



House of Commons  
CANADA

# Standing Committee on Procedure and House Affairs

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PROC • NUMBER 010 • 1st SESSION • 38th PARLIAMENT

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EVIDENCE

**Tuesday, November 23, 2004**

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**Chair**

**The Honourable Don Boudria**

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## Standing Committee on Procedure and House Affairs

Tuesday, November 23, 2004

• (1105)

[*Translation*]

**The Chair (Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.)):** I would like to remind members, before we hear from our witness, Mr. Kingsley, that the latter wrote to us asking that we provide feedback on the location of polling stations in our ridings, as well as the location of returning officers' offices and satellite offices, where appropriate.

Last week, we agreed that we would raise this matter in our respective caucuses with a view to getting our colleagues to complete the questionnaire. We would not want to hear them saying later that they were not consulted, because they were. I am reminding you of this, so that you can bring it to the attention of your colleagues. At the same time, I recognize that this can't be accomplished in a week. Some parliamentarians will want to talk to their riding association presidents, campaign organizers, and so on. However, it's important to do this.

I also want to draw your attention to the fact that there will be a working dinner tomorrow with His Excellency, the High Commissioner of New Zealand, with whom we will be discussing electoral reform in that country—in camera, of course. Some colleagues never got back to our clerk, Mr. LeBlanc, to let him know whether they will be attending the dinner. I want you to know that if you do not reply, I intend to eat your dinner. So, whoever has not yet replied to Mr. LeBlanc is kindly asked to do so, perhaps at the end of this meeting, so that he can make the necessary arrangements.

Mr. LeBlanc, in what room will tomorrow evening's event be taking place?

**The Clerk of the Committee (Mr. Jeremy LeBlanc):** I wanted to reserve Room 340-E, but it wasn't available. I also checked rooms on the Senate side, but I was advised not to meet over there, because Senate committees will be meeting. So, we will have to keep this room.

**The Chair:** Room 340-E is not available?

**The Clerk:** No, it isn't.

**The Chair:** If a whip's office were to make the request, it might be available. I think it would be more comfortable.

Could we make a quick call and get an answer between now and the end of the meeting?

• (1110)

[*English*]

I also want to bring to your attention that we have a meeting on November 30 at which time we'll have the Speaker as a witness. However, we've now become aware that it is the same day as the presidential visit. We don't know too many details about that yet, but be aware of it in case we have to change the date as a result of the visit. I don't know any more than any of the colleagues here about the time of various events surrounding the visit. I only bring it to your attention now because it's the same day.

If anyone has any comments on this, maybe we could hear them now. Otherwise, we will hear from our witness immediately.

[*Translation*]

Mr. Kingsley, thank you very much for being with us today and bringing along your staff. We can continue the discussions we began several weeks ago.

I understand that you would like to make an opening statement, before we continue our discussions. Is that correct?

**Mr. Jean-Pierre Kingsley (Chief Electoral Officer of Canada, Office of the Chief Electoral Officer):** Thank you, Mr. Chairman.

You told me I would have ten minutes, but I intend to use only four and a quarter of those minutes.

With me today are the same people whose names appear in the previous minutes of proceedings. There alone, I will be saving three seconds.

[*English*]

As I committed to do at my appearance of October 26, I sent you a letter on November 16 that contains further details on matters raised by members of the committee at that meeting. Accordingly, I attached to my letter a more detailed account of the performance by returning officers in respect to the 2004 general election. This account focuses on instances that had a material impact on the delivery of the election.

Further to a question that I was asked on October 26, I also indicated that I have asked for the removal of three returning officers since January 2003. The request was denied in one case and no response was provided in the two other cases.

In light of the discussion concerning the appointment of returning officers that took place at my previous appearance, I would like to table today—and this is what I have done—a document that contains statements that I have made in this regard since I assumed office in 1990. I trust that this will assist the committee in its discussions. It does indicate that there is consistency in my purpose and that the grounds for doing so were mainly positive reasons.

I also attached to my letter, as the committee requested, a detailed explanation respecting the adaptations that I made during the 2004 general election, pursuant to section 17 of the Canada Elections Act.

[*Translation*]

Further to a question raised concerning payments to election officers in the electoral district that Mr. Guimond represents, I indicate that, at the time of my appearance on October 26, all claims for remuneration from deputy returning officers and poll clerks of that electoral district were paid.

I also provide further details on the process for identifying electors at polling stations, as set out in the Canada Elections Act. We can certainly pursue our discussions on that topic.

As I informed you in my letter, I also sent to each member of Parliament a letter, along with a questionnaire, seeking their input on the location of polling stations and election officers' offices, as well as any other aspect that they might wish to bring to my attention.

That letter was sent the same day that I provided the Official Voting Results—November 15, 2004—to each member of Parliament. In my letter to you, I bring to your attention that Table 15 of the Official Voting Results provides a breakdown, by political party, of special ballots that were omitted from the validation of results. We are aware of the reasons for that and are currently making corrections.

That concludes my remarks. Thank you, Mr. Chairman and members of the Committee. My colleagues and I are now available to answer your questions as best we can.

**The Chair:** Thank you very much for your presentation, Mr. Kingsley. We will now open it up for questions.

Of course, colleagues realize that we are dealing not only with today's presentation, but with the one made the previous time. So, our discussion can relate to both presentations. It is up to you.

Mr. Johnston, you may begin.

[*English*]

**Mr. Dale Johnston (Wetaskiwin, CPC):** Thank you for being here today.

I don't know if one of the biggest problems we had in my riding is true or not, but it was reported to me that my riding had the largest percentage of non-geoplaced voters of anywhere in Canada. That seemed to be the result of people's addresses being, let's say, P.O. Box something-or-other, Calmar, or R.R. whatever, Leduc. So my concern is that having non-geoplaced electors, someone with a box number or a rural route number, resulted in one area where there were actually two polls, and one of them wound up with 1,200 people in that poll while the other one had virtually no one in it.

Also, we had people who drove virtually from one end of their county to another to vote, when they drove past their normal polling place, the place they had gone to vote in other elections. They drove many more miles to go vote in a place that was really a long way out of their community.

Anyway, I'll stop there and I'll let you address that.

• (1115)

**Mr. Jean-Pierre Kingsley:** Quite quickly, Mr. Chairman, with respect to the places for the polling stations, we will revise that, review that, as part of the exercise that is going on now. It won't be possible for us to answer today how that would have materialized or happened in your riding, but we will look into it and come back to every MP who brings it to our attention, whether it's through this committee or through the letter that we've sent. We will try to change those places, with your agreement, before the next election.

That's only one part of the answer. I want to answer the other part as well. In that regard, with your permission, Mr. Chairman, I would ask Rennie Molnar to take the floor.

**Mr. Rennie Molnar (Senior Director, Register and Geography, Office of the Chief Electoral Officer):** Thank you.

You're correct. In some areas of some rural ridings, we do face some challenges in terms of the addressing. We did transfer electors over from one polling division to another when we went through redistribution, so as much as possible we preserve those people to make sure they were correctly located. There were, however, some anomalies, as you pointed out, in terms of having somebody perhaps in the poll next door as opposed to the poll they should have been in.

What we are doing now is reviewing the results that came back from the election, the revisions. In particular, we're focusing on addresses in rural areas to see if we can't better pinpoint them by using such things, for example, as township, range, section, meridian, and other forms of more precise rural addressing.

**Mr. Dale Johnston:** I think that would have a lot to do with getting them geoplaced. Also, if their address is simply box something-or-other, then probably street and avenue, house number, block number, and that sort of address, would help to pinpoint where they actually live. You might live twenty miles or more from town and still have simply box something-or-other as your address.

**Mr. Rennie Molnar:** I should point out that we do not geolocate people, though, based on their mailing address, like a P.O. box and so forth. We always have some information regarding their physical address, such as, at least, a town name. Sometimes this information isn't quite precise enough to permit us to, for example, put them in exactly the right poll. Sometimes they might spill into the poll next door. Generally, though, they vote in the same site in a small town like that anyway. But we don't use P.O. boxes to geolocate people.

**Mr. Dale Johnston:** What about postal codes?

**Mr. Rennie Molnar:** No.

**Mr. Dale Johnston:** On that, I would just like to ask very quickly if there is any possibility of doing an enumeration. For example, there has just been a provincial election in Alberta and they did an enumeration. Do you cross-reference with the provinces?

**Mr. Rennie Molnar:** Yes. We have an agreement with Elections Alberta, and we will receive the list of electors from Elections Alberta. We will use that to update the national register, and to look at the addressing that they have, as well.

[Translation]

**The Chair:** Thank you very much, Mr. Johnston.

Mr. Guimond, please.

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** Thank you, Mr. Chairman. Thank you, Mr. Kingsley.

I would like to come back to two of our issues. Let's start with the first one. It would seem that nothing in the current legislation prevents political organizations from reviewing returning officers' lists of people who voted at special polls. The legislation is silent on that. Some of your staff have interpreted this as meaning that we do not have the right to do that, since it is not specifically provided for in the Act.

In my opinion, we have to facilitate the expression of people's democratic rights. In order to avoid bothering people for nothing, it would be helpful for these various organizations to be able to see the lists. That is the case for both advance polls and voting day. Are you open to the idea of formalizing such arrangements?

I can tell you that the policy varies from one riding to the next. Some returning officers allow it, but others don't.

I'm not sure whether a legislative amendment would be needed or not. For greater certainty, could we agree on a process?

•(1120)

**Mr. Jean-Pierre Kingsley:** If you don't mind, Mr. Chairman, I'd like to ask Mr. Dumont to answer.

**The Chair:** Certainly.

Mr. Dumont.

**Mr. Luc Dumont (Director of Operations, Office of the Chief Electoral Officer):** The Elections Act specifies what is contained in the voters' list, the revised list, and the voting day list, which we call the official list. Our interpretation is that electors who voted at a special poll are the ones whose names appear on the list. We provide that information at specific points in the election calendar.

If the legislation is amended and provides for the information to be available at other times and in other forms, we will provide it. At the present time, the information we pass on comes from the voters' lists made available for the advance polls, in other words on Day 11—at the very latest, on Day 15 with an update on Day 11—and then after that, no later than Day 3 on the election calendar. At that time, we know exactly who voted in the advance poll, by special ballot, who registered, who was struck from the list, what corrections were made, and so on. Our current practice is based on the Elections Act.

**Mr. Michel Guimond:** So, is there a willingness on your part to make that list available at all times, at the request of a recognized party or candidate? Are you prepared to go so far as to suggest amendments, or are you recommending that we do so?

**Mr. Jean-Pierre Kingsley:** There is that willingness, Mr. Guimond, just as there is a willingness to make other kinds of proposals so that the list can be provided more often, if amendments are made more quickly in one riding, given that this can be helpful to the candidates.

Also, I will probably be recommending that the official lists used by the deputy returning officer and poll clerk indicate the sex and the date of birth, in order to help officials verify people's identity at polling stations. However, all of that will be included in the report that I should be tabling, with recommendations, early next year.

**Mr. Michel Guimond:** What about the suggestion I made two or three weeks ago with respect to a voter number? Do you remember? Maybe you'd like to check my memory. I had three requests: the sex, the date of birth, and a voter number. So, what about a voter number?

**Mr. Jean-Pierre Kingsley:** Personally, I'm in favour of a voter number, which could be used by Elections Canada and in the material we provide to the parties. I will look at that suggestion and address it in the report, but I'm still thinking about these issues. Indeed, there is the whole matter of controlling these data. I will have to consult the Privacy Commissioner in that regard. However, it will be considered in my report, as will the other points I have just mentioned.

**Mr. Michel Guimond:** Fine. Thank you.

**The Chair:** We will come back to you later.

**Mr. Michel Guimond:** Yes. I will have other questions.

**The Chair:** Perfect.

On the government side, we have Ms. Longfield.

[English]

**Hon. Judi Longfield (Whitby—Oshawa, Lib.):** Thank you.

Mr. Kingsley, I want to thank you for getting the note out to members with respect to voting locations and other things. We're currently in the process of reviewing that, and we should get it back to you as quickly as possible.

You've provided this document that clearly indicates that you have been very consistent on the matter of wanting to appoint returning officers directly. I look at some of the reasons and can appreciate that you feel you have greater control if they're people you have appointed. But I'm also disturbed that there seems to be an underlying current that the names you get from the political parties frequently include those who are incompetent, and that because they're political appointees—if that's how you want to do it—somehow they don't have the competency to do it. I find that disturbing, given the numbers you look at. I don't know how you can directly determine that because the name came from someone here, the problems arose because they didn't get appointed directly by you.

You can put out a request and you can get people to apply, and no one is going to say they're not going to obey the rules or not be in conflict or not going to do that. Surely the rules are applied and have to be enforced very stringently. Are you suggesting, as I think you are suggesting, that because you don't appoint them, you don't feel the same capacity to enforce the rules as stringently as you might if you were appointing them yourself?

• (1125)

**Mr. Jean-Pierre Kingsley:** Since 1990, Mr. Chairman, I've been making the same recommendation. As the system has grown more and more complex with the use of computers, with the fact that human resource management is more and more demanding even since 1990, there is a need for people to possess the basic skills. There is no indication whatsoever that this consideration is being given to the selection of people. The types of examples we have to live with at the margin do lead one to suspect that we would not have the same number of cases.

But I want to come back to the very basic point that what we're talking about here are the front-line managers for an electoral system. The person who is responsible for the overall system is saying that in order to provide direction to these people in a management sense, in an executive sense, it is only reasonable to assume that this person should be selecting them and appointing them on the basis of competence and on the basis of merit.

**Hon. Judi Longfield:** I'm not suggesting that we shouldn't be appointing on the basis of merit. I wouldn't be the least bit upset if there were a document or a list of criteria—if once the names were submitted, all of those applicants underwent testing of some sort and were asked to prove or document or demonstrate their computer ability, if that were the case.

I think we're frequently in a situation where we get an application from someone who indicates they have certain computer skills, and you get them into the office and you find out they've overestimated their ability or they're very narrow in scope. I think that happens no matter what.

Is there not some way you could provide a very detailed list of requirements, so that all of the names forwarded to you would have to meet those requirements absolutely, and if they didn't there would be agreement they would be rejected because they didn't meet the criteria?

**Mr. Jean-Pierre Kingsley:** I have been providing a list of requirements. I have even provided a videotape of the function of a

returning officer to those whose job it is to select these people, and I have no indication this is being utilized at all.

I would only add one thing, Mr. Chairman. The Public Service of Canada resolved this issue a long time ago when it said that merit shall be the basis on which public servants are appointed. That's why we have the Public Service Employment Act. All I'm saying is transpose that to the electoral system.

[Translation]

**The Chair:** Mr. Godin, you have the floor.

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Kingsley, unless I misunderstood, I don't believe you object to the idea of political parties recommending competent individuals. But you are saying that as Chief Electoral Officer, you would ultimately like to be able to select them. You work with them, and you are responsible for them.

• (1130)

**Mr. Jean-Pierre Kingsley:** Yes, Mr. Godin, you're absolutely right. I would not reject people simply because they have a political past. That is not the case. They could be recommended by candidates, or former candidates.

**Mr. Yvon Godin:** As I understand you, you are saying that in 2004, the party in power should not be the one recommending these individuals.

**Mr. Jean-Pierre Kingsley:** Once again, you are absolutely right.

**Mr. Yvon Godin:** Thank you.

I would now like to move on to the matter of the number of voters, or the voter population. Can you explain how it is that Elections Canada says there are 30 million voters, whereas Statistics Canada told us there were 31.6 million in July of 2003?

**Mr. Jean-Pierre Kingsley:** Could you tell me where you got those figures? First of all, I imagine they refer to the whole population, and not the number of voters.

**Mr. Yvon Godin:** Yes, I'm talking about the population. I got those figures from Elections Canada and Statistics Canada.

**Mr. Luc Dumont:** I see.

**Mr. Yvon Godin:** I'm talking about quite a large number.

**Mr. Luc Dumont:** The population figure provided in our tables is taken from the 2001 Census, meaning that these are the numbers identified by Statistics Canada. The figures that currently appear on their Web site are estimates, because you will notice that updates are provided at various intervals. So, these are essentially derived from the census based on various trends that Statistics Canada could explain to you better than I can. But the figures from the 2001 Census published by Statistics Canada and used for redistribution purposes are the ones we use. They are really the only numbers that are...

**Mr. Yvon Godin:** In July of 2001, it was 31.02 million. I don't have the 2001 figures for Elections Canada.

**Mr. Luc Dumont:** I will have to check that using your table. I checked this myself, and the figures we used in our tables are indeed the ones published by the Chief Statistician following the 2001 Census.

**Mr. Yvon Godin:** I'm sorry, but in the riding of Acadie—Bathurst, which I represent, it was pathetic in the last election. There had been changes in the riding. People living in the riding of Miramichi received papers telling them to vote in the riding of Acadie—Bathurst. Pardon me for saying so, but it was a nightmare. Our election offices worked hard trying to figure out where those people should go.

People from Robertville had to go to Beresford to vote, which is pretty far away. When they got to Beresford, they were told that they were not to vote there, but in Robertville. One person said she was going to go back home and would not return, and that if they didn't let her vote right away, she would leave. I just happened to be there. When I came out, she told me the whole story. I had to phone the returning officer to try and resolve the problem. They ended up letting her vote in Beresford.

That is the absolute truth. In my riding, election day was a nightmare because of mix-ups with addresses between Miramichi and Acadie—Bathurst.

**Mr. Jean-Pierre Kingsley:** Mr. Chairman, as regards specific issues such as that, although I certainly understand the rationale...

**Mr. Yvon Godin:** I realize that you can't provide an answer in four and a quarter minutes.

**Mr. Jean-Pierre Kingsley:** We will look into this and forward an answer in writing to the Committee for each of the detailed questions put to us today that we are unable to answer.

**The Chair:** Mr. Godin, you have time for one other quick question.

**Mr. Yvon Godin:** Let's come back to the difference between the two figures and the people who are not on the voters list. We had a census in 2001. Don't you think it would be a good idea to do another one in order to compare lists and add the names of people who may be missing?

**Mr. Jean-Pierre Kingsley:** Are you suggesting that we do a census at the same time as Statistics Canada, or that we use Statistics Canada's census results?

**Mr. Yvon Godin:** I don't know what I should be recommending. I know there is a big difference between you and Statistics Canada.

**Mr. Jean-Pierre Kingsley:** The point is that if we were to do them at the same time, we would save a fortune.

**Mr. Yvon Godin:** Perhaps you could explain why, if the Chairman agrees.

• (1135)

**The Chair:** The problem so far has been the Chief Statistician, who has refused. I was the Minister responsible when this came up. Perhaps we can come back to this later, on a second round.

**Mr. Yvon Godin:** Yes.

**The Chair:** From the government side, we have Ms. Boivin.

**Ms. Françoise Boivin (Gatineau, Lib.):** Mr. Kingsley, I found your report absolutely fascinating, and extremely interesting. To begin with, it shows the major challenges you were facing at Elections Canada.

As regards appointments, I will be perfectly frank with my colleagues in stating that I believe the important thing is that we have competent people filling these positions. I don't think anyone here would disagree with that.

I believe I had begun to express my unease with some of the public statements you have made the last time. You have attacked the competence of returning officers, and the side of me that tends to want to defend widows and orphans prompts me to come to the defence of these people, since they aren't here to defend themselves.

I took advantage of the time since your last appearance to thoroughly read everything that you have written. It was a little like back in the time when I would receive an arbitration ruling on labour relations files, for example. They found me quite amusing at my office, because I would not immediately go to the conclusion to find out the result—in other words, whether I had won or lost. Maybe it's masochistic of me, but I would read the entire report from beginning to end in order to understand the logic that had resulted in the decision. So, if I had lost but I understood the arbitrator's logic, I was willing to accept the ground rules.

My problem, Mr. Kingsley, is that after reading the foreword to your report and hearing your public statements, what seems to emerge from your report is that returning officers are incompetent. Make no mistake. We see headlines in the media that say: Electoral officer cites incompetence, nepotism. In the *Hill Times*, I believe, they declared it to be “an international embarrassment”. Those are strong words.

And yet when I read your report, Mr. Kingsley, all I really see is how you consult returning officers in order to improve services, and how you provide better training. The theme that recurs throughout your report is that you provide better training and that these people are providing good service.

Four major problems are identified for Elections Canada: you talk about the quality of the voters list, the voter information card sent out to every registered voter, communication with the electorate via the advertising campaign, and the public information service. But I see nothing in there that relates to returning officers.

When I read that you had created 24 liaison officer positions, I almost fell off my chair. And where did you get them? From among these same returning officers.

**The Chair:** Ms. Boivin, you have no time left for the answer.

**Ms. Françoise Boivin:** I'm having trouble reconciling the two, Mr. Kingsley. In your almost 80-page report, you say nothing but positive things. However, your foreword is essentially an attack on the method of appointment, and your public statements seem to deal with nothing but that.

That's my question.

**Mr. Jean-Pierre Kingsley:** Mr. Chairman, I wanted to set the record straight by sending you the document I circulated this morning, which demonstrates that in terms of managing the unit of direction, something which is necessary in any organization, the Chief Electoral Officer should be responsible for appointing these individuals and for selecting them on the basis of merit.

When I spoke to reporters—only reporters from the *Hill Times*... I had not spoken to reporters prior to that; I already told you that.

I am not responsible for newspaper headlines. Nor am I responsible for the questions people ask me. But I do know one thing: it just isn't possible to explain to an evolving democracy, to someone who is in the process of setting up such a system, that we have an air tight democracy, even though the Governor in Council appoints returning officers. When I say that, the people I am speaking to immediately understand what is going on; I see that in their eyes. It just isn't possible to explain that to our international contacts. I've said that before and I am saying it again now.

As regards the percentage of incumbents who are competent as opposed to incompetent, I've always said that most of them are okay. However, I have no evidence that they were the most competent individuals available at the time, in the riding, to occupy that position. I have no evidence of that. However, when I hold a competition to recruit a manager, I know that I am recruiting the best person available at the time and that this person possesses the necessary skills. I know that, and I can attest to that here. However, when it comes to returning officers, I am physically, morally, and intellectually incapable of saying that.

• (1140)

**The Chair:** The next question is from Mr. Reynolds.

[English]

**Mr. John Reynolds (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** How much does a returning officer make in an election year and how much in between elections? Are they on the job between now and the next election, or are they automatically a returning officer in the next election?

**Mr. Jean-Pierre Kingsley:** I would say that in a general election they would get around \$18,000. In between elections, because of the fact we don't know immediately when the next one will take place... We're going to be getting together with them to share the letters that you write to us to reassign polling places. We'll pay them to do that work. It may amount to \$2,000, \$3,000, or \$4,000. We haven't established a timeframe or a budget for that.

I would say that year-in and year-out, they make between \$3,000 and \$4,000 a year. So, it's a very... It depends on the work we assign to them for the geography. You well understand, we do not choose the voting places. That's not our job at head office.

**Mr. John Reynolds:** Would it be worth while to have them on the payroll year-round, setting things up in between elections and doing the work and knowing exactly what's happening in the riding? If you have provinces like Alberta that do censuses, we should be working with them. It seems to me that it might seem like a lot of money if you're going to keep them on full-time, but it will probably save us a lot of money.

I'm looking at a letter I just got today from my financial officer for the election, who is saying to me, after getting your answers back, there are no real problems but a lot of minor things. He said "There is a lot of paperwork over very little money. It will be hard for everyone to find Official Agents for the next election if they don't make any changes to the Act." This guy is a young, bright lawyer who knows how to use computers, BlackBerries, and everything, and he's saying to me he doesn't want this job the next time unless there are some changes to the act.

My feeling is, if we're going to do things properly, maybe every riding should have an electoral officer. I don't disagree with your appointing him; it's your job. I think we should.

I want to ask you a question about these appointments too, because you are ultimately responsible. I think if we get away from the political appointments, it would be much better to have professional people on the payroll, responsible in-between elections and making sure we're ready. Right now, what happens if we defeat the government next Tuesday? I can imagine the chaos we'd be in if we had an election.

I want to throw that out for your comments, about having them on full-time in every riding and making them part of your staff. Maybe you can answer that one short question and I'll be finished.

**Mr. Jean-Pierre Kingsley:** I think you're right that it would cost a lot of money. I think we're not at the stage where it would be economically worth while. We would be increasing the payroll by a lot of money; I mean, 308 times \$100,000 turns out to be a lot of money, if that's what we're going to pay them. That's approximately what we're paying. Even if it's \$75,000, I think you can get an idea of the magnitude here.

I'm thinking what we could perhaps do is to have a presence in the riding with an office. They would show up regularly at the office and it would be their office, but it wouldn't be full-time. I don't know how I can justify that; the idea is appealing, but I don't know how I could justify that.

**Mr. John Reynolds:** How many people do you have in your office now, here in Ottawa?

**Mr. Jean-Pierre Kingsley:** We have approximately 320 people in Ottawa.

**Mr. John Reynolds:** Maybe you could look at diversifying that by getting them out in the field. That might cut the cost down. It's at least a thought, something you should think about for the future.

My last question is with regard to your statement about how you've asked for the removal of three returning officers. The request was denied in one case and there was no response in the others. Are you telling me you don't even have the right, if they're doing things...? Obviously, if you want to dismiss somebody, you have some pretty good reasons for it. Do you have no power to do that without the minister saying yes?



**Mr. Jean-Pierre Kingsley:** Without the Governor in Council saying yes; that's exactly what I'm saying to you. I'm living with cases—and I'm perhaps holding back here—that are not acceptable in terms of service to Canadians. It's very hard to accept this. I cannot myself say, “You're fired. You're removed from office for cause.” I cannot do that. The law does not allow it.

**Mr. John Reynolds:** Mr. Chairman, could we have a meeting in camera with Mr. Kingsley one day? I'd like to have him go over these cases with us so we can see what we're really talking about here. I think that's something this committee should look at very seriously.

• (1145)

**Mr. Yvon Godin:** I think we should be transparent about it.

**Mr. John Reynolds:** Pardon? I think we do have to be transparent. We have to be very fair to people. We don't need people's names in the paper.

**The Chair:** With respect, human resources are seldom dealt with in public—staffing issues.

**Mr. Jean-Pierre Kingsley:** I would be pleased to have such an opportunity.

**The Chair:** Fine. We'll work on that in the future.

Mr. Kingsley, there are a number of other questions. I'd like to ask one very briefly.

[*Translation*]

Earlier, you stated that poll location is not determined by Ottawa. Where is the electoral map drawn up? Is that work coordinated at the riding level or here in Ottawa?

For example, when the entire system was changed in anticipation of the 1997 Election, when rural routes, rather than concession boundaries, were used to draw the map, where was that work directed from? Was that done in my own riding or here?

**Mr. Jean-Pierre Kingsley:** That was done here.

**The Chair:** So, that means that...

**Mr. Jean-Pierre Kingsley:** But the location of polling stations is not one of our responsibilities. There is a difference between the two.

**The Chair:** Yes, I am well aware of the difference, but the returning officer in a riding cannot build buildings where there are none. Nor can he move villages. So, if you take a village, and you draw a straight line from Ottawa through that village and decide there will be two polling stations there—one for half of the village, given that the boundaries of the other half are located three or four kilometres away—then that particular condition was not created in the riding itself. Right?

**Mr. Jean-Pierre Kingsley:** If you don't mind, Mr. Chairman, I'd like to ask Mr. Molnar to provide further clarification in that regard.

**The Chair:** Mr. Molnar.

[*English*]

**Mr. Rennie Molnar:** In terms of the polling divisions, as you describe them, a first cut is taken in Ottawa—for example, after redistribution when we converted to 308 ridings. We take the old polling divisions and take a first cut in Ottawa to divide up the riding. That is then verified and reviewed by the returning officer

using local knowledge. We then take those amendments back and incorporate them into the cartography. So it's a bit of both.

**The Chair:** What I'm referring to occurred in 1997. It started in 1997. It did not exist before. The cartography was changed in rural areas at that time, and it was done along these concession roads, which is the opposite of what had been there. I kept all my maps.

That was done out of Ottawa—is that what you're saying?

**Mr. Rennie Molnar:** I would have to go back to check on the details specifically in terms of 1997 and a specific riding.

**The Chair:** No, in 1997 there was a redistribution, sir; it wasn't in a specific riding, if you'll remember.

**Mr. Rennie Molnar:** Right, but I'd have to go back to check on the boundaries after 1997.

**The Chair:** Okay.

The next question goes to Monsieur Guimond.

[*Translation*]

**Mr. Michel Guimond:** I don't want to use all my time for the question I want to ask, so I'd like to first come back to Mr. Boudria's last question. I understand that it's the local returning officer who determines where polling stations will be located. I gave the example earlier of 23,000 people in Beauport. The returning officer divided that number into portions or segments, which meant that people living in the south part of my riding who lived 75 meters away from the polling station where they had always voted ended up having to vote in the northern portion of my riding, whereas people in the north had to go and vote in the south. And all of that happened because my riding was divided up as though it were a thick slice of baloney. The returning officer is the one who decided that. I really don't get it.

**The Chair:** Mr. Guimond, we have just been told that the boundaries of the polling stations, as opposed to their actual location, are determined here in Ottawa. We have just been told that following redistribution, the boundaries were drawn up here in Ottawa.

**Mr. Michel Guimond:** With the key to...

**The Chair:** Could we ask the Chief Electoral Officer to provide some clarification, because I have the feeling I understood exactly the opposite of what Mr. Guimond seems to have understood.

**Mr. Jean-Pierre Kingsley:** The first iteration is developed here at the head office, based on approximately 350 voters per polling division. Wherever possible, we try to keep current polling divisions where there is no need to change things. But in cases where we're at the outer limits, we have no choice but to reconfigure the polling division because there has been a redistribution and that redistribution has had an impact. So, we concern ourselves with the outer margins. The first iteration is developed in our shop. We send that along to the returning officer, when we have time to do so before voting day, and ask him what he thinks of it. He has the authority to readjust the boundaries of the polling divisions, if time permits.

● (1150)

**Mr. Michel Guimond:** It has to be done properly.

**Mr. Jean-Pierre Kingsley:** We then make changes at head office, and that is what is incorporated into the electoral maps of which you are given a copy, as a candidate. Things don't always work perfectly, that's for sure, and it's not always the fault of the returning officer. Sometimes the appointment comes late or sometimes there can be other reasons, but that's the way it works. Maybe we can improve things, so that the first cut at Elections Canada's head office reflects the concern you have just raised—in other words, not dividing up a village based on the road, but based on the village itself, which could mean dividing it up perpendicular to the road, rather than along the road. A number of villages, including some that I am familiar with in Francophone rural Ontario, because I live there, are located on a single road. So I fully understand the dynamic you have alluded to. Furthermore, I believe the same situation exists in various parts of the country.

**Mr. Michel Guimond:** But there is a problem when an elderly person who does not have a car and has been voting at the community centre 50 meters away from his residence for the past 40 years is suddenly told, in order to « facilitate »—and I'm being ironic—the expression of his democratic right to vote, that he has to vote in a different polling station six kilometres away, in the northern portion of his riding, when he is only a stone's throw away from the community centre.

What can we do to avoid that kind of situation?

**Mr. Jean-Pierre Kingsley:** First of all, Mr. Chairman, the member will have to answer the letter that I sent to him and provide us with a complete description of this particular problem. We will then discuss it with the returning officer, so that the situation can be corrected, in consultation with you, before the next election...

**Mr. Michel Guimond:** Very good.

**Mr. Jean-Pierre Kingsley:** ...unless it takes place next Tuesday, as Mr. Reynolds was saying earlier.

**Mr. Michel Guimond:** We know that DROs and poll clerks who work on voting day are required to swear an oath. What is the reason for swearing them in? Why is that done?

**Mr. Jean-Pierre Kingsley:** It's an oath of office.

**Mr. Michel Guimond:** Yes, it's in the legislation, but what is the purpose of swearing them in?

**Mr. Jean-Pierre Kingsley:** To ensure that they abide by the law.

**Mr. Luc Dumont:** First of all, they swear under oath that the statement they are making with respect to their identity and place of residence is true. Depending on the position they are filling, the legislation sets out very specific criteria, particularly in relation to the place of residence of deputy returning officers and poll clerks. They must live in the riding.

Secondly, they must swear that they will carry out the duties impartially, that they are Canadian citizens, and that they are 18 years of age and over. It refers to things like that. It is basically the employment record of someone reporting for work.

**Mr. Michel Guimond:** So they swear to carry out their duties... The DRO and poll clerk work on D day, voting day.

**Mr. Luc Dumont:** Yes, either the advance poll day or voting day.

**Mr. Michel Guimond:** I was really talking about DROs as a whole and poll clerks. We want them to demonstrate impartiality in carrying out their duties in their polling division on voting day. That was my trick question.

In that case, why are they sworn in a week or ten days in advance and prevented from engaging in any partisan work, since it says they are swearing an oath in relation to the duties they will be performing on D day? Why are they sworn in so long in advance, thereby preventing all political parties' organizations from assigning them to partisan work? First of all, I hope that when you are provided with lists, that you expect these people...

**The Chair:** We're coming to the end, if you'd like to wrap up.

**Mr. Michel Guimond:** What time are we stopping?

**The Chair:** We're coming to the end of your six minutes, since you've already used five.

Mr. Kingsley, could you answer that part of the question, please?

**Mr. Luc Dumont:** It is the advance poll vote that is the most painful for the political party, because people continue to work on voting day.

**Mr. Michel Guimond:** That's not my question.

**Mr. Luc Dumont:** The complaints often relate to that.

However, for planning purposes, we have no choice but to do that. In a typical riding, there can be between 500 and 600 people working on voting day. It is when they come for their training that they fill in the forms and swear the oath. In some cases, depending on the distances involved, we provide the material to them. It's a question of logistics. If we made people come back on Saturday to sign everything—you can imagine—we would be getting complaints from poll clerks and deputy returning officers, who would be asking why they weren't asked to sign the papers on the day or evening of their training.

● (1155)

**Mr. Michel Guimond:** Why couldn't the forms be designed in such a way as to specify, for example, that they are swearing an oath regarding respect for confidentiality, free access to the polling station, the rights of electors, and enforcement of the Elections Act on voting day—was it June 28? I agree with your having them sign such an undertaking on June 18. I'm not asking you to train 500 or 600 people on the eve of an election. In any case, with the incompetent returning officers we have in place now, there is a good chance we wouldn't even be able to open up the polling station on June 28. I fully agree with you in that respect: the sooner we take action, the better.

I am wondering, though, whether your oath of office forms couldn't be handled that way?

**The Chair:** Please give a brief answer so that we can move on to other questions.

**Mr. Jean-Pierre Kingsley:** I think your suggestion is certainly worth looking at, and I will consider it. That seems feasible to me. Thank you.

**The Chair:** Mr. Godin.

**Mr. Yvon Godin:** It's my turn. Usually it's the Liberals' turn, so I'm just a little surprised.

Could you continue answering the question I put to you earlier regarding address verification? You were saying it could be a good idea to do this at the same time as Statistics Canada, and that it would be less costly. Why is that?

**Mr. Jean-Pierre Kingsley:** First of all, I want to make one clarification. The enumeration carried out by Elections Alberta is done with data that we have provided. That is not the case for the entire province, but for some places. I also wanted to indicate to the Committee that I'm very anxious to read the report of Alberta's Chief Electoral Officer, because it's possible he encountered a lot more problems than in the past. I'll see. I'll be looking at that with him.

This is what I was saying earlier, although I may have misinterpreted your question. Since we conduct the census for statistical purposes every five years, would it not be possible to make that a census for electoral purposes at the same time? We would simply have to ask every individual to indicate whether they are Canadian citizens. They already ask their age. These lists could serve to totally refresh the National Register of Electors. That is a scheme that could be very worthwhile, in my opinion, and it wouldn't cost the system anything more, because people already go door to door for the census. The list would be updated, and we could keep it up to date with our own data sources, which means we would have a better quality list. Without even having looked at this in greater depth, logically it can only improve the quality of our lists, in my view.

However, there are some problems with Statistics Canada that we may need to resolve. We will have to engage in discussions with Statistics Canada. If the Committee agrees, perhaps I could start discussing this with the Chief Statistician and report back to you. With a census being conducted every five years, the problem would be solved.

**Mr. Yvon Godin:** That is something to consider. The main purpose is to give Canadians an opportunity to vote.

**Mr. Jean-Pierre Kingsley:** Yes, that is the overall purpose and our strong motivation.

**Mr. Yvon Godin:** What procedures do you have in place with respect to people who have reached the age of 18? Are there agreements with the provinces, or with Ministries of Education, to identify young people who are still in school but are 18 years of age? Is there anything in place in that regard? Using a driver's licence is not the only option; everyone does not necessarily get a driver's licence at that age, so, what do you do? What system do you have in place to reach new electors who have just turned 18? You have referred to this before. What is the status of that?

**Mr. Jean-Pierre Kingsley:** I can tell you that, theoretically, we are already doing everything we are able to do. I would like to give you a more detailed answer because the question you raise is fundamental, as far as we are concerned. This is the age group that is most difficult to reach when it comes time to include people in this particular category in voters lists or the National Register of Voters.

We receive their names, not only through their driving permits, but mainly from the Canada Revenue Agency, when they check the box stating they are Canadians and agree to share their data with us. But we cannot actually include them on the list, because the certification of citizenship is not as clear as it should be. Too many people check that box who are not Canadian citizens. And, I have

been told by the political parties not to include them. So, I am automatically required to write to them.

I did have an agreement with the Canada Revenue Agency to separate the two questions in the box reserved for Elections Canada as per the Elections Act, because the Act stipulates that we have the right to use tax information. I had an agreement. For months, the Privacy Commissioner agreed to what I was proposing. Because the previous Commissioner was unable to reach an agreement with me to that effect, the Revenue Agency always used that as its main argument for not going along with me on this. The new Commissioner agreed that we could do it, and she was completely comfortable with that. However, two weeks before this was to come into effect, even though we had had an agreement in place for months, the President of the Agency told me that the deal was off.

So, the Income Tax Act will have to be amended. We had a meeting last week to see how we could amend the Income Tax Act, but the results so far are not conclusive. We are supposed to have further meetings.

That would help tremendously, particularly in relation to other Canadians who check the box but that we don't want to include. When it comes time to make a change, even if that person is already in the register, I can use that information, even though there may be some confusion about that individual's citizenship. But I can't use it for new electors.

• (1200)

**The Chair:** We'll come back to this.

**Mr. Yvon Godin:** Can I ask another quick question?

**The Chair:** Go ahead.

**Mr. Yvon Godin:** I received a complaint in my riding to the effect that the amounts paid for polling stations were lower than what is paid for provincial elections.

**Mr. Jean-Pierre Kingsley:** I would find that surprising, but we can look at that.

**Mr. Yvon Godin:** I'm told it's 90 \$ for a federal election, and 110 \$ for a provincial election, or thereabouts.

**Mr. Jean-Pierre Kingsley:** We'll take a look at that.

**Mr. Yvon Godin:** Could you find out what the rates are...?

**Mr. Jean-Pierre Kingsley:** Yes. We usually adjust rates just before an election. We will take a look at this and see if there is any particular issue there.

Thank you.

**The Chair:** Mr. Reid.

[*English*]

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Thank you, Mr. Chairman.

I have five minutes and four questions, so I'm hoping those five minutes will be the extra stretchy-elastic minutes that Mr. Guimond was using a moment ago.

**The Chair:** You'll get a second round.

**Mr. Scott Reid:** First of all, I wanted to thank you, Mr. Kingsley, for the letter you sent out regarding the poll locations.

I only have a simple question. I would like to send out a householder asking constituents what they would recommend. Would I have enough time before you need the information back in order to send out the householder asking people where they would recommend some of the polling locations should be?

**Mr. Jean-Pierre Kingsley:** When are you sending your householder, sir?

**Mr. Scott Reid:** Well, I'm not sure. Maybe the real question is what is your deadline?

**Mr. Jean-Pierre Kingsley:** We were thinking that you could provide us with information before you leave for the Christmas break. But if it comes later, we'll see what we can do. You must remember the call of the election is not in my hands.

**Mr. Scott Reid:** All right. That's a very fair point. But in the event it comes later, and it turns out the election is perhaps this time next year, would it still be possible to incorporate the comments that we get back?

**Mr. Jean-Pierre Kingsley:** Yes. You might think of doing something, sir, where there is a blatant case. Perhaps you can address those immediately. For the other ones where it would be highly desirable but not as blatant, perhaps the consultation would be the process.

**Mr. Scott Reid:** Okay. That would be great. It's very good advice.

I wanted to ask about financial considerations. The budgets that are given to the individual returning officers for the individual ridings perhaps have the effect of being an impediment to the opening of additional offices or additional mobile polls. I ask this because I had the impression that in my own constituency this may have been something that caused a reluctance to establish, for example, advance polls in all the locations that ideally one would have wanted or a satellite office, that kind of thing. I'm not sure if I'm going down a path that is in fact a legitimate path or if I'm wrong.

• (1205)

**Mr. Jean-Pierre Kingsley:** The budget is not a consideration, and I will explain why. I speak to all the groups of returning officers and talk to them about the budget. The budget is initially set as a guideline with them. They have to agree to what we set. Then during the election, if anything arises and they need more money, they get it within two hours of a phone call, unless it is something so blatantly unacceptable that it staggers the mind. Other than that, they get it within two hours. That's the directive I give to my people, and I tell them that is the process. But we do set budgets with them so that it's not a freewheeling, free-spending exercise without any controls.

**Mr. Scott Reid:** This question concerns nominations. By now the returns will have all come in and been processed concerning nominations. One of the things that struck me was that with some of the more high-profile nominations that took place prior to the last election it was a little hard to imagine that the spending requirements were met. Is it the case that all spending requirements and spending caps were met by all candidates for all nominations across the country, or were there in some cases cost overruns?

**Mr. Jean-Pierre Kingsley:** I'm not aware that there have been any overruns in the ones we've received. Are you aware of any, Janice, in terms of what has been filed with us?

**Ms. Janice Vézina (Senior Director, Election Financing and Corporate Services, Office of the Chief Electoral Officer):** I have no knowledge of any.

**Mr. Jean-Pierre Kingsley:** We can look into that to see if there has been any report of it. As you know, we'll be posting this information on the website eventually, and it will give a crack to others who may feel there have been overruns that have not been reported. But that's not what you're asking. I don't think there's been a reported overrun, but we'll check that and come back to you.

**Mr. Scott Reid:** Okay. The final question I had was this. I'm wondering what the final interpretation has been from your office regarding the question that arose, back during my own party's leadership race and during some of those nomination battles, regarding whether, if one individual purchases memberships for other individuals, that is permissible or impermissible, and if it is, with what limitations.

**Mr. Jean-Pierre Kingsley:** In terms of the Canada Elections Act the practice is permissible. This is what I said during the campaign. I also indicated that my own position, if there was any kind of moral authority tied to it, would be that this should not be; that people should buy their own memberships with their own money, and no one should buy for anybody else. Those who buy for others get caught with the limits, because these turn out to be contributions. They have to respect... There's a limit to how much they can do this type of thing. But I personally don't consider that satisfactory, and I think the overwhelming majority of Canadians don't consider it satisfactory. I think the principle I enunciated, that each person should buy their own membership with their own money, is a pretty sound one to start with in terms of the political foundations of political parties.

[Translation]

**The Chair:** I would like to ask two questions, Mr. Kingsley.

Are the people sworn in on voting day part of those added to the electoral list to enhance it? In other words, supposing I moved and my name, for whatever reason, is not on the electoral list the day I am sworn in. Will my name be added automatically in anticipation of the next voting day? I also would like to know if my name will automatically be struck from the list at the last polling station where I was registered. Do both of those things happen, only one, or neither?

**Mr. Jean-Pierre Kingsley:** Both of those things will be done, as long as we can locate you at your former address. Where appropriate, the registration of your new address will be done automatically. Your name will then be struck in relation to your old address. In a situation like that, this is done after the election.

**The Chair:** Supposing an elector moves from Alberta to Hawkesbury. How do you know where he has come from? On swearing-in day, I don't recall having seen a question asking the voter what riding he was coming from.

**Mr. Jean-Pierre Kingsley:** We ask for the former address and continue to ask the date of birth. That way, we can cross-check the information using the name and date of birth, even if there is an error in the address or no address at all. On the other hand, if we are not 99.9 per cent sure—in other words, completely sure—we will not strike the name from the other address. However, that is what is likely to happen ultimately.

**The Chair:** I want to change subjects. As regards Revenue Canada, I fully agree with what you said. At the time that I was the Minister responsible, we tried to convince Revenue Canada to move forward on this. In my own mind, I had formulated a theoretical question along the lines of: “Are you a Canadian citizen and, if so, would you like your name to be on the electoral list?” One official had taken a position on that. His argument was that we could not ask both things in a single sentence because it was an invasion of privacy; however, if we asked the two questions separately, there would be no problem. I had trouble understanding that logic. The fact is we had to establish the sum of those two criteria.

Can you tell me what the status of that is now? Based on what you were saying, an amendment will be needed. I find that regrettable. Can we be content with a single question, or in order to achieve our purposes, will we have to have two or three sentences in there? Like other members of this Committee, I believe that the easier the question is to understand, the better our register of electors. In that regard, I believe we agree.

• (1210)

**Mr. Jean-Pierre Kingsley:** We need two simple questions, Mr. Chairman.

**The Chair:** Why?

**Mr. Jean-Pierre Kingsley:** There has to be one question on the voter's citizenship, and another to determine whether he/she agrees to be registered and to allow this information to be passed on to us.

**The Chair:** Are you saying that there need to be two questions because Revenue Canada is demanding that there be two, or because you think that's the simplest way of doing it?

**Mr. Jean-Pierre Kingsley:** If the Revenue Agency were asking for there to be two, I would get down and kiss their feet. In fact, the Agency is opposed to their being two questions.

**The Chair:** Do you mean that we can't ask one?

**Mr. Jean-Pierre Kingsley:** The Agency is saying that we have to include everything in a single question. But we can't ask two questions in one. It's confusing for voters. Furthermore, we can't use the information thus obtained, because under the legislation, a person must be a Canadian citizen in order to be added to the list. When it's a new voter, there must be certification of that person's status as a Canadian citizen. That certification can come from the individual or from another source.

We did some checking on our own and when reviewing the data of young people who had answered yes, we unfortunately discovered that they were not Canadian citizens. The same applied to some elderly persons. And that can be explained by the fact that the question is confusing.

**The Chair:** Okay. Can we expect a recommendation to that effect in your report? We could support it.

**Mr. Jean-Pierre Kingsley:** Yes, absolutely. In fact, it will be the first recommendation, and I do hope the government can move more quickly on this.

**The Chair:** I can't speak for the government, but I do hope that our Committee will agree to support it. Thank you.

Ms. Redman.

[*English*]

**Hon. Karen Redman (Kitchener Centre, Lib.):** Thank you, Mr. Chair, and my apologies that I've had to nip out a couple of times.

We've spent a fair amount of time talking about the returning officers and what the best way is to have them appointed. From my point of view I'd like to go on the record as saying the returning officer who was in place when I became a member of Parliament, who was not my appointee but my predecessor's, did a lot of international work sharing best examples and best practices in Canada. My current returning officer is somebody who was chosen on merit. I want to go on record as saying he's been very complimentary about the training he received. He's a highly competent individual.

What I can't help but react to, when I look at “Election officers and local staff”, on page 37 of your big report, is the distinction made between people who have been made returning officers by just being hired on what one might assume is competency versus people whose names might have been put forward by any political party—there seems to be a distinction. I haven't seen it demonstrated, so I'd like to know how you make that distinction.

But I'd really like to move past the returning officer issue, because I see a much larger issue for me. I brought it up last time you were here, Mr. Kingsley. That concerns the accuracy of the lists and the revising agents. I had a lot of feedback during the election from my returning officer about the lists, and about the revising agents saying it was quite a challenging job. I'm wondering how we could have input, or whether you will make recommendations about how to improve that system.

Again, I raised at the last juncture—this is on page 6 of the last presentation you made, when you were with us before—the suggestion that we might pursue new registration methods, such as online voter registration, and consider potentially improving service to the electorate by removing the requirement for identification for registering people. I again would reiterate that it seems to me, as much as everybody would like to think people are operating in an honest and open fashion, that we may have come to the point where we should demand photo ID when they come to the polls. I'm wondering whether that wouldn't be part of your recommendation. How would one go about having that put into the mix for discussion and perhaps consideration by this committee?

•(1215)

**Mr. Jean-Pierre Kingsley:** In terms of photo ID or any ID at the polls, I mentioned at the last meeting that I would not be making a recommendation to this effect. I provided further information in my testimony to indicate how things go at the polls, to indicate that there is a series of subtle checks and balances in the system that exists. The opportunity to challenge someone exists at the polls. Representatives of candidates can challenge someone if they have reason to suspect the person is not who she says she is.

It would be very helpful if I had any indication of cases where people think there were instances where somebody did misrepresent themselves or did represent someone else. It seems to me that we're dealing with something people talk about, but there is no real proof of anything.

I'll tell you that in the systems of checks and balances, because we have the computerized list, we were able, at the last election, to pursue many more cases that resulted in a much higher number of convictions and agreements with the commissioner. Over thirty people admitted that they had voted twice, because we have a subtle system of checks and balances about who voted twice due to the computers that we did not have before.

So we are exercising the authority that we have to pursue these things. I'm wondering what we would gain, but it's open for discussion at this committee. You have the right to introduce it any time.

In terms of the improved lists, I agree. We will continue to improve them. I'm battling with the revenue agency in order to allow that to happen. I continue to do that. At the last election, it worked much better than at the previous one, but I think there's also a role—and I keep writing to members of Parliament—when you do mail-outs for whatever reason. If it's your householder, if it's happy holiday wishes, or whatever, and you get mail back, we'd like to see that, so please get in touch with us. We'd like to look at that mail with you to find out why it came back. If it's because they've moved, that's one thing. We can pursue that. If it's because it's not deliverable, that's quite another and we'll want to work with you on that one.

So those are the answers I want to provide.

I'm sorry, but I didn't quite get the point you were making about a distinction I made in a report about returning officers.

**Hon. Karen Redman:** This is "Election officers and local staff", and it's on page 37. As I read this paragraph, there's a distinction made about names that are put forward:

...recommendations made by the registered parties whose candidates came first or second in the previous election in the electoral district, or by the candidates representing the registered political parties.... The remaining staff and election officers are selected by the returning officer.

What are the differences in the methods? Have you tracked the performance quality, the way they carry out their job?

**Mr. Jean-Pierre Kingsley:** When we're talking about the remaining staff, we're talking about the staff in the office of the returning officer. They are appointed directly by the returning officer through whatever means he or she decides, without reference to head

office and without reference to the political parties and the candidates.

When it comes time to appoint the deputy returning officer and the clerk, a consultation must be held by the returning officer with the candidate whose party came in first and the candidate whose party came in second, to obtain lists from them. The appointments must be from those lists for those positions.

**Hon. Karen Redman:** Just to clarify, I understand that. I think the process is quite well laid out. My question is, is there any discernable difference between the people who are achieved through the political process, as it were, and the people who are chosen at random? Do you do any tracking to see if they're more competent about their job or if there's error? Is any kind of tracking like that done?

•(1220)

**Mr. Jean-Pierre Kingsley:** No, we do not track that.

**The Chair:** Okay, we'll move on to the next questions.

Mr. Casey, it's your turn.

**Mr. Bill Casey (Cumberland—Colchester—Musquodoboit Valley, CPC):** Thank you.

In your notes, you state, "I have asked for the removal of three returning officers. The request was denied in one case and no response was provided in the two other cases." Is there a set of rules or a defined process whereby you would ask for the removal of somebody?

**Mr. Jean-Pierre Kingsley:** I don't know if it's strictly within the law. I can't remember, but there is something that says that if I wish to recommend, then I have to write to the Governor in Council, through the minister designated for this purpose under the statute.

**Mr. Bill Casey:** So that is defined. When you asked for removal, no one responded to your requests?

**Mr. Jean-Pierre Kingsley:** Well, in two cases out of three, there was no response.

**Mr. Bill Casey:** That seems like a failure in the system. How could they not respond to your requests? These could be very serious problems, could they not?

**Mr. Jean-Pierre Kingsley:** By their very definition, if I wrote, they were serious.

**Mr. Bill Casey:** Who do you write to, exactly?

**Mr. Jean-Pierre Kingsley:** I write to the minister who is designated for that purpose under the statute.

**Mr. Bill Casey:** You wrote these three requests during the last election?

**Mr. Jean-Pierre Kingsley:** Which election was it...? There was one in 1996. So it's been to the various individuals who have occupied the position of minister.

**Mr. Bill Casey:** I find it strange that they would not respond and that you would be left with a situation that you can't deal with yourself. Perhaps we can explore that.

As well, you mentioned earlier that you were going to contact the chief electoral officer in Alberta and compare lists. How do you do that?

**Mr. Jean-Pierre Kingsley:** In terms of comparing lists, what we meant was that the chief electoral officer in Alberta has agreed to provide us with his list of electors. That's permissible under his statute and under our statute here.

We'll exchange lists and then compare the two by electronic means, by computer, and then try to understand where the differences are. If it's people who have moved, then on our list we will move them to their new address. If they're new electors, we will add them. We can add a new elector from a provincial list, because automatically the statute allows us to recognize that they're Canadian citizens. In Alberta you must be a Canadian citizen before you can vote.

That's what we intend to do with them. We'll also look at addressing whether any new subdivisions are escaping us because of outdated maps. This is the advantage of doing that.

**Mr. Bill Casey:** To go back to my first question, what would you like us to do to ensure that you get answers when you ask for the removal of a returning officer? Is there something we can do to help you get an answer? Because you should have answers.

**Mr. Jean-Pierre Kingsley:** I think consideration should be given to the primary recommendation I've been making since 1990, which is that competence and merit be at the core of the system, and that the Chief Electoral Officer run that process.

**Mr. Bill Casey:** But even if you do hire somebody with competence and merit, something could happen in the middle of an election that's unacceptable.

**Mr. Jean-Pierre Kingsley:** Right, and the statute would say that the Chief Electoral Officer has the authority to remove the person without reference to anybody else.

**Mr. Bill Casey:** Without reference?

**Mr. Jean-Pierre Kingsley:** Without reference. If the Chief Electoral Officer is appointing, the Chief Electoral Officer shall be "dis-appointing".

**Mr. Bill Casey:** Very good.

**The Chair:** Mr. Hill.

**Mr. Jay Hill (Prince George—Peace River, CPC):** Thank you, Mr. Chairman. I wasn't able to be here for the entire meeting, but I do have a question.

On page 2 of your presentation, Mr. Kingsley, you said that at the time of your appearance on October 26, all claims for remuneration from deputy returning officers and poll clerks had been paid. Is that accurate for everybody across the land who worked on the election?

**Mr. Jean-Pierre Kingsley:** Madam Vézina will reply, Mr. Chairman.

**Ms. Janice Vézina:** For all claims we received from returning officers that were duly authorized, all payments had been made, and are made. What we're following up on is where we'll get a call from

an election worker saying they haven't been paid, and we have received nothing from the returning officer. We'll call the returning officer and say, "Joe Smith claims he worked on polling day. Is this true? We don't have any documentation." The RO will look in his files and will say yes or no. If he says yes, he has to authorize the number of hours, etc., and sign it off. Then we make the payment.

Following, I would say, the first three or four weeks, we had paid everything that we had received and that was authorized by returning officers. After that period of time were the ones where the returning officer had not submitted a claim for payment. Those are the ones we were following up.

•(1225)

**Mr. Jay Hill:** Do you have any idea of how widespread this follow-up is and what type of timeline you might be looking at to complete any outstanding disputes? And I call them "disputes" because, really, they could put in a claim, and I suspect you could be questioning whether or not it's accurate, or whatever the case may be.

First of all, how widespread is it? Second, what's the timeline to have all of these cleared up?

**Ms. Janice Vézina:** What we have right now, as I know because I asked for a report yesterday in anticipation of a question here today, is we have one outstanding claim for which we're waiting for authorization by the returning officer.

**Mr. Jay Hill:** Is that in my riding?

**Ms. Janice Vézina:** I would have to check.

**Mr. Jay Hill:** I have a situation and I'm trying to ascertain whether it's unique or not. I've sent a letter along with the communication that I received from a constituent. Her name is Valerie Torgrimson; she's from Dawson Creek in my riding, and she was the automation coordinator. She attended a training meeting in Ottawa in February of this year, so well in advance, and we're coming up on the annual birthday of the training session. She attended that along with the returning officer, Lynda Martin, and the deputy returning officer, Cheryl Ireland, all of whom are from Dawson Creek, one central city in my riding. The two of them were reimbursed completely for their expenses and Ms. Torgrimson was not. My understanding is she hasn't even received what she would consider an adequate explanation of why some of her expenses were discounted.

I'm asking the question not only on behalf of Valerie Torgrimson of Dawson Creek, but by extension I'm asking if this is more widespread, where you have these disputes and is there a dispute settlement mechanism or some form of appeal that these people can make and expect it to be resolved in a timely manner? That's what I'm seeking. But what you're saying is that you've only got one of these outstanding. Is it this one, or is this something new?

**Mr. Luc Dumont:** I'm not saying it's not possible to have a case like this, but we go by Treasury Board policies regarding travel. So what I will do is when I will go back to the office, I will check about exactly what happened in this case and come back to you through the regular means as to the follow-up for this person.

**Mr. Jay Hill:** But what I'm hearing, though, is that this is fairly unique. You wouldn't say that there's a widespread problem in ridings across the country here, but sometimes this happens?

**Mr. Luc Dumont:** No, it relates more to the interpretation of Treasury Board policy regarding travel. Sometimes people would like it to be more generous, and we have to apply what is written. So that's probably a case like this, but I will commit to report back on this case.

**The Chair:** That's it? Thank you very much.

[*Translation*]

Mr. Kingsley, would you like to add something?

[*English*]

**Mr. Jean-Pierre Kingsley:** It's important to note that Madam Vézina's reply related to electoral workers and to the election, and Luc's reply was about part of the training program, which he runs. That's why there were two interveners here. The one is in her bag. There may be more cases here. We'll look into that and report back, just to see.

**The Chair:** Thank you very much. Thank you for that last detail. That was very helpful.

Next question, Madam Boivin.

[*Translation*]

**Ms. Françoise Boivin:** Mr. Kingsley, you begin your report with a quotation that I see as being extremely important: "The right to vote is only meaningful when you use it". These are your own words.

With respect to the examples of actions by returning officers that you provided in Appendix 1 of your November 16 document, perhaps you could tell us which had an impact on electors' ability to exercise their right to vote.

**Mr. Jean-Pierre Kingsley:** With all due respect, Mr. Chairman, could I suggest that we consider these issues at the session that is to be arranged, so that I can provide clear explanations and won't have to discuss these matters in veiled terms?

• (1230)

**The Chair:** Yes. I agree. If you don't mind, Ms. Boivin, we can discuss these disciplinary cases at the in camera meeting.

**Ms. Françoise Boivin:** Fine. I wasn't asking for any names to be revealed; I simply wanted to know whether there were any. That's fine.

You mentioned three cases in relation to the requests you made to the Minister. I want to be sure I understood you correctly. Do those cases go back to 1996?

**Mr. Jean-Pierre Kingsley:** Yes.

**Ms. Françoise Boivin:** Excellent. Am I to understand that the two individuals regarding which you received no response still hold those positions?

**Mr. Jean-Pierre Kingsley:** I would have to check that. I will let you know.

**The Chair:** Is that okay, Ms. Boivin? Thank you.

Mr. Godin, you have the floor.

**Mr. Yvon Godin:** I will be satisfied when we have a meeting to verify these matters. As far as I'm concerned, the system isn't working.

**The Chair:** Fine. Thank you.

Ms. Longfield, please.

[*English*]

**Hon. Judi Longfield:** I really hate to belabour this, but again, Mr. Kingsley is correct that dating back as far as 1990 he has consistently indicated he feels that the appointment of returning officers should be at the discretion of the Chief Electoral Officer. I take it that most of this is because if you hire them you feel you can fire them. While I understand that, there's also the implication that because you didn't hire them they're somehow not as competent as they should be. That's where I take exception. We'll agree to disagree on this.

However, on the first page, about our activities between 2000-2004, you talk about meeting our commitments. You indicate that after a consultation process with staff, returning officers, your own staff and all that, you have a list of priorities, and you list the priorities, one being the quality of the electoral list, the second being voter information cards sent to registered electors, the third being communications with electors through the advertising campaign, and the fourth being responses to inquiries from the public. I'm wondering if the whole business of returning officers is so important that perhaps there should be a fifth one, on improving the quality of the officials who are conducting the elections.

**Mr. Jean-Pierre Kingsley:** It is certainly a fifth one that can be made. It's not one that I made. I established what it is I wanted to accomplish. I work with the returning officers I have. Parliament has asked me to do that, and that's what the law says. That's what I do. I'm not convinced that I have the most competent people in the jobs.

[*Translation*]

**Mr. Yvon Godin:** I just have one point of clarification.

**The Chair:** Go ahead, Mr. Godin.

**Mr. Yvon Godin:** When the Prime Minister appoints a minister who turns out to be incompetent, he has the power to fire him, if he decides he is incompetent. That's perfectly normal, it seems to me.

**The Chair:** Ms. Redman, please.

[*English*]

**Hon. Karen Redman:** Thank you, Mr. Chair.

Further to Madam Boivin's question, Mr. Kingsley, would it be helpful if when issues arise or you bring forward recommendations, we ask GIC to respond within a period of time? Would that be helpful?

**Mr. Jean-Pierre Kingsley:** In terms of appointments and disappointments—

**Hon. Karen Redman:** Yes.



**Mr. Jean-Pierre Kingsley:** It's hard to visualize that this will change anything, but I will take anything the committee thinks might improve the situation.

**Hon. Karen Redman:** If you made a recommendation as far back as I believe 1996, and you check and that hasn't been remedied, as in the three cases Madam Boivin referred to, I would find that troubling, so I'm offering it as perhaps a remedy for you to do your job efficiently that there be some kind of timeline within which GIC would be expected to respond to that kind of a situation. Would that be helpful?

**Mr. Jean-Pierre Kingsley:** Yes, it would. And when we do this I'd like us to consider how that will be handled during the electoral period and how quickly the Governor in Council will be able to reply during the electoral period.

**The Chair:** Are there any further questions?

**Hon. Karen Redman:** My experience, and correct me if I'm wrong, is that when a returning officer is put in place, he or she is there either until being removed or until he or she chooses to resign. Is that correct?

• (1235)

**Mr. Jean-Pierre Kingsley:** Yes, or redistribution does them in.

**Hon. Karen Redman:** I would say that with this kind of continuity, when you do have people who are competent—as I have already indicated in my case of having very competent people—the elector in that case is well served.

**Mr. Jean-Pierre Kingsley:** I agree. There is a direct correlation between competence and good service to the elector. There definitely is.

**The Chair:** Mr. Johnston.

**Mr. Dale Johnston:** Thank you.

Are you pleased with the permanent voters list? Is it working for you? What can you suggest that would improve that permanent voters list?

**Mr. Jean-Pierre Kingsley:** Am I pleased? Yes, I am. We had more than 95% of the people on the list at the last election, an improvement over the last time, and 83% of them, plus or minus 2%, meaning between 81% and 85%, were at the right address, which in effect significantly reduced the numbers that had to be verified or corrected during the election.

If you checked the media at the last election, it wasn't as big an issue as it was at the previous election, which was really the first time we used the list. The next time, I think it will be an improvement again.

Are we where I would like to be? No, we're not. That's why I keep trying to get the revenue agency to change its approach to things. That's why I try to get the political parties to the advisory committee of political parties do more to review the lists. That's why I ask members of Parliament to look at what comes back in terms of mailings and anything that is wrong with the list so we can look at that.

We're at the stage now where we can pinpoint issues very rapidly because the list is of such high quality right now. It's possible to improve it with slight changes. A 1% change makes a big difference.

The answer is there's more to be done, but I am satisfied.

**Mr. Dale Johnston:** Okay. How do you feel about giving the ROs more authority? If they have an area where there is a need for enumeration, for example, if it's a new area that has come into the constituency as a result of redistribution, what about giving more authority to the ROs to enumerate the new area, a portion of the constituency, and negotiate fees for polling places? It's a two-part question, but both parts have to do with the ROs.

As you know, they are bound to offer only \$80 or \$90 a poll, or whatever it is. If you have ten polls in one place, that particular association or hall gets ten times the amount. When you only have one, there are occasions when the local authority of the building says no, that for that paltry amount it's not worth the time to open the doors for one poll. It did inconvenience a lot of people.

**Mr. Jean-Pierre Kingsley:** With respect to that, I almost hesitate to say it, but we are able to make exceptions on the rent, when it's justified, in terms of what is available in the community. We need to have some kind of rationale; otherwise, people will hold back and we'll be forced into a higher rental situation. But we can make some exceptions.

With respect to the authority of returning officers to designate the areas in which to do targeted revision, as we call it—it's effectively door-to-door enumeration—they're entirely free to determine those areas. We tell them where some were done in the past and that they're looking for residences for older Canadians, student residences, high-mobility apartments, and new developments. They need to find out where those are in the ridings and go there.

We've also told them to please discuss it with the candidates. They need to let the candidates know where they're going to be doing targeted revision, so they don't have to worry about those sectors or can help somehow. This is what I see the returning officers doing who are worth their salt.

They have that authority right now. We provide a budget, which they agree to. If it's not satisfactory, we'll give them more money. It's two hours on the phone, and all they have to do is call in; they don't even need to write in. The system bends over backwards to meet the needs of the electors. They can do that.

We had about a million addresses targeted, didn't we?

• (1240)

**Mr. Luc Dumont:** We had 1.2 million.

**Mr. Jean-Pierre Kingsley:** We had 1.2 million addresses out of 10,500,000 addresses in this country, with those types of residences that were the objects of a door knock at the last election, which was a significant increase over the previous time. It's why I think we had a lot of the changes more automatically.

I am going to be proposing changes, because not only was it tough to get people in residences to answer the door, but once they did, they couldn't add relatives who weren't there. The relatives had their ID with them, and we need ID. Why it was in the law initially, I don't know, but I'm going to be recommending that you remove it so that when one person answers the door, he can register the three, four, or five electors in the residence, as used to be the case when we went door to door.

**Mr. Dale Johnston:** Then when they come to the polling stations they can produce ID, if required.

**Mr. Jean-Pierre Kingsley:** If it were required. But it wouldn't be required. They wouldn't even have to produce it then, because they're in their home. When we did door-to-door across the land, we never asked people for ID at their own door. This is insulting and it's also difficult, because the person is gone, is not there, and you say to them all they have to do is fax their ID. Well, "all they have to do is fax their ID" is a burden. How many of us like to be told that when we're in our own home?

[*Translation*]

**The Chair:** A little earlier, Mr. Guimond was talking with you about the people who take an oath of office to work in a polling station. Imagine that they swear the oath ten days before voting day. I wasn't thinking of this at the time, but in my own riding, we heard exactly the same thing as Mr. Guimond: if somebody had already been sworn in, he wasn't allow to visit the headquarters of his favourite candidate or perform any more work of that kind after that, even if the election was only taking place two weeks later. I was surprised by that in this election.

Is that the first time this requirement has been applied? I don't remember hearing people being told in previous elections that once they have been sworn in, they no longer have the right to be volunteers.

**Mr. Jean-Pierre Kingsley:** That requirement has been in place for a long time, Mr. Chairman. It was in place when I arrived. I remember my initial discussions with Jacques Girard, the legal counsel at the time.

There is a problem of perception that I want to draw to your attention. Supposing a person works on an election campaign as a volunteer up until day one, the day prior to the election. That person knocks on someone's door, as the representative of a specific candidate. The next day, that voter sees this same individual in a polling station, where he is supposed to be neutral. So, something must have happened during the night. That's the reason why we decided that once someone has sworn the oath, that has got to be it. The optics of this kind of situation were problematical, but I am prepared to resolve it along the lines I discussed with you earlier, after further consideration.

**The Chair:** Is it not true, though, that we are operating on election day with a kind of dual accountability? The deputy returning officer who represents a candidate and the clerk who represents his opponent have both sworn an oath. They are required to be accountable to each other and to the electorate. Part of all of this is based on that, is it not?

**Mr. Jean-Pierre Kingsley:** You're right. That's why I intend to reconsider this whole matter and see whether we couldn't have them

swear the oath ten days prior to the election, but have it go into effect only on the election day.

**The Chair:** Fine.

I have one last question. You said earlier that if you can appoint returning officers, it is perfectly normal for you to be able to remove them. Is that right?

**Mr. Jean-Pierre Kingsley:** Yes.

**The Chair:** I have a question about that, because the idea of appointing returning officers doesn't bother me so much, but I am much more bothered by the idea of removing them. Indeed, these people play a role that is almost judicial in nature. That may be too strong a word, but there is no doubt that they have the authority of a justice of the peace. They have certain other powers. They are the guardians of democracy in the riding.

You say that the criteria used to hire them should be the same as to remove them. And yet, for the appointment of the Chief Electoral Officer, there is a vote in the House of Commons. Removing him requires a vote in both Chambers. Even with respect to your own position, Mr. Kingsley, it is not true that the process for hiring you or removing you is identical. There is a higher threshold to be met when removing you. Should there not be a higher threshold in this case as well?

• (1245)

**Mr. Jean-Pierre Kingsley:** Mr. Chairman, I would suggest that when you pass a bill allowing returning officers to be appointed and removed by the Chief Electoral Officer, you also amend the legislation so that the Chief Electoral Officer can be removed through a vote in the House of Commons alone. Why not do that, if that is what is needed to ensure uniformity.

**Mr. Michel Guimond:** I am tempted to ask you to cite me the name of one senator who would be willing to do that.

**The Chair:** Mr. Guimond, please.

**Mr. Michel Guimond:** Mr. Chairman, I just want to make a comment in relation to the question. It is a self-evident and, I dare say, time-honoured principle in labour relations—whether you're unionized or not, by the way—that the corollary of the right to hire is the right to fire.

In your case, who hires the assistants that work in your Hawkesbury office? Do you? In terms of firing them, would you like me to give my opinion on the appropriateness of firing them? Come on now! I am pleased with the suggestion made by the Chief Electoral Officer; we won't let the Senate have anything to do with the process of removing the Chief Electoral Officer. I'm quite pleased, because I hadn't thought of that, and it will give us another good reason to get rid of the Senate altogether.

Thank you, Mr. Chairman.

**The Chair:** Mr. Godin, do you have another question?

**Mr. Yvon Godin:** When you referred to 95 per cent, are you talking about the 30 or 32 million people identified by Statistics Canada?

**Mr. Jean-Pierre Kingsley:** The figure is 22,500,000 voters, not Canadians. They are part of the 30 million, not 32 million individuals.

**Mr. Yvon Godin:** But it's in that group that a lot of people could be missing. If the 30 million figure is not accurate, and it is actually 32 million...

**Mr. Jean-Pierre Kingsley:** We will take another look at the reconciliation.

**Mr. Yvon Godin:** You could say it's the percentage that...

**Mr. Jean-Pierre Kingsley:** This is something we do on a regular basis, Mr. Godin. You have the right to demand it, and you will get it. If there is a difference between the two, we will explain why that difference exists. And if you still feel that explanation is not acceptable, we will come back again.

**Mr. Yvon Godin:** Thank you.

**The Chair:** You have the floor, Ms. Longfield. After that, perhaps we could adjourn the meeting.

[English]

**Hon. Judi Longfield:** I have one little question. If returning officers were appointed by the Chief Electoral Officer, if that were the case, would you also recommend that all of the DROs and clerks were appointed in the same fashion by the returning officer in the riding, not using the list provided by the parties?

**Mr. Jean-Pierre Kingsley:** There has been discussion of that in the past, but I don't think I would go that far. I think there is some merit in the way the system is geared now.

**Hon. Judi Longfield:** How does it differ?

**Mr. Jean-Pierre Kingsley:** Pardon me?

**Hon. Judi Longfield:** How does it differ? They're both political appointments, and conceivably regarding the list of people that I would submit for poll clerks or returning officers, I would have far less information on their ability or their competency. In many cases, those are the people with whom the electors are having the disagreements on polling days or who could screw up in the polls.

**Mr. Jean-Pierre Kingsley:** Well, it differs in the light of the responsibilities that each level of office has. It's simple.

**Hon. Judi Longfield:** Okay, thank you.

**The Chair:** Mr. Hill.

Maybe this could be a last question. Then I have just two points to raise with members. If you will please not rise immediately, I have two points to raise very quickly after that.

Mr. Hill.

**Mr. Jay Hill:** Thank you, Mr. Chairman.

I want to follow up, Mr. Kingsley, on my colleague Mr. Johnston's questions and make sure that I understand your comments fully. If I understood them correctly, you were saying that you would like to make a proposal that when enumerators go to a door, the individual who meets them at the door—presumably the home owner or the tenant—could identify other people who aren't present to put on the voters list. Is that correct?

**Mr. Jean-Pierre Kingsley:** That is correct, sir.

**Mr. Jay Hill:** How then would they ever be required to provide identification? How would it be verified, for example?

• (1250)

**Mr. Jean-Pierre Kingsley:** My argument is that this is the way it used to be when we had door-to-door enumerations. So I'm saying if targeted revision is to be more efficacious, because it saves a lot of money that way and it gives us a more accurate list, then we should go back to the requirements that existed under the law at that time.

**Mr. Jay Hill:** But just because it was done that way in the past doesn't mean that it's the best way to prevent possible abuse.

When you appeared before the committee the last time, I remember getting into a bit of a discussion with you about the fact that you like to take people at their word. You like to believe innocent until proven guilty and all those types of things. Certainly I support that up to a certain point. But the issue here is that my understanding, and correct me again if I'm wrong, is that once a person has their voting card, in all too many cases they're not required to ever produce identification to prove that they are the person who walks into that poll with that card. Is that true?

**Mr. Jean-Pierre Kingsley:** May I explain the process for a minute, sir?

When an elector goes into a polling station, this is not a voter card; this is a voter information card. This is not something that allows the person to vote. He does not have to produce the card, or she does not have to produce the card. All a person has to do is say "*mon nom est Jean-Pierre Kingsley, je demeure à cette adresse*", go down the list, and that's it.

If someone wants to contest that, out of everyone who's around the table, a representative of the party, the deputy returning officer or the clerk, it's done through the deputy returning officer. They have to give a reason. Then the person is asked to produce identification or attest to who he or she is. If they're not already on the list, they must then produce ID. At that time, they have to produce ID. Before that, they don't, as I've explained.

What I wanted to do is to revisit the targeted revision. Someone is knocking on the door, the door of the average Canadian. The husband answers. He says that they've just moved there. He can tell you that his wife has moved there and his son, who's named John and is 18, has moved there. We say thank you and get them to send us pieces of ID.

That's when people don't do it. The person says his father was there, so why couldn't they take his father's word that he is John and he is 18 years of age? That is the situation we're facing. We're missing out, in those two cases, so targeted revision is much less efficacious than it should be.

Now, please, this is going to be a recommendation that I will make. We will consider it, but the committee will be free to decide what it wants to do and will have to debate it.

**Mr. Jay Hill:** We always do. I appreciate that fact, especially since I'm a committee member, at least sometimes.

My point is this. Let's use your example of the 18-year-old. Maybe he's also at university and has another residence. He ends up registered in two places. He isn't ever required to show ID to show exactly where he is. What prevents someone like him from voting in two locations, especially in a city where you go across the street and you're in a different riding?

**Mr. Jean-Pierre Kingsley:** We regularly cross-check the list for doubles. We regularly check the name and date of birth, and pick it out. When they come out, we write and ask them to write back to us.

**Mr. Jay Hill:** You're suggesting the voter list is so infallible that you can't have two people on it, the same person on that list twice. It's going to kick that out and show you there's a problem.

**Mr. Jean-Pierre Kingsley:** The claim to infallibility is not mine. I've never made it. That's not what I'm saying. I'm saying we check it. I'm saying we control it to the extent that it's reasonable.

**Mr. Jay Hill:** How do you check it? How do you check it for 22 million people?

**Mr. Jean-Pierre Kingsley:** We have software that allows us to check for doubles or duplicates.

**Mr. Jay Hill:** But it doesn't do it on its own; somebody has to physically enter the name or highlight the name.

**Mr. Jean-Pierre Kingsley:** No. We ask the computer, the software, to pick out all the doubles.

**Mr. Rennie Molnar:** Basically, we take the 22 million names and addresses that we have on the register and match it against itself. We use probabilistic matching techniques to allow for nicknames and so forth. Then we identify who we consider to be definite duplicates on the list, based on name, address, date of birth, and so forth. Those we can remove.

Another group that could be in the grey zone, where we can't say for sure that it's necessarily the same person, is when the year of birth or month of birth have been inverted, and so forth. In that case, there's a process under the law that allows us to write to these people to confirm that they are at the correct address. If they do not write back to us within 60 days, we can remove them from the list.

• (1255)

[*Translation*]

**The Chair:** This will be your last question, Mr. Guimond; we have to adjourn.

**Mr. Michel Guimond:** To begin with, I wanted to say that I really liked the last series of questions put by Mr. Hill. I would like you to give some serious thought to this. Of course, we will decide what to do about your recommendation. But I really have the feeling we're going back to the old system.

With some enumerations, enumerators were paid by the name. On some lists, you might find names of dogs, like Pimpon Tremblay, or Pimpon Lavoie. Now enumerators are paid by the hour.

Following up on Mr. Hill's example, I'm wondering what the next advancement will be that will allow your computer system to determine which of the two individuals names Michel Guimond, registered in two different ridings, with the same date of birth, is the wrong one.

**Mr. Jean-Pierre Kingsley:** We would have to write to them both and wait to get their answer. Where there is some doubt, that is how we can determine which one is the right person. However, you mustn't forget that it could be two different people with exactly the same name. That also happens. So, we have to be careful. In some regions of the country, it's much more frequent than you might think.

**Mr. Michel Guimond:** In my opinion, going back to the days where a person could say that eight people were living in his house and have their names registered would, in a way, be a step backward.

**Mr. Jean-Pierre Kingsley:** Every time Committee members present their views, I listen carefully.

[*English*]

I heard Mr. Hill very clearly on this. What I wanted to say, though, is that what you've just heard described is what we discuss all the time at the advisory committee of political parties. I would be more than willing to appear before this committee at any time to let you know every time something is being done with the register—how we check duplicates, how we do anything. We do this regularly at the advisory committee of political parties.

I would like MPs to know more about this.

[*Translation*]

**The Chair:** Before adjourning, I just want to mention that a reporter has requested a copy of Mr. Kingsley's letter dated November 16. Do you agree to make that public? Very well.

[*English*]

Tomorrow night we're having a dinner meeting with His Excellency the High Commissioner of New Zealand. Can I gather that this meeting will be for members, and of course our clerk and our researcher, or do we wish for anybody else to be in attendance?

So we agree. That's it; no one else is invited. Because a request was made.

Thank you very much. The meeting is adjourned.







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