

30 September, 2016

Special Committee on Electoral Reform

Committees and Legislative Services Directorate
House of Commons
131 Queen Street
Ottawa, Ontario K1A 0A6

To the Special Committee on Electoral Reform,

Thank you for the opportunity to contribute to your study of viable alternate voting systems, and examination of mandatory and online voting.

Attached is a brief that provides an opinion in my capacity as Chief Electoral Officer for the Northwest Territories. I provide it with the intention of sharing my knowledge and general thoughts as they relate to the potential effect of national electoral initiatives on NWT electorate.

Sincerely,



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Opinion on the issue of changing the way Canadians elect their members of Parliament:

Concerns on the first-past-the-post (FPTP) system have been raised by individuals of the NWT electorate with respect to Territorial electoral events. There is however no major impetus to change the way members of the Northwest Territories Legislative Assembly are elected. As such, Elections NWT has not been tasked with studying this issue in depth.

Most concerns stem from the regions outside of major centres, where seven of the territory's 19 electoral districts comprise multiple small communities; these communities have shown a historical trend of voting as blocs for particular candidates. Under the FPTP system, this means that the candidate who can secure a majority in the largest community often wins, even if they fail to attain a majority in each of the remaining communities.

For example, the territorial electoral district of Deh Cho has six polling divisions: two in the largest community of Fort Providence, three in each of the outlying communities, and one of combined special voting opportunities. In 2015, the second placed candidate won five out of the six polls; the first placed candidate won only one out of the six polls, however, that poll contained enough electors to secure an election.¹

To translate these trends to the federal structure, under the FPTP system a candidate vying to become the member for the lone NWT seat would only have to focus their efforts on mobilizing and winning the vote in one or two major centres where the total population of eligible electors outnumbers that of the outlying communities. For example, the total number of eligible electors in Yellowknife and Hay River is significantly greater than that of the remaining 31 communities.²

With the exception of List Proportional Representation, any of the proposed alternatives to FPTP are not likely to result in significant change to representation for the NWT. What must remain foremost in the minds of legislators when considering nationwide electoral reform is the unique situation of the three Territories as single seat electoral districts. The Territories cover almost 40% of Canada's geography and are represented by less than one percent of parliament. Any electoral system must ensure the interests of outlying regions are met; any reforms that would reduce or dilute the representation of northerners should not be considered.

Recommendation:

1. Any change to the current national electoral system include public education and awareness campaigns that are considerate of the Northwest Territories' literacy and numeracy capabilities and 11 official languages.

¹ *2015 Official Voting Results*, Elections NWT, <http://www.electionsnwt.ca/official-voting-results>

² *Poll-by-poll Results, by Electoral District; 42nd General Election: Official Voting Results*, Elections Canada, www.elections.ca

Opinion on the issue of implementing mandatory voting:

The implementation of mandatory voting warrants extensive study. On the surface it appears to strike at the rights and freedoms of Canadians and is punitive to those who chose to remain apolitical. The pursuit of such an initiative appears to be an attempt to create an effective mechanism to increase voter turnout, but its success depends on the quality of the register of electors. Australia, a commonly referenced example of compulsory participation in federal elections, now realizes approximately 10% of eligible electors are not registered, many of them youth.³

Declined ballot legislation is in place in seven provinces and territories, including the NWT. This option is provided to electors to prevent the occurrence of ballots being spoiled as a form of protest.

Recommendations:

1. To encourage voter participation and avoid negative repercussions, legislators may be better served to introduce an incentive to electors, such as a nominal tax credit, as a means to motivate.
2. If mandatory voting is deemed a worthy pursuit, then voters should be provided an option to decline their ballot upon receipt or have a 'none of the above' option included on the ballot.

³ 2016 Federal Election, Enrolment, informal, turnout, and votes, Australian Electoral Commission, www.results.aec.gov.au

Opinion on the issue of introducing online voting:

Societal expectation for online services continues to increase in all areas of daily life. An entire generation has been reared in an electronic environment and there is a duty to ensure public services evolve and keep pace with public demand. Growing anticipation of the introduction of a technological option in an electoral event is significant and the use of technology to administer an election is seemingly unavoidable.

Concerns over general online security appear to have lessened should one consider the popularity of conducting every day and personal business online. Many major transactions involving sensitive information are available and widely accessed online, including but not limited to: banking and major financial transactions; applying for driver licenses and health care cards; and most federal programs such as applying for employment insurance and filing tax returns.

Electoral management bodies (EMB) are tasked with administering electoral events with integrity and ensuring secrecy of the vote. One of the primary mandates for EMBs is removal of any or all barriers, real or perceived, that may preclude electors from casting their ballots. When considering the demands of present day life, attending a poll in order to participate in an electoral event may no longer be conducive to lifestyles and is perhaps viewed as inconvenient. An online voting option would allow electors to engage when it is most suitable and in a manner familiar to them as they manage their personal affairs.

The report titled: *Modernizing Election Administration in the Northwest Territories, CEO Report on the Administration of the 2015 Territorial General Election* is currently under consideration by the Legislative Assembly of the Northwest Territories and contains a recommendation to consider introducing an online option for voting. The report is included as a reference item for this submission.

Recommendation:

1. Some form of an online voting option be made available to the national electorate.

Office of the Chief Electoral Officer

The Chief Electoral Officer of the Office of the Chief Electoral Officer is an independent, non-partisan statutory officer of the Legislative Assembly of the Northwest Territories. The Chief Electoral Officer is responsible for the management of Elections NWT, the agency that is tasked with the administration of territorial general elections, by-elections, and plebiscites in accordance with the *Elections and Plebiscites Act*.