report

Breeze, William

Brekke, David

Bromilow, James

Brophey, Stan

Brown, Mark

Buchanan, Margaret

Buckles, Brian

Budd, Bruce

Bueckert, Chardaye

Burnett, Colin

Burningham, Mark

Callaghan, Sean

Cameron, Maxwell

Campbell, Ryan

Canadian Action Party

Canadian Federation of University Women

Canadian Union of Public Employees - Local 543

Canadian Unitarians for Social Justice

Canzi, Michael

Carr, Adriane

CDN 1100

Chambers, Brad

Charlton, Tyler

Cherniack, Howard

Choptiany, Dennis

Christian Heritage Party of Canada

Citizens for Public Justice

Citizens for Voter Equality

Clark, Patrick

Clements, Reed

Clunie, Barnaby

Coalition Avenir Québec

Collins, Norm

Committee for Voting Equity in BC

Communist Party of Canada

Cornerstone Guelph Dialogue

Council of Canadians - Thunder Bay Chapter

Crowe, David

Dale, Lisa

Dance-Bennink, Terry

Daurio, Donald

Davies, Gavin

de Wolff, Alice and Manzer, Gary

DeLaHunt, Jim

Democracy: Vox Populi

Derby, Donald

Deverell, John

Divine, Mike

Dodwell, Beth

Downtown Muslim Professional Network

Dubé, Maxime

Duttle, Diane

Dutton, John

Eldridge, Julie

McCulloch, Stephen
McDonald, Callum
McGrail, Patricia E.
McLaren, David
McLaren, Jason
McNeil, Donna
McQuail, Tony
Mehzenta, Yared
Meilleur, Pierre
Merle, Bronwen
Miedema, Yelda
Miles, Jim
Mirabel Center For Policy Development
Mitchell, Valerie
Moller, Peter
Moore, Pete
Morgan, Alanna
Morgan, Peter
Morin, Mathieu
Mouvement pour une démocratie nouvelle
Muise, Len
Musgrave, Paul Francis
Nash, David
Negative Vote Association
Newman, Mike
Niagara West Citizens Group
Nicholls, Gordon
Nickerson, Anita
Nickerson, Steve
Nijjar, Paul
Noël, Jean-Claude
Normand, Sophie
North Okanagan, Shuswap Electoral
    District Association
North Shore Community Resources
    Society
O'Connor, Kathleen
Oppen, Katie
Oshanek, Dom
Oxman, Heather
Paisley TownHall
Palfree, Roger

Pardy, Larry
Pattison, Adam
Pearson Centre for Progressive Policy
Phillips, Stephen
Pilon, Dennis
Plant Recreation Centre Dialogue
Polowick, Mike
Poore, Keith
Prins, Phil
Professional Institute of the Public Service
    of Canada Public Forum
Qu'Appelle Valley Environmental
    Association
Ramsey-Falquier, Suzanne
Rawls, Don
Rebuilding our Democratic Canada
Reeves, Sharon
Regina Qu'Appelle Federal NDP Riding
    Association
Reid, Charles
Reid, Marilyn
Reimer, Boyd
Reitsma, Elek
Ridd, Laurel
Ridley, Leanne
Roberge, Mercédez
Robertson, Terrance W.
Robinson, Nicholas Michael
Roddy, Susan
Rosenblum, Simon
Ross, Jennifer
Rossi, Dominic
Rourke, Tim
Russell, Peter H.
Russell, William
Russwurm, Laurel
Sandy, Gerald
Scarrow, James
Scheer, Laurie
Schellenbert, Paul J.
Scheuneman, Eric
Scholefield, Peter

Alternative Vote/Ranked Ballot

Presented Arguments in Favour

123 Canada

Belfry, Mark and Belfry, Patricia

Bertram, James

Buckles, Brian

Bunting, Rapley G.

Burningham, Mark

Cameron, Aimee

Chambers, Brad

Clements, Reed

Conroy, Laura

Dewar, Kenneth

Downtown Muslim Professional Network

Fair Vote United States

Fell, Brian

Ferland, Benjamin

Grice, Daniel

Hissen, Jurgen

Husum, Russel

Jackson, William

Labelle, Raymond

Lawrence, Felix

Libdemo Movement

Loenen, Nick

Ramsey-Falquier, Suzanne

Rawls, Don

Ridley, Leanne

Rosenblum, Simon

Russell, William

Schulze, Markus

Sherman, Ian

Stark, Chris and Stark, Marie

Su, Dustin and Yu, Jasmine

Tardif, Claude

Waddington, John

Wheatley, Michael

Williams, Paul

Williamson, Rod

Presented Arguments Against

Alliance 4 Democracy Sunshine Coast

Ball, Trevor

Becker, Byron Weber

Bednarski, Michael J.

Bigland Pritchard, Mark

Bromilow, James

Brophey, Stan

Canadian Union of Public Employees - Local 543

Canzi, Michael

Carr, Adriane

Concordia university Young Greens

Davies, Gavin

Democracy: Vox Populi

Deverell, John

Ellard, Susan

Fair Vote Fort Frances

Fair Vote Nova Scotia

Fédération des communautés francophones et acadienne du Canada

Fox, Allan J.

Franson, Gavin

Fraser, David

Gibb, Brian

Giberson, Don

Gregory, Allan R.

Harrison, Esther D. and Thornton, John

Johnston, Jan

Johnston, Jim

Klaus, Wolf-Dieter

Koch, Warren

Legrand, Teresa

Manougian, Harout

McGrail, Patricia E.

McKeever, Cathrine

McQuail, Tony

Miedema, Yelda

Morgan, Alanna

Morgan, Peter

Paisley TownHall

Reeves, Sharon

Reid, Charles

Ridd, Laurel

Russwurm, Laurel

Scarrow, James

Scott, Donald

Stephen, Gord

Stewart, Toby

Symons, Philip

Trister, Benjamin and Trister, Rachel

Truelsen, Kristian

Tsukalas, Athanasios

Unger, Vivian

Reid, Colin

Wesche, Marjorie

Wright, Roberta

Proportional Representation

Presented Arguments in Favour	
Adam, Daniel	Bot, Mo
Allen, Beverly	Boutilier, Roger
Alliance 4 Democracy Sunshine Coast	Bradford, Henry
Arrioja, Aurora	Bradshaw, Chris
Arthur, David	Brantford-Brant Multi-Party Community Forum on Electoral Reform
Ashby, Eric	
Ashdown, Ken	Breeze, William
Axworthy, Thomas S.	Brekke, David
Bahar, Ali	Broadbent Institute
Bailey, Ian	Bromilow, James
Bailie, Doug	Brophey, Stan
Ball, Trevor	Brown, Leslie
Bandurka, Robert	Brown, Mark
Barlow, Craig	Brzustowski, Marc-André
Batten-Carew, Mark	Buchanan, Margaret
Becker, Byron Weber	Buckles, Brian
Bednarski, Michael J.	Budd, Bruce
Beeson, Barbara	Bueckert, Chardaye
Behnke, Joachim and Pukelsheim Friedrich	Burnett, Colin
Bell, Jim	Callaghan, Sean
Bernier, Ray	Cameron, Maxwell
Bertram, James	Campbell, Ryan
Bidochka, John	Canadian Action Party
Bigland-Pritchard, Mark	Canadian Federation of University Women
Blackwell, David	

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Wallis, Cliff

Ward, Lee

Warkentin, John C.

Waterloo Region Greens

Watson, Susan

Weinberg, Alon David

Wesche, Marjorie

Wheatley, Michael

Whitehead, Tyson

Wiens, Muriel E.

Willard, Martha Jo

Williams, Robert

Willms, Allan

Winter, Laura

Wirsching, Eric

Wolfe, Stephanie

Wood, Roderick

Woodard, Douglas

Woodsworth, Ellen

Woodworth, Sabra

Wright, Roberta

Wvong, Russil

Yuen, Danny (Sek Kwong)

Yukon Green Party

Zavitz, Peter

Zimmerman, William

Presented Arguments Against

Beaudoin, Michael

Brun, Henri

Cooperman, Jim

Danial, Amathul

Derby, Donald

Di Franco, Michele

Dodwell, Beth

Dorion, David

Downtown Muslim Professional
Network

Dufour, Christian

Ferland, Benjamin

Gaetan, Joseph

Henschel, Mark

Hissen, Jurgen

Husum, Russ

Laurier-Sainte-Marie Federal Liberal
Association

Marceau, Michel

McCraney, Doak

Mellor, Brian

Murray, Ken

Norfolk, James

Williamson, Rod

Single Transferable Vote

Presented Arguments in Favour

Balakrishnan, Janaki

Ball, Trevor

Batten-Carew, Mark

Bednarski, Michael J.

Bell, Jim

Bigland-Pritchard, Mark

Blain, David

Bot, Mo

Breeze, William

Bromilow, James

Brown, Leslie

Buchanan, Margaret

Campbell, Ron

Cherniack, Howard

Citizens for Voter Equality

Clements, Reed

de Wolff, Alice and Manzer, Gary

Derkx, Sjeng and Remnant, Ann

Dunaway, David S.

Everson, Lenny

Fair Vote Canada

Fair Voting BC

First Unitarian Congregation of Ottawa
Fraser, David
Gibb, Brian
Gilmore, Christopher
Gilmour, James
Gingerich, Denver
Gray, Allan Donald
Grice, Daniel
Henschel, Craig
Henschel, Mark
Jhappan, Radha
Jones, Timothy John
Kamloops-Thompson-Cariboo Election
    Reform Committee
Laverty, Norman
LeDez, Kenneth
Lung, Richard
McCall, Lewis
McGrail, Patricia E.
McLaren, Jason
McQuail, Tony
Merle, Bronwen
Mollison, Denis
Morgan, Peter
Musgrave, Paul Francis
Niagara West Citizens Group
Plant Recreation Centre Dialogue

Prins, Phil
Reid, Charles
Reimer, Boyd
Ridley, Leanne
Russell, Peter H.
Russwurm, Laurel
Sandy, Gerald
Scholefield, Peter
Sepehri, Bijan Michael
Small, Tamara A.
Smith, Wayne
Stephen, Gord
Stephen, Rebecca
Su, Dustin and Yu, Jasmine
Taliesin, Karl
Tsukalas, Athanasios
Unger, Vivian
Urquhart, Caitlin
Van Drielen, Amber
Weinberg, Alon David
Wesche, Stefan
Wheatley, Michael
Whitehead, Tyson
Wibowo, Arif
Williams, Robert
Winter, Laura
Wright, Roberta

Presented Arguments Against

Canadian Union of Public Employees -
    Local 543
Carr, Adriane
Di Franco, Michele
Gadotti, Daniela
Harrison, Esther D. and Thornton, John

Johnston, Jan
Klaus, Wolf-Dieter
Manougian, Harout
Maslic, Rastko
McDonald, Callum
Rossi, Dominic

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Mixed Member Proportional Representation

Presented Arguments in Favour

Alliance 4 Democracy Sunshine Coast

Ashdown, Ken

Longueuil Saint-Hubert Federal Liberal Association

Balakrishnan, Janaki

Bandurka, Robert

Bednarski, Michael J.

Bidochka, John

Bigland-Pritchard, Mark

Blackwell, David

Block, Niko

Boutilier, Roger

Boyle, John

Bradford, Henry

Brantford-Brant Multi-Party Community Forum on Electoral Reform

Bromilow, James

Brophey, Stan

Budd, Bruce

Callaghan, Sean

Canadian Action Party

Canadian Union of Public Employees - Local 543

Canzi, Michael

Carr, Adriane

CDN 1100

Charlton, Tyler

Christian Heritage Party of Canada

Citizens for Public Justice

Clark, Patrick

Coalition Avenir Québec

Communist Party of Canada

Concordia University Young Greens

Dauncey, Guy

Derkx, Sjeng and Remnant, Ann

Dunaway, David S.

Eastman, Dianne

Eldridge, Julie

Epstein, Howard

Everson, Lenny

Fair Vote Canada

Fair Vote Saskatchewan

First Unitarian Congregation of Ottawa

Forum jeunesse de l'île de Montréal

Foster, Joe

Fraser, David

Fredericton Odell Park Lodge

Gibb, Brian

Gourd, Frédéric

Gray, Allan Donald

Grout, Nigel

Gudmundson, Murray Norman

Guest, William Denis

Harrison, Esther D. and Thornton, John

Hauer, S.J.

Herringer, James

Howe, Paul

Humanist Association of Ottawa

Hyde, Timothy

International, Political and Policies Studies Students Association

Jappert, Christopher

Jhappan, Radha

Johnston, Jan

Jordan, Peter

Kaller, Elizabeth

Kamloops-Thompson-Cariboo Election Reform Committee

Kearey-Moreland, Jacob

Kirjan, Corneliu

Klaus, Wolf-Dieter

Krayenhoff, Rolph

Kyle, David

Labrèche, Pierre

Laurentian Leadership Centre

Leclerc, Samuel

Legrand, Teresa

Leon, Raymond
Macy, Richard Hooe
Manougian, Harout
Martin, Kaitlin
Massicotte, Louis
McAlister, Sean
McCabe, Daniel
McDonald, Callum
McGrail, Patricia E.
McLaren, David
McLaren, Jason
McQuail, Tony
Merle, Bronwen
Miles, Jim
Milner, Henry
Morgan, Peter
Morin, Mathieu
Nash, David
Newman, Mike
Niagara West Citizens Group
Nicholls, Gordon
Nijjar, Paul
Oppen, Katie
Palfree, Roger
Pearson Centre for Progressive Policy
Phillips, Stephen
Plant Recreation Centre Dialogue
Polowick, Mike
Professional Institute of the Public
    Service of Canada
Regina Qu'Appelle Federal NDP Riding
    Association
Reid, Charles
Reimer, Boyd
Ridd, Laurel

Roberge, Mercédez
Scarrow, James
Scheuneman, Eric
Scott, Craig
Scott, Donald
Scott, Steven R.
Sepehri, Bijan Michael
Sinclair Waters, Brynne
Slaven, Robert
Slinn, Patrick
Small, Tamara A.
Smallshaw, Brian
Smee, Sonia
Smith, Adam
Smith, Trevor
Sokolov, Daniel AJ
Stephen, Gord
Su, Dustin and Yu, Jasmine
Szijarto, Ken
Tardif, Claude
Tsukalas, Athanasios
Urquhart, Caitlin
Van Drielen, Amber
Van Uum, Rafique
Ward, Lee
Warner, James
Weinberg, Alon David
Wheatley, Michael
Willard, Martha Jo
Williams, Robert
Willms, Allan
Woodworth, Sabra
Wvong, Russil
Yuen, Danny (Sek Kwong)
Zimmerman, William

Stark, Chris and Stark, Marie

Stark, Eric

Stephen, Gord

Stewart, Toby

Streicker, John

Symons, Philip

Tremblay, Mireille

Trister, Benjamin and Trister, Rachel

Tsukalas, Athanasios

Tunner, Alex

Tupper, Gary

Twardawa, Christopher

Unger, Vivian

Ungrin, Mark

Van Drielen, Ralph

Veniot, CJ

Viney, Paul

Volek, Dave

Warkentin, John C.

Warren, John

Wesche, Marjorie

Wilson, James M.

Woodard, Douglas

Wright, Doug

Wvong, Russil

Mandatory Voting

Presented Arguments in Favour

Blain, David

Block, Niko

Committee for Voting Equity in BC

de Wolff, Alice and Manzer, Gary

Dubé, Maxime

Dufour, Louis

Dutton, John

Foster, Joe

Gilmore, Christopher

Guse Salah, Donald

Gussow, David

Harpe, Sasha

Harrison, Jane

Hughes, Jenny

Institut du Nouveau Monde

International, Political and Policies Studies Students Association

Jeffers, Mark

Kenney, James

Kirjan, Corneliu

Legg, E.J.

Legrand, Teresa

McCall, Lewis

McCroskey, Robert

Niagara West Citizens Group

Nijjar, Paul

Oxman, Heather

Pawson, Robert

Pearson Centre for Progressive Policy

Qu'Appelle Valley Environmental Association

Reitsma, Elek

Ross, Jennifer

Russell, William

Russwurm, Laurel

Scarrow, James

Scott, Steven R.

Smith, Wayne

Szijarto, Ken

Tunnacliffe, Nicholas

Wiens, Muriel E.

Willard, Martha Jo

Wvong, Russil

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Presented Arguments Against

Ashby, Eric

Bailey, Ian

Ball, Trevor

Bednarski, Michael J.

Blackwell, David

Bot, Mo

Boyle, John

Brantford-Brant Multi-Party Community Forum on Electoral Reform

Brophey, Stan

Campbell, Ron

Coburn, Carolynn

Concordia University Young Greens

Davies, Gavin

Derby, Donald

Derkx, Sjeng and Remnant, Ann

Di Franco, Michele

Dodwell, Beth

Dorion, David

Filliter, John

Fredericton Odell Park Lodge

Gingerich, Denver

Harrison, Esther D. and Thornton, John

Hauer, S.J.

Hendrickson, Victor

Hodgson, Adrian

Howatt, Julian

Howe, Paul

Johnston, Jan

Jonkman, Bob

Klaus, Wolf-Dieter

Kyle, David

Laurentian Leadership Centre

Laurier- Ste-Marie Federal Liberal Association

Longueuil Saint-Hubert Federal Liberal Association

MacFarlane, Emmett

Manchee, Rod

Manougian, Harout

Maxwell, Chris

McAlister, Sean

McGrail, Patricia E.

Mirabel Center For Policy Development

Mitchell, Valerie

Moore, Pete

Morin, Mathieu

Nickerson, Steve

Palfree, Roger

Polowick, Mike

Professional Institute of the Public Service of Canada

Quebec Community Groups Network

Quick, Brian

Rawls, Don

Regina Qu'Appelle Federal NDP Riding Association

Reid, Charles

Scott, Donald

Smith, Trevor

Sokolov, Daniel AJ

Steeves, R. Wayne

Su, Dustin and Yu, Jasmine

Thomas, Paul G.

Tighe, Jeffrey

Tremblay, Mireille

Unger, Vivian

Warner, James

Wheatley, Michael

Wolfe, Stephanie

Zimmerman, William

Online Voting

Presented Arguments in Favour	
Ashby, Eric	Johnston, Jim
Bailey, Ian	Lawrence, Felix
Ball, Trevor	Legg, E.J.
Blain, David	Manchee, Rod
Bromilow, James	Mitchell, Valerie
Canadian National Institute for the Blind	Nickerson, Steve
Canseco, Mario	Oppen, Katie
Committee for Voting Equity in BC	Oxman, Heather
DeLaHunt, Jim	Pawson, Robert
Derby, Donald	Pearson Centre for Progressive Policy
Dodwell, Beth	Qu'Appelle Valley Environmental Association
Dominion Voting Systems, Corp.	
Dutton, John	Quebec Community Groups Network
Elections NWT	Quick, Brian
Ethelo Democracy	Regina Qu'Appelle Federal NDP Riding Association
Fédération des communautés francophones et acadiennes du Canada	Robinson, Nicholas Michael
Foster, Joe	Russwurm, Laurel
Gadotti, Daniela	Smith, Trevor
Grice, Daniel	Stark, Chris and Stark, Marie
Haeffely, Jad	Tremblay, Mireille
Harrison, Jane	Tsukalas, Athanasios
Hodgson, Adrian	Tunnacliffe, Nicholas
Howatt, Julian	Van Der Rassel, Ishmael
Huot, André	Waddingham, Mike
International, Political and Policies Studies Students Association	Webster, Stu
	Wibowo, Arif
Jewell, P. Jeffery	Willard, Martha Jo
	Young, Gary

Presented Arguments Against	
Akerman, Richard	de Wolff, Alice and Manzer, Gary
Andersen, Bill	DePaco, Greg
Bandurka, Robert	Derkx, Sjeng and Remnant, Ann
Bot, Mo	Di Franco, Michele
Brophey, Stan	Donovan, Robert
Campbell, Ron	Dorion, David
Coburn, Carolynn	Dubé, Maxime
Davies, Gavin	Dunaway, David S.

Essex, Aleksander

Filliter, John

Gingerich, Denver

Glass, Geoffrey

Harrison, Esther D. and Thornton, John

Hauer, S.J.

Hendrickson, Victor

Howe, Paul

Jeffers, Mark

Jhappan, Radha

Johnston, Jan

Jonkman, Bob

Kirjan, Corneliu

Klaus, Wolf-Dieter

Koch, Warren

Kyle, David

Legrand, Teresa

Longueuil Saint-Hubert Federal Liberal
    Association

Manougian, Harout

Maxwell, Chris

McAlister, Sean

McCall, Lewis

McGrail, Patricia E.

Mirabel Centre For Policy Development

Morin, Mathieu

Nijjar, Paul

Polowick, Mike

Prest, Stewart

Rawls, Don

Reid, Charles

Scott, Donald

Simply Voting

Smith, Wayne

Sokolov, Daniel AJ

Szijarto, Ken

Tighe, Jeffrey

Unger, Vivian

Warkentin, John C.

Warner, James

Waterloo Region Greens

Watson, Susan

Wesche, Marjorie

Wheatley, Michael

Wiens, Muriel E.

Wvong, Russil

CONSULTATION AND VALIDATION

Referendum

Presented Arguments in Favour	
Canseco, Mario	Lioce, Joseph
Carlyle, Larry	MacFarlane, Emmett
Di Franco, Michele	McCrany, Doak
Elbert, Leonid A.	Nash, David
Fraser, David	Pawson, Robert
Gaetan, Joseph	Qu'Appelle Valley Environmental Association
Harrison, Esther D. and Thornton, John	
Heale, Arthur	Regional District of East Kootenay
Howatt, Julian	Reid, Marilyn
Kaller, Elizabeth	Robinson, Laurence
Kovacs, Jerry	Rouillon, Stéphane
Kyba, Daniel	Sundhu, William
Laurentian Leadership Centre	Tighe, Jeffrey

Tremblay, Mireille

van Walraven, Anton

Williams, Paul

Presented Arguments Against

Alliance 4 Democracy Sunshine Coast

Ashby, Eric

Ashdown, Ken

Balakrishnan, Janaki

Bednarski, Michael J.

Bigland Pritchard, Mark

Blackwell, David

Bot, Mo

Broadbent Institute

Brophey, Stan

Brown, Leslie

Cameron, Aimee

Cameron, Maxwell

Canadian Union of Public Employees - Local 543

Chalker, Mike

Choptiany, Dennis

Dance-Bennink, Terry

Davies, Gavin

DeLaHunt, Jim

Deverell, John F.

Ellard, Susan

Fair Vote Canada - National Capital Region Chapter

Fair Vote Canada - North Island Powell River Federal Green Party EDA

Franson, Gavin

Gilmore, Christopher

Green, Joyce

Group of Registered Voters, Centre Wellington, Ontario

Hahn, David

Hart, Douglas

Hauer, S.J.

Hedlund, Dave

Hogan, Corey

Howarth, Sharon

Howe, Paul

Humanist Association of Ottawa

Jappert, Christopher

Jeffers, Mark

Johnston, Jan

Jonkman, Bob

Kamloops-Thompson-Cariboo Election Reform Committee

Koch, Warren

Kyle, David

Ledez, Kenneth

Libdemo Movement

McCall, Lewis

McCormack, Lee

McLaren, Jason

Mirabel Center For Policy Development

Oppen, Katie

Oxman, Heather

Phillips, Stephen

Plant Recreation Centre Dialogue

Polowick, Mike

Prest, Stewart

Prins, Phil

Reeves, Sharon

Regina Qu'Appelle Federal NDP Riding Association

Reid, Charles

Reimer, Boyd

Reitsma, Elek

Robertson, Terrance W.

Rossi, Dominic

Russell, William

Russwurm, Laurel L.

Sandy, Gerald

Scarrow, James

Scholefield, Peter

Scott, Craig

Sing Turner, Valerie

Smee, Sonia

Smith, Trevor

Smith, Wayne

Stark, Chris and Stark, Marie

Taliesin, Karl

Tanguay, Gabrielle

Threlkeld, Simon

Tunnacliffe, Nicholas

Tunner, Alex

Urquhart, Caitlin

Van Uum, Rafique

Veevers, Gregory

Waddington, John

Wheatley, Michael

Whitehead, Tyson

Williams, Robert

Wvong, Russil

Zimmerman, William

Presented Arguments for a Referendum Post-Election

Ball, Trevor

Bezaire, Carole

Boyle, John

Coburn, Carolynn

Committee for Voting Equity in BC

Dauncey, Guy

Day, Kirk

Democracy: Vox Populi

Derby, Donald

Epstein, Howard

Harrison, Esther D. and Thornton, John

Hodgson, Antony

Jeffers, Mark

Kaller, Elizabeth

Kenney, James

Koch, Warren

Laurier- Ste-Marie Federal Liberal Association

Legg, E.J.

Legrand, Teresa

Manchee, Rod

McDonald, Callum

Polowick, Mike

Prest, Stewart

Prins, Phil

Ramsey-Falquier, Suzanne

Reaume, Denise

Reimer, Boyd

Stephen, Gord

Symons, Philip

Trister, Benjamin and Trister, Rachel

Wesche, Marjorie

Woodard, Douglas

Additional Consultation :

Alliance 4 Democracy Sunshine Coast

Elbert, Leonid

Fahrig, Lenore

Fair Vote Canada – National Capital Region Chapter

Hedlund, Dave

Hodgson, Antony

Houldin, Russ

Howe, Paul

International, Political and Policies Studies Students Association

Jones, Mark

LeDez, Kenneth

Legrand, Teresa

Macanulty, Iain

Manchee, Rod

McCall, Lewis

McGrail, Patricia E.

Narayanan, Ramu

Plant Recreation Centre Dialogue

Polowick, Mike

Prest, Stewart

Quebec Community Groups Network
Reid, Marilyn
Reimer, Boyd
Rouillon, Stéphane

Threlkeld, Simon
Veevers, Gregory
Young, Gary

OTHER ASPECTS OF THE MANDATE

Lowering the Voting Age to 16

Presented Argument in Favour	
Blain, David	Legrand, Teresa
Bromilow, James	Maxwell, Chris
Carr, Adriane	McQuail, Fran
Committee for Voting Equity in BC	Nickerson, Steve
Communist Party of Canada	Okurley, Ashley
Dauncey, Guy	Oxman, Heather
Derby, Donald	Pawson, Robert
Derkx, Sjeng andRemnant, Ann	Poore, Keith
Ellard, Susan	Russwurm, Laurel
Fédération de la jeunesse Canadienne Française	Scarrow, James
Fédération des jeunes francophones du Nouveau-Brunswick	Scholefield, Peter
	Scott, Donald
Filliter, John	Scott, Steven R.
Gilmore, Christopher	Sing Turner, Valerie
Gourd, Frédéric	Smith, Wayne
Haeffely, Jad	Szijarto, Ken
Harrison, Esther D. and Thornton, John	Tomlin, Robin
Institut du Nouveau Monde	UNICEF, Canada
Jeffers, Mark	Van Uum, Rafique
Johnston, Jim	Waterloo Region Greens
Kearey-Moreland, Jacob	Willard, Martha Jo

Presented Arguments Against	
Longueuil Saint-Hubert Federal Liberal Association	Palfree, Roger
Eiriksson, Jan and Eiriksson Sig	Polowick, Mike
Gadotti, Daniela	Quick, Brian

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Education

Longueuil Saint-Hubert Federal Liberal Association

Axworthy, Thomas S.

Be the Vote

Brantford-Brant Electoral Reform Community Forum Report

Brophey, Stan

Canadian Federation of University Women

Carlyle, Larry

Carr, Adriane

Citizens for Public Justice

Derkx, Sjeng
Remnant, Ann

Dodwell, Beth

Elections NWT

Ellard, Susan

Fair Vote Canada - National Capital Region Chapter

Fair Vote Canada - North Island Powell River Federal Green Party EDA

Fair Vote Fort Frances

Fédération de la jeunesse Canadienne Française

Fédération des communautés francophones et acadienne du Canada

Fédération des jeunes francophones du Nouveau-Brunswick

Filliter, John

Goertzen, Edward

Group of Registered Voters, Centre Wellington, Ontario

Harrison, Esther D. and Thornton, John

Harrison, Stephen

Howatt, Julian

Institut du Nouveau Monde

International, Political and Policies Studies Students Association

Jeffers, Mark

Jhappan, Radha

Johnston, Jan

Jones, Ray

Kaller, Elizabeth

Laurier - Ste-Marie Federal Liberal Association

LeadNow Youth

Macy, Richard Hooe

McCall, Lewis

Mitchell, Valerie

Niagara West Citizens Group

Norfolk, Jim

North Shore Community Resources Society

Oxman, Heather

Pardy, Larry

Plant Recreation Centre Dialogue

Polowick, Mike

Qu'Appelle Valley Environmental Association

Quebec Community Groups Network

Reeves, Sharon

Reid, Marilyn

Roddy, Susan

Scholefield, Peter

Stephen, Gord

Stewart, Toby

Su, Dustin and Yu, Jasmine

Taliesin, Karl

Van Uum, Rafique

van Walraven, Anton

Warner, James

Waterloo Region Greens

Webster, Stu

Whitehead, Tyson

Willard, Martha Jo

Williams, Paul

Williams, Robert

Woodworth, Sabra

Youth Involvement

Canadian Federation of University Women

Dodwell, Beth

Fédération de la jeunesse Canadienne Française

Forum jeunesse de l'île de Montréal

Harrison, Esther D. and Thornton, John

Institut du Nouveau Monde

International, Political and Policies Studies Students Association

Johnston, Jan

Kearey-Moreland, Jacob

LeadNow Youth

Manougian, Harout

Maxwell, Chris

Niagara West Citizens Group

Stewart, William J.

Taliesin, Karl

UNICEF, Canada

Waterloo Region Greens

Webster, Stu

Weinberg, Alon David

More Time Needed

Longueuil Saint-Hubert Federal Liberal Association

Bandurka, Robert

DiFranco, Michele

Divine, Mike

Jones, Mark

Manchee, Rod

Miller, James

Polowick, Mike

Reaume, Denise

Siever, Shaun

Woodard, Douglas

Accessibility

Block, Niko

Brantford-Brant Multi-Party Community Forum on Electoral

Breeze, William

Citizens for Public Justice

Council of Canadians - Comox Valley Chapter

Dauncey, Guy

Demers, Guy

Fair Vote Canada - Langley Town Hall

Foster, Joe

Harrison, Esther D. and Thornton, John

Harrison, Stephen

Jeffers, Mark

Johnston, Jan

Mitchell, Valerie

Reitsma, Elek

Scholefield, Peter

Stewart, William J.

Williams, Robert

Wolfe, Stephanie

Woodsworth, Ellen

Yuen, Danny (Sek Kwong)

Diversity

Other Recommendations

Bailey, Ian
Be the Vote
Beaudoin, Michael
Becker, Byron Weber and Hodgson, Antony
Bergeron, Jean-Gabriel
Block, Niko
Bromilow, James
Bunting, Rapley G.
Centre Wellington
Citizens for Voter Equality
Communist Party of Canada
Concordia University Young Greens
Cyr, Hugo
Dorion, David
Douglas, Jack
Eastman, Dianne
EKOS Research Associates Inc.
Elections Northwest Territories
Fédération des femmes du Québec
Forum Research Inc.
Fuller, Roslyn
Goertzen, Edward
Gourd, Frédéric
Green, Joseph M.
Gregg, Breezy Brian
Griffiths, Colin
Grout, Nigel
Haeffely, Jad
Hahn, David
Hall, Thomas
Hammond, Jason; Scott, Jason and West, Andrew
Harewood, W. Glenn
Harpe, Sasha
Hendrickson, Victor

Henschel, Mark
Hodgson, Adrian
Hodgson, Antony
Houldin, Russ
Howatt, Julian
Hughes, Jenny
Huot, André
Hyde, Timothy
Jhappan, Radha
Johnston, Richard
Jones, Ray
Jones, Timothy John
Kamloops-Thompson-Cariboo Election Reform Committee
Kearey-Moreland, Jacob
Kemp, Geoffrey
Kerman, Bryan
Longueuil Saint-Hubert Federal Liberal Association
Mineau, Philippe
None of the Above Party of Ontario
North Okanagan, Shuswap Electoral District Association
Okurley, Ashley
Oxman, Heather
Polowick, Mike
Popkevich, Mark
Professional Institute of the Public Service of Canada
Quebec Community Groups Network
Reid, Charles
Rossi, Dominic
Scott, Steven R.
Siever, Shaun
Tindall, David
Tupper, Laura

International systems and presentations

Gallagher, Michael and Marsh, Michael

Lupia, Arthur

New Zealand Electoral Commission

The Electoral Management Board for
 Scotland
 and The Electoral Commission

General information

Bennett, Jim

Chalker, Michael

Duffy, Katie

Dunn, Christopher

Edwards, Christopher

Gorchkov, Alexandre

Lang, Harley and Witts, Benjamin N.

Laverty, Patrick

Mullins, Gary

Springtide Collective

Thurnbull, Shirley

Valeriote, Frank

Wilson, Christopher

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* (Meetings Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 49, 50, 51, 52, 53, 54, 55, 56, 57) is tabled.

Respectfully submitted,

Francis Scarpaleggia
Chair

**Supplemental Report of the Liberal Members of the
Special Committee on Electoral Reform**

This supplementary report reflects the views of the following Liberal Members of Parliament ("We") who served on the Special Committee on Electoral Reform (the "Committee") during its five month consultation with Canadians from coast to coast to coast: John Aldag, Matt DeCourcey, Sherry Romanado, Ruby Sahota, and Francis Scarpaleggia. We believe Canadians are far from being adequately engaged with the electoral reform discussion, this despite mention of the issue in multiple Party platforms as well as in the government's first Throne Speech, and in spite of sustained and substantial outreach efforts by the Committee and the Minister of Democratic Institutions through her own independent consultations.

There was a large divergence of opinion on almost all aspects of the issue that the Committee studied with only the need for more education, diversity, youth engagement and accessibility having no opposing views expressed by the witnesses.

In all other matters regarding the various systems and variations on systems proposed, we found no consensus on a single specific electoral system. While a respectable number of people did present to the Committee, polling has shown that only a small proportion (3%) of Canadians indicated they were aware of the committee proceedings. The e-consultation that was directed by the committee, which took place from August 19th to October 7th, had a total of just over 22,000 respondents. However, the results showed that over 64% of the respondents were from Ontario and British Columbia, while Quebec with 24% of our national population had a participation rate of only 7.5%. Additionally, 89% of participants were Anglophone, with only 5% being primarily Francophone. The respondents were 65% male, 32% female; those over 65 years of age comprise 28% of the results but were only 16% of the Canadian population. The report itself states that the results of the e-consultation are not a representative sample of the Canadian population. Further complicating matters, given the Committee's emphasis on broadening access to democratic expression, the fact that 95.4% of all respondents indicated they had voted "on every occasion that [they] have been eligible to vote," it appears that a self-selection bias inadvertently excluded those who were not already engaged in the political process.

After careful consideration of the evidence that we heard and read, we contend that the recommendations posed in the Majority Report (MR) regarding alternative electoral systems are rushed, and are too radical to impose at this time as Canadians must be more engaged.

Our position is that the timeline on electoral reform as proposed in the MR is unnecessarily hasty and runs the risk of undermining the legitimacy of the process by racing toward a predetermined deadline.

Gallagher Index

We believe the utility of the Gallagher Index, referenced in the Majority Report (MR), was not sufficiently borne out in testimony. This Index was only discussed by one of the 196 witnesses who presented before the Committee, Professor Byron Weber Becker. It is worth noting that the creator of the Gallagher Index, Professor Michael Gallagher, had previously testified before the Committee, yet failed to discuss his own Index.

Furthermore, in contradiction to the majority of witness testimony and Principle 5 of the Committee's mandate, Professor Becker sacrificed local representation in favour of an unsubstantiated increase in proportional representation.

Throughout the Committee's work, the importance of local representation and the fundamental connection between an elector and their representative was clearly highlighted. It was evident through both the witness testimony provided, as well as open mic sessions, that Canadians place significant value in accessibility and connection to their local Members of Parliament (MP), and that any changes to the federal electoral system should serve to preserve this connection.

We appreciated the models designed by Professor Becker in demonstrating the Gallagher Index' utility and the impacts of various systems on proportional outcomes, but believe that the implications of achieving a score of 5 or less on the Gallagher Index, as recommended in the MR, would need to be further studied, understood, and presented to Canadians in a comprehensive educational process before being implemented. Furthermore, the implications of reaching a score of 5 or less on Canada's governance ecosystem need to be better understood as per Recommendation number 11 in the MR, and how the electoral changes would affect:

- The size of the House of Commons and the need to add a considerable number of new MPs in order to achieve a score of 5 or less on the Gallagher Index.
- The geographic distribution of ridings and the possible need to expand already large rural ridings;
- Types of riding redistribution: restructuring the House of Commons' current 338 seats into a combination of single-member and multi-member districts and/or adding additional multi-member seats to Parliament;
- Potential creation of two classes of MPs under rural-urban models which would see directly-elected rural MPs and urban MPs elected from Party lists; and
- Rural areas being excluded from gains of increased proportionality.

Of note is the fact that the models proposed required significant increases in the number of MPs in order to enhance proportionality. Indeed, an addition of 53 MPs to Parliament was considered a "Lite" option. We believe that Canadians should be educated and consulted on the breadth of these changes before any dramatic reforms

are made to the electoral system. According to Professor Becker's brief to the Committee, there are no fewer than 5 varying electoral systems that could be considered to meet the target of 5% in the Gallagher Index. The Gallagher Index is used to measure the disproportionality of an electoral outcome; that is, the difference between the percentage of votes received, and the percentage of seats a party gets in the resulting legislature. The Index involves taking the square root of half the sum of the squares of the difference between percent of vote and percent of seats for each of the political parties. The Index weighs the deviations by their own value, creating a responsive index, ranging from 0 to 100. The lower the Index value the lower the disproportionality and vice versa.

The MR recommends that Canada's electoral system be determined by the following formula. We believe most Canadians would not want their future electoral system decided solely on the basis of a complex mathematical equation.

$$\text{LSq} = \sqrt{\frac{1}{2} \sum_{i=1}^{n} (V_i - S_i)^2}$$

This would be difficult to explain and is a radical change that we think would be unacceptable to Canadians.

The Referendum Question

The MR Recommendation 12 subsection 1: states "that the Government holds a referendum, in which the current system is on the ballot". We contend that the evidence gathered provides no definitive consensus regarding the favourability of this proposal. It is our belief that recommending the proposal to Canadians without further study is premature, and inconsistent with the body of evidence submitted to the Committee. It is further maintained that greater exploration of alternative consultative methods must be undertaken before the desirability of a national referendum can be understood.

Arguments Heard Against a National Referendum

We draw attention to testimony heard regarding the often divisive nature of referendum campaigns. The MR cites an important consideration: that in a regionally diverse country, more heavily-populated areas would be able to dictate Canada's democratic system to lower populous regions including rural areas effectively minimizing the voice of millions of Canadians.

Furthermore, considerable testimony referenced instances in which referendum campaigns demonstrated a significant bias towards the status quo and were effectively used to undermine reform attempts. The "Yes" side to any referendum against the status quo must demonstrate why it is a preferable option to an established norm, while the "No" side can capitalize on anxiety, uncertainty and fear.

Chapter 9 of the MR provides an extensive analysis of a national electoral reform referendum. Based on the evidence, we cannot agree with this recommendation in good faith.

Past Experiences of Electoral Reform Referenda in Canada

Referenda on electoral reform are not new in Canada but are rare. Out of the five Canadian provinces that have studied alternative electoral systems in a contemporary context, three (British Columbia, Ontario and Prince Edward Island) held a province-wide plebiscite or referendum. In our view, these experiences substantiate concerns that referenda may not be wielded as politically neutral tools. Significant amount of testimony pointed to the conclusion that they were in fact used to undermine efforts for electoral reform in two out of the three provincial examples.

No Consensus on Referendum

Throughout the Committee's study on electoral reform, Canadians were provided with a wide variety of consultative methods. The mixed nature of feedback received about a national electoral reform referendum however did not provide a clear indication that it was the general will of Canadians.

On September 1, 2016, Darrel Bricker of Ipsos Research testified to the Committee, with the bulk of his testimony relating to third-party polling results, including information about the favourability of a national referendum. Mr. Bricker began by remarking that a neutral question about a national referendum indicated that 49% of Canadians were in favour, while 51% were opposed to the idea. When the question was engineered to reflect positively on a referendum, 55% of people indicated a supportive stance. This reinforced a commonly-accepted conclusion: that polling results can be influenced by how the question is framed.

This leads to a concern with material presented in the MR regarding the Conservative Party of Canada's claim to have had 73,740 out of 81,389 Canadians indicate their support for a referendum in a privately conducted poll. While our Supplemental Report in no way seeks to delegitimize the consultative work of any Party, the narrow demographic range (the poll having been conducted in 59 Conservative-held federal ridings out of a national total of 338, with a self-selecting pool of participants) raises concerns about the validity of this particular metric.

This Supplemental Report further concludes that both qualitative and quantitative analyses of evidence submitted to the Committee are not reasonably reflected in the MR. Thus, this recommendation is inconsistent with the body of evidence received by the Special Committee on Electoral Reform.

Lastly, Appendix G "Classification of Briefs Submitted to the Committee" provides an aggregate collection of evidence submitted regarding a national referendum on electoral reform. Of these contributors, 28 individuals or organizations provided arguments in

favour of a national referendum, while 89 provided arguments against. In summary, it is our position that a recommendation to proceed with a national referendum is inconsistent with both the evidence received, and the will of Canadians.

Timelines

We believe that, in order to reform the electoral system and get it right, we need to ensure inclusive and deliberative discussion with Canadians. We are currently 35 months away from the next federal election. Chief Electoral Officer Marc Mayrand stated in July, at his appearance before the Committee, that Elections Canada would need *at least* two years to technically and logistically prepare for and implement a new voting system, which would require having legislation enacted by May 2017.

In light of Recommendations 1, 12 and 13 from the MR, the process of reforming the Canadian electoral system in advance of the 2019 general election must include the introduction and passage of reform legislation, Elections Canada preparing for a new electoral system in addition to boundary redistribution, a national referendum, and an extensive public education campaign.

The Committee heard from expert witnesses, stakeholders and average Canadians who stressed the importance of the process to achieving electoral reform and that it cannot be rushed. Thomas Axworthy explained that "a system that was perceived to be forced or rammed down the throats of the people would be one that would be behind the eight ball before it even began."

We further draw attention to testimony indicating the process to organize a referendum would be approximately six months. Marc Mayrand has also stated in the media that technical issues would preclude anything more than a simple single option referendum from being held prior to the next election. Recommendation 12 and 13 of the MR state that a referendum can only be held after Elections Canada completes its two year redistribution process, making a referendum prior to 2019 rushed.

Increasing Participation in Our Electoral Process

Beyond reform of the electoral system, the Committee heard testimony that other changes to Canada's democratic institutions were needed. We believe that having young Canadians register in advance of reaching voting age would help create a more informed and engaged electorate. The historical decline of electoral participation for young Canadians, who are eligible to vote in their first election, poses a risk to the overall voter participation over the long term.

Recommendation 10 in the MR would empower young Canadians through non-partisan educational activities administered by Elections Canada. Testimony has indicated that civic education is one of the most effective ways to get young people interested in

politics. Furthermore, one of the main reasons young people choose not to vote is they do not understand how political opinions affect them personally.

We are encouraged by the Government's proactive approach regarding the importance of public education and engaging traditionally disenfranchised groups of electors through *Bill C-33: An Act to amend the Canada Elections Act* and to make consequential amendments to other Acts.

This Bill will create a National List of Pre-Electors. This aspect of Bill C-33 goes further than the Committee's Recommendation 9, allowing for pre-registration four years in advance of youth reaching voting age (rather than the recommended two). Evidence has demonstrated that once a person votes, they are more likely to vote in subsequent elections. We believe that a goal of electoral reform be to help young people make voting a habit their whole lives.

The Governance Ecosystem

Recommendation 11 of the MR describes the necessity of a comprehensive study of the many effects of an electoral reform to Canada's governance ecosystem and is important to highlight. This is described by the understanding that a proportional system would impact the effectiveness and efficiency of government, the House of Commons and the resources of the legislature.

While the Committee collected a significant amount of data on electoral systems in different jurisdictions, it must be emphasized that impacts of various systems on the broader Canadian governance ecosystem highlighted in Recommendation 11 are not understood. Therefore, we recommend a proper understanding of this transition must be done and explained to Canadians before change can take effect.

We maintain that the extensive process of electoral reform, as recommended in the MR, including a referendum campaign which properly educates Canadians as to alternatives to First-Past-the-Post; the necessary legislative changes to the *Referendum Act*, the *Canada Elections Act*, and other related acts; and the understanding and implementation of a new system, may take longer than the next election cycle to properly complete. A period of comprehensive and effective citizen engagement is fundamental to ensuring that Canadians properly understand and are equipped to operate under a new electoral system.

A Forum Research public opinion survey conducted between October 7th and 9th, 2016 and presented to the Committee on October 20, 2016, demonstrated a concerning lack of awareness on the part of Canadians regarding the electoral reform process. 51% of respondents stated that they were entirely unaware that a federal legislative committee was undertaking a study of electoral reform, five months after the Committee had begun its work. With this in mind, we are aware Canadians are not engaged on electoral reform and that more work must be done to ensure adequate public consultation.

In addition to having reservations about the timeline of enacting electoral reform, we are concerned that the Recommendations proposed in the MR do not take into account whether Canadians have received all the necessary information to support these recommendations.

We are of the opinion that Canadians clearly indicated that there was no desire to see the size of the House of Commons increase dramatically. Professor Brian Tanguay noted during the British Columbia electoral reform proposal, the strongest criticism was directed at increasing the size of the Legislature. This is particularly concerning as Recommendation 1 proposes unknown and possibly unintended consequences of an electoral system in order to achieve a score of 5 or less on the Gallagher Index.

Furthermore, we have a number of reservations relating to how electoral reform effects and changes the ecosystem of Canadian governance. We hold the position that the Committee focused on an examination of electoral systems in the abstract and not their implication in the much larger ecosystem. Professor Jonathan Rose best describes our political ecosystem as a Rubik's cube –"if you change one thing, the other things change as well".

For major changes to be made to our electoral system we believe that a much greater percentage of Canadians must be both aware of *what* changes are proposed and *what impact* such changes would have. As part of the engagement process we believe that both Canadians and political parties need a comprehensive understanding of the ramifications that any fundamental changes to the electoral system would have, not just on the results of the changes, but how the results would affect government as a whole.

For example, the Canadian public would need to be made aware that under several proposals that would achieve a score of 5 or less on the Gallagher Index, Parliament would be comprised of Members who are not directly accountable to the electorate, but to Party leadership. Many of the models put forth described an electoral outcome that used the present number of parties, failing to take into account the experiences of other countries that have tried such systems and have seen the creation of many single-issue or regional-based parties, and in many cases these parties are needed to form coalitions which are inevitable under such systems. This gives single-issue or regional-interest parties an influence far greater than the votes they received during a general election. For any reasonable expectation of consensus as to changes to our electoral system we believe that a much higher percentage of Canadians must be made aware of the various changes suggested so they can both comprehend and agree with whatever new system is put in place.

Given the uncertainties surrounding referendum proposal, it is our view that alternative consultation methods should be examined as feasible options. Alternatively, the idea that further parliamentary review would be sufficient and beneficial was proposed by several witnesses, and remains an option. Ultimately, it is our position that the level of engagement with the electoral reform process amongst the Canadian public was insufficient to generate a clear mandate. We further recommend that greater consultative measures be pursued in order to present an electoral reform proposal that is consistent with the will of Canadians.

Therefore we recommend:

That the Government further undertake a period of comprehensive and effective citizen engagement before proposing specific changes to the current federal voting system. We believe that this engagement process cannot be effectively completed before 2019.

Supplementary Opinion of the NDP and the Green Party on Electoral Reform: A Strong Mandate for Proportional Representation

 It has been an enormous privilege to serve on the Special Parliamentary Committee on Electoral Reform. As a group of individuals, all twelve members of parliament, as well as their alternates from time to time, have done an enormous service to Canadian democracy. There was a tremendous *esprit de corps*, as the clerk and her team, the parliamentary analysts and the technical, translation and support crew put in long hours on a grueling schedule. Our chair, Francis Scarpaleggia, deserves special thanks for his deft touch, respectful engagement with hundreds of citizens who waited hours for their two minutes at the open microphone, and his neutral and non-partisan facilitation of our process.

The New Democratic Party and the Green Party are pleased that the Special Committee on Electoral Reform has recommended evolving Canada's voting system into the 21st century, by advocating for a strong proportional representation system in its majority opinion. Canada remains one of the few modern democracies in the world that still uses the antiquated first-past-the-post (FPTP) voting system.

The Committee's decision to support proportional representation for Canada is an historic achievement and an important moment for the deepening of Canadian democracy.

The Committee was given an extensive mandate and a challenging schedule, but we believe that this process has been a strong success. We are proud of what the Committee achieved: a truly broad consensus.

The success of the Committee is inextricably tied to its composition and, indeed, speaks to its final recommendation of proportional representation. All parties in the House of Commons were given seats at the table, and because no single party could rely on its majority of votes, members relied on compromise and cooperation, and sought consensus or at least multi-party support for different initiatives over the course of its study.

As Minister Monsef said before on the committee on July 6, 2016, "first past the post is an antiquated system designed to meet the realities of 19th century Canada and not designed to operate within our multi-party democracy. We require an electoral system that provides a stronger link between the democratic will of Canadians and election results." The government made two key promises: to repeal our unfair, outdated FPTP voting system and to make evidence-based decisions. Therefore, we urge the Minister of Democratic Institutions and the government as a whole to examine our report and the evidence it contains carefully. Our key recommendations break down in two categories:

those driven by evidence and those driven by an effort to achieve a consensus recommendation. As Mr. Reid wrote in October, each party came to the table with certain bottom lines that, if adhered to, would make consensus not simply achievable but "unavoidable." The Liberals needed to have changes implemented by 2019, the Conservatives and the Bloc Québecois desired to see a referendum on that change, and our requirement that the change be toward proportional representation. The committee's majority report reaches this consensus.

The Decision to move to Proportional Representation

The evidence was overwhelming that Canadian democracy will be reinvigorated and the quality of it vastly improved as we reject the archaic FPTP voting system. The recommendation to move to proportionality to ensure that, in the words of the Speech from the Throne that "every vote counts", is driven by abundant evidence.

The Committee heard from the leading political scientists, electoral systems practitioners, academics and public policy analysts from within Canada and around the world. While we heard many opinions, the vast majority contended that FPTP is a deeply flawed system that perverts the will of the electorate and creates a political culture of hyper-partisan conflict.

Professor Peter Russell coined the term "false majority" to describe the phenomenon only experienced under majoritarian systems, where the minority of those who vote can elect a majority of Members of Parliament. The dangers of this are well understood. When asked pointedly in our hearings what harm had ever come to Canada from a false majority, he responded "global warming." In academic terms the risk is called "policy lurch." One government puts in place a policy and a programme, such as a climate plan. The next government unravels it. All this despite the fact that, since the early 1990s, in poll after poll, 80% of Canadians have said they want climate action.

Some of the Committee's most persuasive testimony was that of Professor Arendt Lijphart, professor emeritus from the University of California, San Diego. His years of study of thirty-six modern democracies is empirical evidence that proportional representation serves citizens far better than majoritarian systems, such as FPTP or ranked ballots. His seminal work, Patterns of Democracy, clearly shows that evidence for patterns. Compared to those countries that use FPTP, proportional countries have a higher voter turn-out, elect more women, have greater ethnic diversity, have as stable and marginally more stable governments, superior macro-economic performance and have more effective environmental protections.

The evidence from Australia is particularly convincing. The Australian lower house uses the majoritarian system of ranked ballots; the upper house is elected using a proportional system, Single Transferable Vote (STV). At the end of the most recent

election this year, the number of women in the lower House rose to 29%, up from 23%. Meanwhile, in the elected Senate, using STV, the percentage of women was 39%.

No doubt, a focus on other barriers to women and other under-represented groups will make the impact of a change in our voting system more robust - it's clear that strong barriers exist at the nomination level.

Therefore, we are very happy that the committee has recommended that the government create financial incentives for political parties to nominate more women candidates. Canada currently ranks 64th in the world in terms of gender parity in government. If parties are given stronger incentives to nominate more women, then we will greatly increase our chances of electing a more representative Parliament.

There is clear evidence that proportional systems enhance the voters' sense of empowerment. Voters have more choice. And this government has many viable choices to replace the current electoral system.

System recommendations

While the committee did not adopt specific electoral systems within its report, we believe the government would benefit from some specifics. We believe the government should consider adopting one of the following models, both of which would result in a Gallagher score of less than four.

- Mixed-member proportional representation (MMP), with 2/3 of the House of Commons elected to represent direct constituencies, and 1/3 elected as regional compensatory members. Regional compensatory MPs may be elected from an open list, flexible list, as recommended by the Law Reform Commission, or they may be elected as "best runners-up", as per the Baden-Württemberg system. Open and flexible lists have the benefit of letting voters choose. The Baden-Württemberg option has the benefit of forcing all candidates to be scrutinized and supported by voters every election in order to win their seat. Compensatory seats would be drawn from territories, provinces, or sub-regions within provinces. As such, since it would not affect current riding boundaries, a full riding redistribution would be unnecessary. The government could decide to take an incremental approach by adding regional compensatory MPs in groups of 30-45 over the next three or four elections.

- Rural-urban proportional representation (RUP), as first elaborated by former Chief Electoral Officer Jean-Pierre Kingsley, in which current riding boundaries are maintained, but current urban ridings are clustered into multi-member ridings of three to five MPs. To minimize the level of distortion between the popular will of the electorate and the resultant seat allocations in Parliament, in 2019, the

government should add an additional 50 seats for regional compensatory MPs. Again, regional compensatory MPs may be elected from an open list, flexible list, or elected as "best runners-up", as per the Baden-Württemberg system. Like our proposed MMP model, compensatory seats would be drawn from territories, provinces, or sub-regions within provinces. As such, a full riding redistribution would be unnecessary.

Validation and engagement

We take the question of public validation and engagement extremely seriously. We believe that significant additional public education and consultation initiatives on electoral reform must be undertaken. While it remains an option, we have serious concerns about holding a referendum on electoral reform. The evidence for the necessity of change is overwhelming; the evidence for the necessity of holding a referendum is not.

If the government decides it must hold a referendum on electoral reform, it should include both MMP and RUP as ballot options, and Canadians aged 16 and up should be allowed to vote.

Keeping the promise

We strongly support the government's campaign and throne speech promises to repeal the unfair, outdated first-past-the-post voting system, and replace it with an alternative that will ensure every vote counts. Now that our report leaves the Committee's hands, it moves into yet another sphere of *real politic*.

In this, we urge the Minister of Democratic Institutions, the Prime Minister and the Cabinet to fulfill the worthy goals buttressed by evidence in the work of our committee.

Canadians are ready for reform: almost 9 in 10 experts and average citizens who spoke to the special committee urged the government to adopt proportional representation and make every vote count. Furthermore, several recent public opinion polls show that a substantial majority of Canadians expect the government to make good on its promise of electoral reform.

In our view, there is clear support for action and a clear path to achieve reform – especially given that the approaches iterated above would not require a redistribution of riding boundaries. With a strong electoral mandate comprising nearly two thirds of Canadians in 2015, and an all-party committee recommendation in favour of proportional representation following a five month, national consultation, we believe the government now has the mandate, the path, the tools, and the obligation to make 2015 the last election under FPTP.

There is no question that more work needs to be done to increase public awareness around electoral reform. But we have two years between putting a system in place by 2017 and using it in 2019. That two-year window creates the opportunity for the full engagement of Canadians. Prime Minister Trudeau stated, on countless occasions, both before and after the election, that 2015 would be the last election held under first-past-the-post. He and the Minister of Democratic Institutions promised, in black and white, to make every vote count. The government must not squander this generational opportunity for reform that will have an enormous impact on the quality of Canadian democracy.