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# Standing Committee on Procedure and House Affairs

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**Chair**

**Mr. Gary Goodyear**

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• (1105)

[*English*]

**The Chair (Mr. Gary Goodyear (Cambridge, CPC)):** Good morning members, ladies and gentlemen. I want to welcome you all today and thank you very much. This is a very busy time of year for everybody, and it's great to see folks are coming out this morning.

I want to advise members and witnesses that this meeting today is being held in public. I would also like to advise members, as is the usual case, that I'm going to need five to ten minutes, or perhaps even fifteen minutes, at the end of this meeting—I will watch the clock—to discuss future business.

Members, today's subject is still Bill C-31. Today we have four witnesses with us from four different groups. We will allow the witnesses to open with a brief statement before we start our round of questions.

Ladies and gentlemen and colleagues, today at the witness table we have Barbara Carroll, executive director of Debra Dynes Family House and chair of the Coalition of Community Houses Ottawa; Mary-Martha Hale, chair of the Alliance to End Homelessness in Ottawa and executive director of the Anglican Social Services—Centre 454. Thank you.

We also have Mr. Bill Nothing with us and Mr. Robert Hepburn, the national communications officer with the Canadian Federation of Students.

We will offer the witnesses an opportunity for opening statements. We tend to try to keep them to five minutes, but we're not that formal, and if you don't need the five then that's perfect as well. Take a moment to introduce yourself, where you're from. I have done so, but feel free to do that for the record, as well.

We'll start with you, Mr. Hepburn. Thank you very much for coming.

• (1110)

**Mr. Rob Hepburn (National Communications Officer, Canadian Federation of Students):** Thank you so much, Mr. Chair.

Good day, and thank you for inviting the Canadian Federation of Students to speak to Bill C-31.

By way of introduction, the Canadian Federation of Students is composed of more than half a million students from over 80 college and university student unions across the country. My name is Rob Hepburn, and I am the national communications officer for the federation.

The subject matter I'll be addressing before the committee today is that most visible element of our representational democracy—voting.

Of course, with most post-secondary students in Canada falling between the ages of 18 and 26, the constituency I represent has the dubious distinction of having one of the lowest voter turnouts of any group in Canadian society. For that reason, it's critically important that the Government of Canada pay particular attention to the impact on the ability of students to access their right to vote when considering any changes to the regulations and procedures that shape election policy.

The specific amendments to the Canada Elections Act under Bill C-31 that would most affect students are those that introduce the requirement wherein all eligible electors must show either one piece of government-issued photo ID, with a current address, or two pieces of non-photo and presumably non-government-issued ID. This would apply whether or not one is on the list of electors prior to election day.

In the spirit of minimizing electoral fraud and improving the integrity of Canada's electoral process, these requirements make a good deal of sense. However, they stand to impose greater impediments to the right of perfectly honest and legitimate electors to vote, particularly those electors who tend to be transient, including students, the homeless, and lower-income Canadians.

These groups understandably tend to have a harder time maintaining the same address, let alone keeping the address on their photo identification up to date. Many students attend school away from a permanent residence for eight months of the year and often change that place of residence on an annual basis while at school. Keeping the addresses listed on their drivers' licences or health cards up to date at all times, as an example, is a burden that could potentially inhibit them from democratic participation under Bill C-31.

Because of the high degree of discretion that the Chief Electoral Officer is assigned through this bill, the negative impact that these new identity regulations could have on students' access to their right to vote will come to depend largely on the unelected electoral officer.

Proposed paragraph 143(2)(b), which allows for two alternative pieces of identification to qualify an individual as an elector, as long as those forms are authorized by the Chief Electoral Officer, I believe is too vague in its current form for anyone to say with certainty that students, among others, will not be unfairly disenfranchised by this bill.

It is the position of the Canadian Federation of Students that Bill C-31 should more clearly specify the forms and sources of identification that would satisfy the requirement of proper ID of eligible voters, and that the greatest consideration should be afforded to the types of identification that are easily accessible to those who do not have a static and permanent address.

Rather than leaving the authorization of proper forms of ID up to a single unelected individual, who may not have the ability to undertake broad public consultations such as the one here today, accepted forms of ID should be determined by the elected members of Parliament and authorized by statute. It will make a tremendous difference whether or not the two alternative pieces of identification can include college or university residence registration forms.

After carefully reading the bill, I haven't the slightest clue whether or not these would be acceptable proof of a person's right to vote under Bill C-31. For that reason, I think the bill can and should be improved from its current form.

Short of remaking the Federal Accountability Act in order to send the Auditor General's powers of review to the Chief Electoral Officer's democratic balance sheets, I would find it a bit surprising if this bill is enacted in its current form. The government would give such discretionary powers over the franchise to one unelected individual.

I sincerely hope the honourable members on this committee consider at length that this bill could have the effect of limiting the franchise for some of our citizens whose likelihood of participating in an election are already slim at best.

I thank you again for the invitation to speak here today. I look forward to any questions you might have.

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

Mary-Martha, would you be kind enough to continue?

**Mrs. Mary-Martha Hale (Chair, Alliance to End Homelessness in Ottawa and Executive Director of the Anglican Social Services - Centre 454, As an Individual):** Good morning, honourable chair, committee members, and guests.

I am the chair of the Alliance to End Homelessness in Ottawa, a coalition of seventy-plus organizations and individuals working together since 1995 to develop strategies to end homelessness. I am also the executive director of Anglican Social Services – Centre 454, a day program and counselling centre that has served the homeless population and those at risk of homelessness since 1954.

The Canadian government, through Elections Canada, has been working very hard to include all electors in the election process. We have worked with Elections Canada to address the extremely low voting rate amongst homeless and/or marginalized Canadians. We are concerned that proposed changes exclude homeless and temporarily housed citizens.

Currently, the emergency shelters in Ottawa have staff who have been able to vouch for the identity of shelter residents they know. At Centre 454, where we serve over 300 different people a day, we have held enumeration blitzes, meetings to introduce the candidates to our participants, and, in the most recent federal election, an advance poll in our centre for the homeless community. The other day programs in

Ottawa have also done similar activities. In fact, Elections Canada has already contacted my staff to prepare for the next election. Elections at the federal level have become more inclusive of homeless people in the nine years since I have been involved.

In Ottawa, 1% of its population, or 8,853 people, were homeless and used shelters in 2005. Our research shows that 82% of these people are of voting age. These include parents, single women and men, and increasing numbers of people from the first nation, Inuit, and Métis communities. The 1% does not include the many people not living in shelters. It does not include the many who couch surf, moving from the homes of family, friends, or strangers. And it does not include those living in places not fit for human habitation, such as parks and cars.

Bill C-31 will unintentionally reverse much of the groundwork of Elections Canada and its many partners like the Alliance to End Homelessness and Centre 454. We have two points to make.

Proposed section 143 refers to the declaration of identity and the identification required to vote. People who are homeless do not have identification that reflects their stay in a shelter. For those who are homeless and living in a shelter, the average length of stay in Ottawa is between 23 and 45 days. It is essential that shelter staff, no matter where they personally live, are able to continue to vouch for more than one person when the individual shelter residents are well known to them.

Those people who are couch-surfing or temporarily housed often do not have identification that reflects their current address. What happens if an election is called and a person finds themselves in between permanent addresses? This person would not have any ID for their current address and they usually would not have had time to make friends with any neighbours who could vouch for them.

The Alliance to End Homelessness has used its communication mechanisms to raise awareness of the right of Canadians to vote, and the process they must go through to make their vote count by connecting Elections Canada with its members. I have given to the clerk a copy of the report card on homelessness that we produced last winter, and they will be made available to you. They're in both official languages, and they're also available on our website.

Centre 454 has worked with Elections Canada to enumerate people and we have provided a long-time employee on election day in the polling station, to encourage people in our community who may never have voted before and for whom it is an intimidating process. It is essential that my staff and others serving the homeless community, no matter where they personally live, are able to continue to vouch for more than one person when the individual agency clients are well known to them. I believe the government needs to think of the challenges faced by all citizens, including the homeless population, when reviewing Bill C-31. Clause 21 must be amended to ensure that the homeless or temporarily housed are not disenfranchised in this process of amending the Canada Elections Act.

The second point is that clause 9 of Bill C-31 proposes to remove subsection 55(3) from the current Canada Elections Act. This clause very clearly states that a body may use the information only for the purposes of establishing lists of electors for an election or a referendum.

●(1115)

Many in the homeless population are new Canadians who may have come from war-torn homelands. Many others who are homeless have been abused in the past by systems and institutions that professed a mandate to help them. Trust in the state to use personal information justly, legally, and wisely may not be as strong for this group as it is for those of us with more resources at hand to protect our information. At the same time, many Canadians have expressed their grave concerns about the improper use of their personal information. We therefore ask that subsection 55(3) of the current Canada Elections Act remain.

Thank you. I look forward to questions.

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

Barbara, would you care to continue, please?

●(1120)

**Ms. Barbara Carroll (Executive Director, Debra Dynes Family House, and Chair of the Coalition of Community Houses Ottawa, As an Individual):** Thank you very much, Mr. Chair and committee members, for inviting me here today.

As the executive director of the Debra Dynes Family House, which is a multi-service resource in a low-income social housing area in Ottawa, and chair of the Coalition of Community Houses, which provides similar services in thirteen other identified areas of poverty across the city of Ottawa, I would like to draw your attention to some concerns about the amendments in Bill C-31, particularly those to section 143.

Increasing people's awareness of their voting rights and responsibilities is a function that community houses take very seriously. Our communities have the largest populations of multi-culturally diverse people who live in poverty in the city of Ottawa. We have three times the number of people under the age of 25 years, in comparison to other neighbourhoods in Ottawa. This figure, a unique feature of our communities, remains consistent over time. Single-parent families make up 68% of our families. These are all critical factors, and I think all of the people who are speaking today will have had some reflection and some contact with groups that are very similar to the ones I'm talking about.

Lack of knowledge of voting rights and responsibilities and the Canadian voting system, parenting responsibilities, mobility, and, in some cases, fear and trauma from experiences in other countries around voting procedures, form considerable barriers for many of our eligible voters. Bill C-31, proposed section 143, creates additional barriers that are, in my opinion, unnecessary and poorly thought out in setting up a system for voters that is accessible and allows them to exercise their fundamental democratic right to vote.

Proposed section 143 makes several assumptions that will further disenfranchise eligible voters who find themselves too often marginalized socially, politically, and economically in Canadian

society. The requirement to provide photo ID as an option of eligibility to vote cannot be met by many of my residents and people living in poverty in Canada. They don't have a driver's licence. They don't have passports. It's an offence for someone to request a health ID card in Ontario, which puts elections staff in a difficult position and leaves voters feeling uncertain of whether they will be accepted or not.

Proposed paragraph 143(2)(b), "two pieces of identification establishing the elector's name and address that are authorized by the Chief Electoral Officer", can present difficulties for youths of eligible voting age in our community who are living in poverty, when it comes to providing documentation. They also do not have cars. They may be living with parents. They may not have bills that they can easily provide as ID.

I would also add that low-income families and people living in poverty in Canada move more often. Providing a current address is a very real problem for some people. That doesn't mean they aren't living legitimately where they are. They may have just been in the process of moving, and it shouldn't disenfranchise them from exercising their right to vote as Canadian citizens.

It is also not clear what would be authorized as acceptable by the Chief Electoral Officer in Bill C-31 as it sits presently, and if that would be consistent over time. You may be putting people or professionals in the field in a position where we're trying to inform, educate, assist, and make that voting process as accessible as possible, and if we're scrambling to find out what the new document is this year, or what the flavour of the month is around documentation, that is just going to decrease our ability to help people. It will stop it or it will be a hindrance.

●(1125)

There is a piece in the bill, proposed subsections 143(3) and (5) combined, that may create a barrier for professionals in the field to assist persons with limited ability to provide ID to vote. If you can vouch for only one person at one time, then I really think that is going to limit people's ability to vote, and it's also going to limit the ability of professionals who may be in a very good position to give authentic reference for people to be able to do that. I'm certain we can come up with something better than what is in the bill at the moment.

I would just say that voting is a fundamental right of all Canadian citizens and it's important that any amendments to the way in which Canadians vote reflect and facilitate the ability of those whose voices are often not heard in the democratic process. The issues mentioned with regard to section 143 of the act set up a mechanism that will make it difficult, and in some cases impossible, for an eligible Canadian voter to exercise their voting rights.

It was very simple for me to walk into this building today. I was asked for photo ID. I could provide a driver's licence. If I had brought residents from my community, they would have had great difficulty in having access to the very foundation of the Canadian parliamentary system to be part of this process today. That's what I'm trying to get at when we are saying that some of the things in the amendments are not well thought out enough to accommodate the families and the people I come in contact with every day.

Thank you very much.

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

Mr. Nothing, you are from the Nishnawbe Aski Nation. I didn't introduce you properly earlier.

Please, take your time and present yourself.

**Mr. William Nothing (As an Individual):** Thank you, Chair and honourable members. I am here representing the Grand Chief of the Nishnawbe Aski Nation. "Nishnawbe Aski" means "people and the land". The Grand Chief sends his regrets. He could not be here. He wanted to be here.

The Nishnawbe Aski Nation is comprised of 50 first nations, located in the far north. On behalf of these people, I thank you for taking the time to listen to our concerns with regard to the proposed amendments to the Canada Elections Act.

Most of our communities are remote, with access only by air. Access to urban centres is limited and very expensive. Access to government services is also limited, and when personal attendance is necessary it can be very expensive.

Our interest in Bill C-31, an act to amend the Canada Elections Act and the Public Service Employment Act, arises from the measures suggested to achieve improved integrity of the electoral process by reducing the opportunity of electoral fraud or error.

Among other requirements, these amendments would require that the electors, before voting, provide one piece of government-issued photo identification showing their name and address, or two pieces of identification authorized by the Chief Electoral Officer showing their name and address, or take an oath and be vouched for by another elector.

I would like to inform the standing committee that measures that are simple enough in an urban centre such as here in Ottawa or Toronto impose considerable personal and community hardship in remote first nation communities. At best, these changes will impose considerable inconvenience; at worst, they could cause eligible voters to be disenfranchised.

In addressing the proposed amendments, we have made the following observations.

Few of our communities have street names, and none that I am aware of have local mail delivery based on street address. Consequently, identification based on civic or mailing address is not possible. Most people share a common mailing address, which is the name of their community and the community postal code. With regard to listing the names alphabetically, many share similar names in communities. Individuals with the same name are identified by their family affiliation and their personal history known to the people of the community. We wonder how the list of electors will be approached for residents of remote reserves with no street addresses and one common mailing address.

It seems there is an intention to gather electoral information through income tax returns. I advise the committee that first nations people in the remote north generally do not file income tax returns. If the only issue here is identification of the person filing taxes as a

Canadian citizen, I suggest that you take it for granted that we are all Canadian citizens.

Our greatest concerns are related to proposed sections 143 to 145, which refer to requirements for government-issued photo identification. The acquisition of photo identification is made difficult because we have limited or no access to government issuing agencies. Acquiring a birth certificate, driver's licence, health card, or other identification is difficult because we do not have the agencies in our communities to issue these documents.

The attempt to accommodate lack of documentation raises two issues. First, the requirement to take an oath would necessitate that the returning officer or other agent administering the oath should be able to understand our languages. Has the oath been translated? Will you provide interpreters to administer and hear oaths after the content and the intent have been explained to our people who do not understand English?

● (1130)

Secondly, the opportunity to take the oath may be qualified by having an elector with approved documentation vouch for the person who does not have documents. However, the qualified elector may only vouch for one other person. It seems we would have to find separate, qualified electors to vouch for each person who does not have approved identification. In communities where we are generally known to each other from birth, this seems unnecessary.

We are also concerned that these amendments to the act could affect our elders. Most of these people do not have birth certificates; few of them have a driver's licence. Leaving their communities to acquire photo identification is a severe hardship and in some instances it will be neither feasible nor affordable.

In conclusion, we suggest that the proposed amendments have failed to take into consideration the realities of the people in our remote communities. They are based on the assumption that the majority of Canadian electors live in urban centres. Until government services are made available in an equitable manner to our people living in remote communities and the amendments to the act reflect the realities of the lives of our people... I suggest that the committee, if possible, visit some of our communities to better understand the challenges we face in our role as Canadian citizens.

I am from one of these northern communities, from a little community called Bearskin Lake, which is just a little west of Big Trout Lake.

If you have any questions, I'll be happy to try to answer. Thank you.

**The Chair:** Thank you very much, Mr. Nothing.

Colleagues, we will open our first round of questioning. It will be seven minutes on the first round, as we usually do, going down to five minutes on the second round. We'll worry about the third round when we're finished that; we'll see how much time we have and how we're doing.

Monsieur Proulx.

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Thank you, Mr. Chair.

Good morning to our guests, our witnesses. Thank you for coming to the Hill to see us and to give us your explanations.

Mrs. Hale, I'd like to start with you. You were explaining that the question of ID would be a problem and that you would want shelter staff to be allowed to identify more than one voter. Are all shelter staff clearly identified by either an association of workers or a union of workers? How would electoral staff know that they're dealing with shelter staff?

Let me go back a little. The idea behind not allowing somebody to vouch for umpteen people is to make sure that we don't fall into a network of fraudulent voting. I think you know exactly what the committee is aiming for.

**Mrs. Mary-Martha Hale:** Absolutely.

● (1135)

**Mr. Marcel Proulx:** So how would you suggest that shelter staff be recognized as shelter staff?

**Mrs. Mary-Martha Hale:** For example, what has happened between Centre 454 and Elections Canada over the last number of elections is the returning officer has appointed one of my staff—I don't know what the official term would be—as a representative in the polling station. If people who were coming in from the shelter or from the centre didn't have all the ID required, and in most cases they didn't, he could vouch for them, and he would vouch for them.

**Mr. Marcel Proulx:** Excuse me. Am I to understand that this particular person had been hired by Elections Canada?

**Mrs. Mary-Martha Hale:** No, he wasn't hired by Elections Canada.

**Mr. Marcel Proulx:** It was an unofficial appointment to say "Help us out here and help out with these voters if you can identify them".

**Mrs. Mary-Martha Hale:** Yes, it was an effort to facilitate, to reduce some barriers that had been identified over the years for homeless people engaging in the election process.

**Mr. Marcel Proulx:** Am I right, Mrs. Hale, in thinking—and correct me if I'm wrong—that a homeless person can easily go into one voting station—let's call it—introduce himself or herself, vote, and walk out of there and go to another polling station, whether it be in Ottawa or in my city across the bridge in Gatineau? You and I both know that they do this for meals. Could they not do the same thing?

If they're not on a list of electors ahead of time, and if they don't have photo ID and identification so that they can be tracked down after the fact if something is done wrong, is it not a possibility that they could be doing this?

**Mrs. Mary-Martha Hale:** I imagine it's a possibility that any Canadian could be doing that. I would think it would be a very small proportion who might possibly do that. And if they didn't have the ID, they would need to have someone in that other polling station who could vouch for them. They wouldn't necessarily have that if they were living here, living in a shelter. What we're trying to do is encourage people to vote, and that's a difficult process.

**Mr. Marcel Proulx:** We're trying to encourage people to vote within certain limits.

So if I hear you right, your recommendation, what you would like to see, is that at least shelter staff—if we're not going to say everybody—should be clearly identified to Elections Canada as being shelter staff, and that would give them the right to vouch for more than one person?

**Mrs. Mary-Martha Hale:** Yes, but it wouldn't have to be all shelter staff. It could be an appointed shelter staff person who works within the shelter.

**Mr. Marcel Proulx:** How many shelters might there be in Ottawa?

**Mrs. Mary-Martha Hale:** There are about seven homeless shelters. There are other shelters, such as shelters for abused women, that expand that number.

**Mr. Marcel Proulx:** Okay.

Ms. Carroll, you're saying that photo ID and the two pieces of identification are creating barriers. How would you suggest we overcome the problem of the barriers we're creating with those?

● (1140)

**Ms. Barbara Carroll:** Well, adding on to what Mary-Martha has been able to say, is it not possible for organizations, say like mine, to have someone make an application prior to an election to ask for some kind of standing at an election? I have a community that goes across two wards or two ridings. I know where people have to go to vote. I know where to increase their education and awareness so that they can possibly go there.

Could there not be a process so that I could make an application with a designated person, and I would say that person will be there for the purpose of identification in the event that somebody can't produce the necessary identification? You would have a process that goes ahead of the election. You would know clearly who is going to be there.

I think for most agencies that want to perform that function, that is something we could go the extra mile on, maybe.

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

We're done with that round.

Mr. Reid, please, seven minutes.

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

I'm going to start with a question to Mr. Hepburn, and then I'd like to go to Mr. Nothing.

I mention this in advance, Mr. Hepburn, so you'll understand that if I have to cut you off a little bit, it's because I want to leave time for Mr. Nothing. They only give me seven minutes.

One of the things that occurred to me in reading subclause 143(2) in the draft legislation is that it talks about one piece of ID with a photo of the elector and their name and address, or two pieces of identification establishing the elector's name and address as authorized by the Chief Electoral Officer. One of the questions I think we'll want to ask the Chief Electoral Officer is whether he would interpret this to mean that if I have a piece of ID with my name and my photo, and another piece of ID with my address, it would do. I think people have perhaps been interpreting this restrictively, and we don't know if Mr. Kingsley will have a similarly restrictive interpretation.

My own interpretation, if I were in his position, would be that having someone's student card with their photo and name on it, along with some type of information with their name and address, the two together accomplish the goal. Similarly, having a bus pass with my name and my photo on it, along with something else with my name and my address, together would serve the purpose.

If that is the case—and you can correct me if I'm wrong—I think those two options together would virtually eliminate the problem you're describing. I would be wrong if there were some universities still issuing student IDs without photos on them or, I guess, if there were bus passes without photos.

You can maybe enlighten me as to whether this sort of situation exists any more, or whether these things pretty well universally include photos.

**Mr. Rob Hepburn:** As best as I know, most student unions, or most institutions, do issue photo ID. There might be some cases out there where they don't. But the situation you described, where it could be one piece of photo ID without an address and one piece, presumably, of correspondence, with their address while they're at school or with their permanent residence, I think would suffice.

But as you alluded to, under the current drafting of this bill, it would be up to the Chief Electoral Officer to make that distinction. I'd like to see the language a bit stronger in the bill, so that it's not left up to that Chief Electoral Officer, and it's the Government of Canada that says whether this suffices.

**Mr. Scott Reid:** Yes, there are one or two members of this committee who have expressed reservations in the past about leaving too much discretion to the Chief Electoral Officer, so you may not be alone in that sentiment. But we are going to have him in on Thursday, I think, and we'll get a chance to ask him this question. Perhaps his response will indicate whether it's necessary to take the additional steps you've suggested of legislating it, or whether we're safe. I simply throw that out because I can see how, if you read this, you could get worried. It is a relevant concern to have.

I wanted to ask Mr. Nothing about a number of problems he described, which struck me as being very legitimate. I confess to not having a great deal of personal experience with aboriginal communities that are, I guess, fly-in communities, or reachable only by air. I was trying to think of a parallel situation from my own experience, and the best thing I could come up with—and this is probably not a very good parallel, but it's the best thing I could think of—is that in the area I represent, we have rural routes with a large number of houses along a road, for example, where mail is addressed to John Smith, Rural Route 3, Smiths Falls. That means there's a

particular route the postman drives. There are at least three of those routes, and Rural Route 3 is the one this particular postman drives, and John Smith lives on the route. Of course, the problem is that you have John Smith Jr., John Smith Sr., and then there are cousins who live down the road, whose names are also John Smith—I, II, and III, and those kinds of things.

It's a problem for us, I can tell you. Lately, to solve the problem, Canada Post has encouraged us to use 911 locator numbers posted in front of each house as the address, and we're gradually resolving a problem.

In thinking this through, it occurred to me that you must get mail on reserves where people have the same name, and they must have some way of distinguishing whether a piece of mail is for person A, person B, or person C, all of whom have the same name. I'm just wondering what that way is. Perhaps we can try to incorporate it, to ensure that at least one of the problems you're referring to is resolved.

● (1145)

**Mr. William Nothing:** Most of the communities get their mail at the Hudson Bay store. As you say, it's all one address. People with similar names.... I guess the big manager, or whatever, eventually gets to know people in terms of who gets what mail: John Sr. gets an old age pension, so he knows where to put that, and that kind of thing. If somebody sends something, I think they have to give it to one guy to open, or the individual comes in and identifies it. Sometimes it's a mail order or something. They get by after a while of knowing the individuals in the community, because they're fairly small.

**Mr. Scott Reid:** Could I just ask one other question? It occurred to me that they're small communities and that there would always be one poll per community. The issue of having someone vouch for other people would be, I'm imagining, less of a problem in one of these communities than it would be, say, in a downtown urban area. If you're on the list and I'm not on the list, you can vouch for me, and as long as we have enough people on the list, the vouching could take care of everybody in the community, I think. I could be wrong. Is the number of people on the voters list typically small enough, as a percentage, that that wouldn't work as a way of resolving the problem of making sure that everybody can exercise his or her franchise?

**Mr. William Nothing:** Part of the problem is that you can vouch for one person. Are you allowed to vouch for more than one person?

**Mr. Scott Reid:** No.

**Mr. William Nothing:** I think that's where some of the problem comes in, especially when people are out of the community, are out hunting. So you end up with maybe only four people that can do the vouching, and you have five or six people that need to vote. You could have some problems. I think the big thing is for our elderly people who don't have ID. It's not different when you have, say, a federal election or even provincial election compared to our own elections. We have the problem of on and off reserve.



I'll tell you what happens in my community. I live in Thunder Bay, and we have elections in Bearskin Lake, and I'm required to phone the radio station to give them my name and tell them who I'm voting for. I don't know if they do it right or not. I'm assuming that they're honest.

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

That round is up. I let that go a little bit longer because I thought that answer was very important to get out.

Mr. Guimond, you have seven minutes.

• (1150)

[*Translation*]

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** Mr. Guimond will be Mrs. Picard.

**The Chair:** Oh, Mrs. Picard.

**Ms. Pauline Picard (Drummond, BQ):** Mr. Chairman, I would like to have a clarification from Mrs. Carroll about some of the answers to our questions.

I took note of the obstacles you mentioned about the voting process for homeless persons. I know that voting is something that requires good information and must be done in a responsible manner. I know that homeless persons sometimes do not have ID cards. I'm all for opening the voting process to more people because it is the democratic right of every citizen.

I also know that the objective of the bill is to prevent fraud as much as possible. There is fraud everywhere. Sometimes, organizers will bribe groups of people to make them all vote for a candidate instead of another. With this bill, the rules will be tightened since people will have to provide a piece of identification with a photograph, which will prevent this distortion of our democracy and of the integrity of the process.

What steps could you recommend to us — or to the Chief Electoral Officer — in order to make absolutely sure that the integrity of the voting process is protected?

Very often, homeless people are referred to by their first name or by a derivative of their first name. How can one be sure of their family name? Do they receive social assistance? Do they have some source of income that would make their identification possible? Would someone in the agency providing services to them be able to swear an oath on the Bible or to make a statutory declaration every time a homeless person comes to the polling station, in order to confirm his or her identity? How could we ensure that the person voting is entitled to vote? My point here is not to prevent anyone from voting but to ensure the integrity of the process.

The intent of the bill is precisely to avoid fraud because it appears everywhere. There are some dishonest people who will vote two or three times or groups who will try to have people vote two or three times.

How could we avoid that and identify homeless persons? Should we create a voting card for everyone? Even then, some people might lose their card. I'm just trying to find a solution.

[*English*]

**The Chair:** Order.

I'm sorry, Madame Picard, I'm just trying to keep folks quiet. If you could point the microphone towards you, it would be helpful.

Thank you. My apologies.

**Ms. Barbara Carroll:** Yes, I would understand any government would be concerned about fraud in any election process. To make sure things like that don't happen, Canada has travelled all over the world to supervise elections in much more critical circumstances than we have in a sophisticated western society. I'm surprised we're not learning any lessons from some of those experiences to reflect in this bill.

You can bring in a mechanism whereby.... I have professional credentials. I'm not prepared to put those on the line for anybody. I also receive various levels of government funding that prohibit me from explicitly involving myself in politics at a particular level with a particular candidacy. It is my job, and I am expected by the City of Ottawa to be a source of education, a source of awareness, to highlight where there is no accessibility or there are problems and barriers for people, and to try to either resolve those myself or bring them forward. That probably is the same for people who work with the homeless, so several checks and balances are in place.

If you made a process whereby people have to identify them as a way to vouch and have to come through an organization, those organizations will not be willing to risk their very existence to perpetrate frauds of any kind. It would be a great help because we have people who move a lot. I don't have homeless families I'm in contact with on a daily basis, but I certainly have people who move. We have a very high rate of turnover in social housing, so it can be very difficult and frustrating.

The voting process is a fragile process. One of the greatest gifts you can have in a democratic society is the right to vote. I spend a lot of time talking to people who have had their lives threatened in other countries over voting. We have to get their courage back to vote. We have to encourage them to believe that what they do today is important for their children.

We're talking about youth having the ability to vote. That's building a lifetime of participation in the very life and fabric of your community, so we want to get mechanisms in this bill that will help us move that process forward.

I don't like the latitude of the Chief Electoral Officer to pick and choose documents. You have to have something more explicit there to get at what Mr. Reid is saying he wants to get at, make that explicit so people can't play with those kinds of things. With a little more thought, a process can be put in place that would allow a great many people, who are either put off by process or are completely disenfranchised and can't meet these requirements, to get past that. One person vouching for one person isn't going to do it.

• (1155)

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

Mr. Dewar, please.

**Mr. Paul Dewar (Ottawa Centre, NDP):** Thank you, Chair.

Thank you to our guests for their presentations. It was extremely enlightening for me. I value very much the experience you have on the ground.

Just for the record, Chair, one of the things I'd like to state at the beginning is—and I am subbing on this committee—the origins of this bill came from a report to this committee, and then there was the response to that report. I didn't know a bill was forthcoming so quickly. We're seeing some of the problems with the bill in terms of some of the unintended consequences we're hearing today. I want to state for the record that I think this was a rushed process.

I've heard it stated before that we all agreed to this. I think we all agreed to the fact that a report was done; I don't think we all agreed that this bill needed to be done so quickly. I would submit that if we wanted to do this well, the bill should have been done more thoroughly and there should have been some travel involved to talk to people. Were any comparisons done with other jurisdictions, be they provinces or other countries? I know that's the purpose of what we're doing now, but in terms of the origins of this bill, I think it would have been better if we had done our homework at the front end and not in the midst of the bill.

That said, the presentations were terrific and helpful.

I'll start with you, Mr. Hepburn. You said you had some concerns around delegation of authority and who gets to decide what is valid and what isn't. Can you give me a specific example of your concerns in terms of who has the jurisdiction over this and how that might be a problem in terms of the people you represent?

• (1200)

**Mr. Rob Hepburn:** If the sovereignty rests with the Parliament of Canada and, in this age of accountability we're now in, with the Federal Accountability Act, making sure that when something is written into law the law is carried out appropriately is tricky when you have laws that are so vague. For instance, you have laws that say you need two pieces of authorized identification. What is authorized? Well, I'll go ask this person. This person is not elected. This person doesn't sit in the House. He can't answer questions in question period. That's a real concern.

With all due respect to the current office holder in that position, whether it's the Chief Electoral Officer or some other agent of the government, ultimately they should have some very clear guidelines as to what types of activity are acceptable, or in this case, what types of identification are acceptable.

Again, with due respect to the current office holder, the Canadian Federation of Students has made efforts to create situations where more students can vote. For example, in the January 2006 election, we made a very concentrated effort to get more polling stations on campus, and even in residences. We have some residences that house 2,000 to 3,000 people, which is probably about five times larger than some other polling districts within electoral ridings. The Chief Electoral Officer simply said he was sorry but that someone had already drawn lines on the map and they couldn't put one there. It would have been nice if there were some recourse to the Parliament of Canada to say "Look, these students aren't voting". It would be helpful if this were the case.

**Mr. Paul Dewar:** Thank you.

I'll just turn to you, Mary-Martha, and your comments around the second point you made, and a recommendation that subsection 55(3) remain in the Elections Act. You were specific about the experiences

that people bring to this country and our communities and the trust that they have in the state. You would like to see that subsection remain. Could you just expand a bit as to why you think that is important?

**Mrs. Mary-Martha Hale:** By removing that clause, you're basically saying that requirement would not be in the act any longer. The requirement for the information to be used only in developing a list for an election or a referendum would no longer be a requirement.

I remember very clearly when Elections Canada started doing the perpetual enumeration system and using the income tax reporting to facilitate that. I remember being promised at that time that this information would only be used for the preparation of a list. By taking this clause out, it is saying to Canadians, "Well, we promised that to get it going, but now that we've got it going, we're going to take it out so we can use the information for other things".

There have been a lot of comments in the media about the use of information. We just had the Maher Arar inquiry, where information was used about him. It certainly wasn't election information, but it was information that was used in a way that ended up being quite difficult for him.

The people in the homeless population who don't have a lot of power and control over their information might not understand, or they might not be prepared to share their information. That would then prevent them from engaging in the electoral process.

**Mr. Paul Dewar:** I think I'm hearing from all of you that one of the solutions for this is not in fact in the bill; it's the enumeration we used to have before the centralized voters list. That is, going door to door, or going to agencies, and doing a proper, thorough enumeration, face to face with people. Do you think that would be a good start?

• (1205)

**Mrs. Mary-Martha Hale:** That is one of the things we have been engaging in at the centre.

**Mr. Paul Dewar:** Yes, you've been doing it.

**Mrs. Mary-Martha Hale:** We've been doing it.

**Mr. Paul Dewar:** Yes, as opposed to Elections Canada.

**Mrs. Mary-Martha Hale:** Well, we've been doing it in partnership with Elections Canada.

**Mr. Paul Dewar:** Yes.

**Mrs. Mary-Martha Hale:** Elections Canada and the centre have been working together over the last nine years to try to engage more people in the homeless community in the election process. The voting rate is very low in that population, and we want to increase it.

Some people have ID and some people don't. Having an enumeration would be extremely helpful.

**The Chair:** I'm sorry, your time is up.

We will move to the second round.

It's perhaps unusual, but I'm going to take the opportunity to say this. Mr. Dewar has used the public forum to mention the speed with which this committee is doing its work. I would like to remind the member that we're here to gather information. The committee spent a lot of time studying this bill and interviewing witnesses.

Frankly, Mr. Dewar, I think the committee has been incredibly generous and accommodating to your party. The committee will recall that I asked for a list of witnesses two or three weeks ago. With every day that goes by, however, we get another request from your party for witnesses.

I don't think it's a good forum for members of your party to chastise this committee's good work. The government had 120 days to respond to this committee's report. They just met the deadline. That's not speed; that's efficiency.

I would like to ask the witnesses this, if I can. At this point in time, there is another bill on fixed-date elections before the Senate, which will potentially give all voters in Canada a notice of four years. I will allow some time for all the witnesses to respond. Do the witnesses or the members see a benefit to having that kind of forewarning?

I appreciate that in dealing with the homeless we have stays that are 15 to 45 days, and it is certainly a significant problem. But in terms of assisting folks to get the proper identifiers, with a notice of four years or two years versus what's been happening, do the witnesses have any comments on how it will assist for some of the concerns you have?

Mr. Hepburn, could I start with you?

**Mr. Rob Hepburn:** Yes, certainly. I think it's Bill S-4 you are referring to.

**The Chair:** It's Bill C-16.

**Mr. Rob Hepburn:** It's Bill C-16. Okay.

Fixed election dates might help in terms of giving people a heads-up that there is an election coming. But in the minority situation we're in now, of course, it would not do much good, because I imagine the bill addresses the fact that the government has to retain the confidence of the House. It helps in terms of giving people forewarning.

But at the same time, in terms of getting youth, the homeless, and other groups that don't traditionally vote in high numbers out to vote, any impediment is a great barrier. The requirement for a piece of photo ID, with a current address on it, whether or not there's a notice of two years or six months, is still an impediment. When the goal is to engage these people and get them out to vote, I think it carries quite a significant weight.

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

Mary-Martha, do you have a comment?

**Mrs. Mary-Martha Hale:** I would echo what Mr. Hepburn said in terms of it not being overly helpful in that regard.

**The Chair:** Barbara.

**Ms. Barbara Carroll:** I would actually agree. I don't think it's particularly helpful.

People who live in poverty or are the working poor have a great deal of pressure in their lives. They often move or have to change jobs to maintain living wages, where they can. Youth have to move to wherever they can get an education. I'm not sure it is particularly helpful.

In our experiences in community health, we found it most helpful to assist people through free tax clinics, but I would echo what Mary-Martha said. Unless the information is secure, people will not willingly participate. But we've had a very high success rate so far in completing income tax forms for people for free and then encouraging them to use that option at the time of voting.

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

Mr. Nothing, do you have any comments?

• (1210)

**Mr. William Nothing:** The only comment I would make is on fixed elections. Our elderly don't really understand the system all that well to begin with. When you're dealing with a situation of having a set date and the situation that we have now, where elections may be called any time, I think it causes confusion for folks, especially our elders, who like to think things are set in a certain way.

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

**Mr. Paul Dewar:** On a point of order, please, I'd like to apologize if the committee, and certainly you personally, were interpreting my comments to mean the bill and the committee. I did not mean the work the committee had done or the clerks who had worked on the committee in terms of the bill in front of us, but rather the response to the committee's report, and then it being put into bill form. That is what I was talking about. It was not about the bill in front of us or the work done on the bill, and the fact that the staff and yourself have been most accommodating. I was talking simply about the bill being put in front of us, that's all. So it wasn't about the committee or the work it's doing, just to clarify.

**The Chair:** I appreciate that; thank you very much. Apology accepted, Mr. Dewar.

Colleagues, we're going to move into round—

**Hon. Jay Hill (Prince George—Peace River, CPC):** On that same point of order, I don't want to belabour the point, but it did come up at a previous meeting, this whole business about whether it was the committee's sense that we should have a bill and move as expeditiously as possible. Certainly this was the agreement we had, including an agreement from the NDP at that time, that all of us recognized there were problems with our present system, and given the present situation of a minority Parliament, we wanted to move quite quickly. So the government was responding to that. We said, and all of us agreed at the time, that while we want to move quickly, and try to ensure that changes do happen before the next federal election, we certainly want to ensure also that we do the work as accurately as possible.

**The Chair:** Thank you.

Mr. Dewar has explained himself, and I accept that explanation, so we can move on.

Next round, I think we'll stay with five minutes this time, colleagues. A little bit shorter round this time.

Mr. Szabo, please.

**Mr. Paul Szabo (Mississauga South, Lib.):** Thank you, Mr. Chairman, and welcome to the witnesses.

I wanted to ask about the situation of eligible voters who may not have the capacity to understand or the competency to understand, and the risk there would be that they would be subject to some coercion to do something they might not understand. Do you share that concern? Is it something that you feel is prevalent and that should be addressed in terms of not trying too hard to put people in a situation where you might be doing more harm than good?

**Mrs. Mary-Martha Hale:** Who are you asking? Anyone?

**Mr. Paul Szabo:** I'm speaking of, for example, a homeless person who does not understand. Many homeless people suffer from mental illness, so they don't understand. Many people in seniors homes do not understand. Many people who are in any kind of a shelter may be under some duress, and it almost sounded to me like there was some suggestion that we have to educate and get involved, almost like an extension of Election Canada's responsibility, as opposed to facilitating the physical activity of casting a vote. Do you see that there is a line you should not cross?

**Mrs. Mary-Martha Hale:** Definitely, there is a line across which you shouldn't go, and coercion of any vote at any level of government is totally inappropriate. Our role at the centre is to educate people about the process of voting and also to present before them the candidate so they have an opportunity to engage with candidates about what their positions are, and then make their own decision.

Election Canada's responsibility, to my understanding, is to provide a process for which people can then cast a ballot and be responsible for that part of the process. It's that interface between the education piece and bringing people up to speed. Some people may not have the capacity to vote and they won't vote. Some people may have limited capacity, but still have the capacity to understand different opinions, and can make a choice.

• (1215)

**Mr. Paul Szabo:** If I may, I'm a little curious and maybe a little concerned that somehow there is this feeling that you have, or someone may have, a responsibility to educate anybody about candidates, because the presumption is that the person doing the educating is not biased themselves. All of a sudden there is a risk here of getting involved in the political process, as opposed to facilitating the casting of a vote.

**Mrs. Mary-Martha Hale:** When I say we educate about the candidates, I mean we bring the candidates into the centre and provide opportunities for the whole range of candidates in the riding to present their positions to the community.

**Mr. Paul Szabo:** You run an all-candidates meeting.

**Mrs. Mary-Martha Hale:** Yes, only it's not all together.

**Mr. Paul Szabo:** It's not all together.

**Mrs. Mary-Martha Hale:** What we do is bring them in one at a time and give them an opportunity to make a presentation and

engage in discussion, which provides people with an opportunity to learn about the different candidates.

**Mr. Paul Szabo:** Yes, I hear you, and I understand what you mean, and I think it's inappropriate.

Let me go on. One of the things to which the homeless are often subject is losing their possessions, etc. Even if you had some sort of a way to provide proper identification, chances are it might not survive very long. It means that you can't get there from here, using a straight ID system.

Do you have any thoughts on what alternatives might be available, other than the only one really on the table, so that they would somehow get the necessary identification and have it at the time when an election might occur? Are there any other options?

**Mr. Rob Hepburn:** If I could just make a suggestion, there are two clauses here dealing with forms of legitimate identification. One is about the government-issued photo ID and then one is about two other pieces of authorized ID. I would suggest that we perhaps consider a third clause in there whereby there could be a combination of those two in addition to signature identification. I'm still of an age at which I get asked for identification when I go to the LCBO or the beer store, and if they question whether I'm the actual person in the photo on the identification, they ask me to write out my signature. If it's legitimate for buying alcohol at an LCBO, why could it not be to vote?

**The Chair:** Thank you. That round is up.

I have to sympathize: I have exactly the same problem, Mr. Hepburn.

**Some hon. members:** Oh, oh.

**The Chair:** Mr. Lukiwski, go ahead, please. You have five minutes.

**Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC):** Thank you, Chair.

First I have a comment to all of you. As I think has been expressed by members of this committee, the challenge that we have is to try to ensure that there's voter integrity so we don't have instances of voter fraud, and that's why many of the provisions and clauses in this bill were entertained.

On the other hand, I believe we all want to ensure that every eligible voter has the opportunity to exercise his or her franchise, and that's the great challenge: to try to combine both of them. I'm not sure, frankly, if we're ever going to find a process or a system that is ultimately perfect, but we're trying to work towards getting the best system possible.

While I can certainly appreciate the problems of the homeless who don't have identification and who are prone to losing whatever proof of identification they may have or having it stolen, or whatever, you have to counter that with the potential for fraud. So I guess one of my questions would be—this would be to Ms. Hale—would you have any idea how many of the individuals who frequent the homeless shelters are non-citizens? We know now, statistically speaking, there are millions of non-citizens—illegal immigrants, in other words—in this country. I don't know how many would be homeless. I don't know how many might be in your shelter. If you could verify that you knew this person, could you verify or guarantee that this person is a Canadian citizen?

• (1220)

**Mrs. Mary-Martha Hale:** I'm not sure. I don't work in a shelter. I know that there is a standardized intake form that is put into a database called HIFIS, which was developed through CMHC and is used across the country. I'm not sure if that is one of the questions on that database. So I can't really answer that question about percentages.

**Mr. Tom Lukiwski:** Obviously my point is that potentially there could be individuals who are allowed to vote because they've been identified by an official at a homeless shelter, but we have no way of knowing whether they're eligible to vote as per their Canadian citizenship. However, that's again something I'm not sure how to come to grips with.

My other point is, and I would just ask you to comment on it, about a motion that is before this committee. It hasn't been entertained yet, but it is a motion to encourage the Chief Electoral Officer to have targeted enumerations in places such as homeless shelters and particularly with students as well, because the committee recognizes that these are two areas where there are a lot of instances when people are disenfranchised, and that's why of course you're both here today.

When the Chief Electoral Officer appears before this committee on Thursday, we'll be encouraging him to target enumeration efforts similar to the old method where they go into areas of high homelessness and go into areas where there are student activities and do specific enumerations to try to ensure that we can get as many of those individuals as possible to exercise their franchise. I'd just like a comment from both Mr. Hepburn and you, Ms. Hale, on whether you think that would be an appropriate motion to pass.

**Mr. Rob Hepburn:** Most certainly I support the motion. I think the Chief Electoral Officer should be given the greatest encouragement to make these efforts, because when we have fewer than 30% of any given constituency turning out to vote, it's a bit of a crisis there.

At the same time as that step forward, we're taking almost a baby step back here, because at the same time as we're encouraging them to register people in advance, if those people don't have the ID that's necessary for when they actually arrive at the polling station, then they could be self-defeating.

**Mrs. Mary-Martha Hale:** I would agree. I would support such a motion. I would not just refer to homeless and students. There are other populations that may have similar challenges and barriers to being enumerated, and you would need to consider the breadth of

those communities, such as the aboriginal communities and low-income communities.

**Mr. Tom Lukiwski:** Chair, if we have any time left I'll cede that to my colleague.

**The Chair:** You have six seconds left, but there will be time for another round, I assure you. Sorry, my mistake, there's no time left.

Monsieur Guimond, please. Five minutes.

[*Translation*]

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

This is a very delicate matter since we may have to take some positions that might exclude them. I'm talking about homeless persons in particular.

Mrs. Hall, could you answer the following question?

My party and I would certainly no want to marginalize people or to exclude them from society since they are already far too marginalized. As far as the right to vote is concerned, I want to understand the process in detail.

Those people may not have any identification. They may be addicted to drugs or alcohol. Some homeless people may be mentally ill. When they are institutionalized or hospitalized, their health card is kept at the registration desk of the hospital. There is a file about them at the hospital.

I repeat, I am not an expert about homelessness. One sees these people in the streets but I wonder how they could be identified at the polling booth. How could we do that? My question follows somewhat from Mr. Lukiwski's. How can we make sure that they really are Canadian citizens?

Take the matter of their name. In my neighborhood, all the homeless persons I meet when I go and get my soup call me Ti-Bob or Bill. Nobody knows my real name. It may also happen that, because of my illness, I don't even remember my own name. I'm just Bill or Ti-Bob.

What can we do to integrate them and to allow them to exercise their right to vote? I don't want my questions to be seen as biased or as being in favor of exclusion. On the contrary, we should try to ensure their integration but I would like to know how it could be done.

•(1225)

[English]

**Mrs. Mary-Martha Hale:** I understand the difficulty the committee is facing in trying to ensure that all citizens can vote but at the same time ensuring that people aren't voting more than once, and that people who are not supposed to be voting don't vote. I totally understand that. I don't entirely have an answer to your question. I can tell you what we have done, and what I've said in my presentation: we have participated in enumerations. I really support the motion to have targeted enumerations so that there is a process whereby people can come forward and present what identification they do have. There are people working in agencies, as Ms. Carroll said, who are not prepared to put their professional life or the existence of their agency on the line to vouch for someone in an inappropriate manner. But there are people who can vouch for some people in this community because they are well known to them.

That is what we have done: we have vouched for people who have been well known to us, and we have helped people be enumerated. We have helped people get ID as much as possible, but that process is quite lengthy. So in terms of having the ability to vouch for someone, a professional within an agency I think would facilitate that.

**The Chair:** Thank you.

Before we move on, I promise not to take anybody's time up, I would just like a clarification on the answer to Monsieur Guimond. You mentioned that you know these people and therefore feel comfortable in vouching for them because you know them, and that certainly makes sense. But in that knowledge, do you know that they are Canadian citizens or not, or just that you know them?

**Mrs. Mary-Martha Hale:** We're vouching for them, saying that they are Canadian citizens. We may have seen their identification in previous times. As the gentleman said earlier, they have ID, and it gets lost or it gets stolen, or they move and it gets lost in the process. So we have seen ID before, but in the moment of an election they don't happen to have it.

**The Chair:** Thank you. My apologies. I just didn't understand that.

Mr. Dewar, five minutes, please.

**Mr. Paul Dewar:** Thank you, Mr. Chair.

I'll just follow up with Ms. Carroll. In your presentation you mentioned that 68% of the people you deal with in your community are single parents. I'm assuming the majority of those are women.

•(1230)

**Ms. Barbara Carroll:** Yes.

**Mr. Paul Dewar:** In terms of language, and I'm going to talk to Mr. Nothing about this as well, are all of them fluent in either of the official languages? Are a majority of them fluent in either official language, be it English or French, or are many of them fluent only in their native tongue?

**Ms. Barbara Carroll:** It would be a mix.

In regard to some of the comments earlier about the lines being a little bit fudged, and the government is in the business of putting in a good election process, I agree with that, but I think it is very much

our job and it is expected of us to get the word out. I'm a new Canadian. I got to vote only a few years ago. It was a great thrill for me to be able to do that here in Canada. It's confusing, you have three levels of government. The questions I get asked are very simple. What's this one about? This is the big one, this is the government. Oh, this is Canada. So we have to talk to people in many different ways. We may talk to community leaders who will ask questions. They will then go talk to their own community members.

Language can be a significant barrier. It should not necessarily mean that somebody who is a Canadian citizen should therefore not have the right to vote. If they have the opportunity to have explanations, if they take counsel from people around them who they trust—not necessarily us, it may be third party information after us—if we are posting information and we are trying to be able to make it so people can get there to vote, then I think that you're going to get a much better system instead of getting government by default because you have certain sectors and certain populations that simply can't make that process work for them.

**Mr. Paul Dewar:** Thank you.

Just an observation from all our witnesses.... It seems to me, Mr. Chair, that people are picking up the slack from where we might have failed, not us personally, but institutionally speaking.

I would suggest again, Mr. Chair, that we go beyond targeted enumeration. We should have universal enumeration. That will be easy in some areas, but it's the concept of universality, that we should have universal suffrage, and the way to do that is to make sure we have universal enumeration first.

I wanted to question Mr. Nothing. You mentioned concerns around language. For someone to swear an oath, I'm assuming you would have to have someone able to interpret. You suggested this would be problematic if you have to have someone vouching, a different person vouching for every individual swearing an oath. Is that a concern of yours?

**Mr. William Nothing:** Thank you.

I raise it as a possibility. But in terms of language, we have people who don't have a good handle on the English or the French language, but that doesn't mean they can't read. They read syllabics. They learned to write in their own language. We've had people come from the far north into cities, especially the elders, because there are no old-age homes, so more and more the elderly come to urban centres. When they get into the booth to vote, they can't read the names. It would be very helpful if it were written in syllabics for them.

**Mr. Paul Dewar:** That will be noted as a suggestion.

Do I have another minute?

**The Chair:** One minute.

**Mr. Paul Dewar:** Okay.

The last question would be to anyone on the panel. Do they disagree with the idea of having universal enumeration, as opposed to targeted enumeration? Secondly, do they believe another way of dealing with it, instead of vouching, is a statutory declaration, as they have in B.C.? I'll submit this to the committee later. That's very simple. It says that the person, wherever they're situated, whatever city, is a Canadian citizen of a certain age—18 years of age or older—and they simply sign and declare, make a statutory declaration, that they are who they are to get a ballot, as opposed to what we have.

The idea here, Mr. Chair, is universal enumeration first, and after that a mechanism for a declaration. It could be specific to the poll as well, given concerns about duplication. I haven't shown this to anyone, including people here, but do you think that method would make sense and would be a little more streamlined and understood? You wouldn't have someone vouching, but you'd have a statutory declaration. Obviously the language concerns would have to be addressed. Do you see any problems with that process?

• (1235)

**Mr. Rob Hepburn:** Universal enumeration, absolutely. We're not quite at universal suffrage yet; 16- and 17-year-olds still aren't allowed to vote, but it's important for those who are allowed to vote to access that right.

In terms of a statutory declaration, it's similar to the oath, but then the issue arises of a person voting more than once, going to different locations, because their name is not on the list anywhere. I don't know whether the purple thumb in Afghanistan would work here in Canada, but that's an idea.

**The Chair:** I want everybody to have a chance to answer that, but we are well over on this round. We do have some extra time. I'll offer the witnesses a short answer to Mr. Dewar's question.

**Mrs. Mary-Martha Hale:** I would comment that the statutory declaration would be quite helpful to the homeless population.

**Ms. Barbara Carroll:** I agree. I think it could move the process forward in a simpler way.

**The Chair:** Mr. Nothing.

**Mr. William Nothing:** In our case, our people have status cards. There are three versions floating around. One is an old one with no expiry date. We have one now that has a picture and an expiry date. I know the government is working on a multi-purpose card. Maybe for us that's the way to go. It's also a health card, a status card, and a passport. They're talking about incorporating all these things in one card.

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

I have two people for our third round. It doesn't look as if we're going to need another round after this, because it seems we're running out of questions. I appreciate that of colleagues.

Mr. Proulx, five minutes please, and then Mr. Preston.

**Mr. Marcel Proulx:** Thank you, Mr. Chair.

I've got a question for Mr. Nothing. I'm sure that, as you've mentioned before, you have voted in past elections. Among members of your community, some have voted, some have not voted. What would you recommend to the committee? What

procedures should be used in your particular community? Let's not talk at large, though—your community. What would be the most efficient way to have your people vote and at the same time protect against fraudulent methods of voting? And by that I mean one voter, one vote—not one voter, vote as often as you want, but one voter, one vote.

As Mr. Guimond was saying a while ago, for the homeless, I'm in the same situation. Our party wants, whether they be homeless, whether they be in your community, whether they be students, to find a reasonable control to make sure that everybody who has the right to vote could vote. So would you please tell me how, in your own community, we could get everybody who wants to vote to be able to vote without any fraudulent practices?

**Mr. William Nothing:** One of the tools that may be used is a registry. There's a registration of every member from that community who is registered under what they call the Indian registry. You could cross-check the registry with people in the know, the chief and the council, since they—if you want to use the term—call the shots in the community. They know all the members. If people work with the leadership to identify a process, I think that's the way to go.

**Mr. Marcel Proulx:** Do you think there is a possibility that this could be done in a fair way, without partisanship? The danger that watches us is that if one individual or a group of individuals can control a community.... How many residents are in your community? How many people?

• (1240)

**Mr. William Nothing:** About 300.

**Mr. Marcel Proulx:** About 300.

The danger, of course, is that we must keep away from partisanship so that we don't end up in a community of 300 having 450 votes. So we have to have a certain system. And what you're saying is that the system should go through the leadership of your community.

**Mr. William Nothing:** Yes.

**Mr. Marcel Proulx:** I'm curious about this, and I don't know the answer. Does the Canadian government have a register, an up-to-date register, of all members of your community, for example?

**Mr. William Nothing:** My answer would be not necessarily, especially if people have left or moved off reserve and all their extended families have not necessarily done the paperwork to provide the information.

**Mr. Marcel Proulx:** I see.

Thank you, Mr. Chair.

Thank you, Mr. Nothing.

**The Chair:** Merci.

Next on the list is Mr. Preston, please, five minutes.

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** As we've been talking about today, the job of this committee with Bill C-31 is to establish how we do it.

Mr. Dewar has brought it forward a couple of times, and I'll say it again, there are two pieces to this. There's an accurate list of electors, who people are and where they live. That process needs to be refined. We recognize that where we currently stand is not what it needs to be. So some motions have been put forward by my friend to help in areas where we see it being the absolute worst—the homeless, students, and some other areas. We think, across the country, the electors list needs to be brought to a higher standard.

Once the electors list is brought to that standard, then we still need to identify who is showing up at the polls. That's where the identification shows up. You've hit us today with some very good ideas as to how we might do it.

Ms. Carroll, you're right: your professional credentials are on the line if you are vouching for people and doing this for some fraudulent reason. We have heard, as a committee, about alleged fraud, serial vouching, in past elections, where someone shows up at the poll with 40 people and says that these are people from my street. They get to vote. Under the current election laws, that is absolutely accurate. They can.

I'm not saying that it was fraudulent, because the electors list was in such a bad way. It may certainly have been somebody vouching for everybody on their street, or somebody from their student residence vouching for everybody on their floor.

You mentioned a way to do it, but how do we not get to the point I just mentioned? I recognize, in your personal case, you're saying your credentials would be on the line. But we're trying to prevent fraud. If someone was out there intentionally trying to do it, your way still wouldn't do it for me.

**Ms. Barbara Carroll:** I think you'd have to accept that if somebody is very determined—

**Mr. Joe Preston:** Well, of course.

**Ms. Barbara Carroll:** —to be fraudulent, you're going to have to have recourse to the Government of Canada and the law to alter things like that.

I would suggest that certainly in most cities and with students, there are recognized bodies. One of the great successes of Anglican services in Ottawa is their willingness to work with Elections Canada over a period of time in taking best knowledge and best practices. If you were to ask in this city—and this may not be replicable in all cities—there are coalitions of service providers.

That may be the best way I could respond to your question. Work with recognized organizations that do not have a vested interest from a partisan perspective. I think you will find they exist. I think they have great knowledge to share. And I think, then, what you will get is something that is workable for Elections Canada and also will resonate with people who are trying to get this piece—

**Mr. Joe Preston:** I love what you're saying. I'm hoping you could even help the committee by sending us what you think could be done in writing. This is your community. It may work here, but what might work here might also work in Saskatoon or someplace else. So if you could....

You mentioned HIFIS. This is another database. I'm certainly not fond of databases, because they all have inaccuracies, but this is

another way of identifying the homeless. You weren't certain whether they asked the question if they are a Canadian citizen. I wonder if you could find that out and let us know—

• (1245)

**Mrs. Mary-Martha Hale:** I certainly could.

**Mr. Joe Preston:** —because I think it's another piece we could do.

Mr. Hepburn, you also mentioned some suggestions for what you'd like to see with acceptable ID. By all means, if you could let us or the Chief Electoral Officer know your thoughts, it would be very helpful in convincing him as to what you think would work.

I think Mr. Reid hit on the right interpretation. It's the way I'm interpreting it also. We'll make sure when we have him here that we ask that exact question.

Mr. Nothing, if I have a moment left....

**The Chair:** You have *uno momento*.

**Mr. Joe Preston:** Mr. Proulx hit on this a little bit. We've described a lot of problems in isolated communities. I'll just take you, because you're here today. I'm sorry I can't talk to other isolated communities today.

How has it happened in the past? We've had federal elections in your community. What happens? Obviously it would be to establish a poll and people walk in.

**Mr. William Nothing:** Well, let me say first that we've been doing elections since 1960. That's when we got the vote.

**Mr. Joe Preston:** Right.

**Mr. William Nothing:** It got better and better as the years went by. For the longest time nobody would vote. Now educated people vote, but the elders and older people still don't vote because they don't understand.

**Mr. Joe Preston:** They're still not necessarily voting.

How do we identify those who do go to the poll?

**Mr. William Nothing:** They are normally the people who have a driver's licence and cards with pictures.

**Mr. Joe Preston:** So they would have something.

We've covered them, but you mentioned a status card. If we make that one of the identifiers under this act, is that going to help a lot? Would most people have a status card?

**Mr. William Nothing:** It should.

**Mr. Joe Preston:** That would be a piece of photo ID that might be acceptable and we would get over one of the big hurdles using that.

**Mr. William Nothing:** Yes.

**Mr. Joe Preston:** Thank you very much. That's all I have to say.

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

That ends the rounds of questioning. I have no more members on my list for questions.

Mr. Reid, I'm sorry. I'll have to ask unanimous consent.

By all means, Mr. Reid.



**Mr. Scott Reid:** Mr. Nothing, do status cards have photos on them? I thought they did not. Am I wrong?

**Mr. William Nothing:** Three types of cards are floating around. On one there's no ID and no expiry date. The newer one I have has a photo, but it doesn't have security. The new cards that are coming out are like a driver's licence. They've got a bar strip that has information on it. The newer one seems to fit the requirements.

**Mr. Scott Reid:** I realize you couldn't possibly know, and I'll have to ask someone from Indian and Northern Affairs Canada what percentage of cards out there are of which type. Over time we all age and don't necessarily look like our pictures any more.

One thing you might know, how often are the cards renewed? Is it every five years, or ten years? Do you know?

**Mr. William Nothing:** I should check my card, but I think it's every five years now. Before it didn't change.

**Mr. Scott Reid:** Thank you.

**The Chair:** Mr. Hill, I'm going to allow one final question rather than go into formal rounds. Go ahead.

**Hon. Jay Hill:** Thank you, Mr. Chair.

I'll follow up with a couple of questions to Mr. Nothing to try to understand the scope of the issues he's raised.

I heard you answer in relation to a question from my colleague Mr. Proulx that there are about 300 people in your community. Do you know how many of those 300 are eligible voters? How many would have been on the voters list for the most recent election in January? How many felt disenfranchised where they couldn't vote even under the existing rules?

I'm trying to get a better understanding of the scope of the problem and how this bill, if it were enacted, could potentially make the problem worse if we don't address your specific concerns. How many of the 300 are eligible voters? Do you know how many voted in January?

**Mr. William Nothing:** No, I don't. I can tell you the majority are young people. We have a young population and our elders are getting older and passing on. As far as the numbers, I couldn't tell you. The communities probably have a better handle on that. I think it would be fairly easy to phone and ask them.

• (1250)

**Hon. Jay Hill:** I'm trying to understand the dynamics. For argument's sake, if 200 of the 300 were eligible voters, in other words, one-third of the population was under 18 and therefore ineligible, of the 200, how many were already registered, if any?

We've had reports of terrible inaccuracies and omissions on the voters list. On the list for that reserve, would there be sufficient people even on a one-person, one-vouch system that you would have enough people already registered on your list to vouch for those who aren't, if they desired to vote? I'm trying to understand the gravity of the situation.

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

Any further questions for our witnesses?

Monsieur Proulx.

**Mr. Marcel Proulx:** I have a comment.

I want to take this opportunity to thank the witnesses today for coming to see us. Some of our questions might have sounded very negative, but we want to get to the bottom of this and we want to see how we can address the problems.

I want to take this opportunity to congratulate you on your fantastic work, outside of this room, I mean, your day-to-day volunteer work and other work. We appreciate it very much. And thanks to you, our communities are so much better.

Thank you.

**The Chair:** Mr. Dewar, a comment as well, please.

**Mr. Paul Dewar:** Thank you, Chair.

I'd like to echo Mr. Proulx's comments. I think it's really important for us to hear directly from people in the communities. As Mr. Preston has said, if you can provide more ideas it would be terrific. We should also pass on to the Chief Electoral Officer what we heard today. I wish he had been here to hear from you today, but we have the minutes for that.

The last thing I'd like to mention, Chair, is based on some of the issues we heard today. Perhaps we could ask Ms. Stoddart, the Privacy Commissioner, to be a witness to address some of the concerns around privacy. I think it would be interesting to have her come to answer some of the concerns that were presented today, because I don't think this issue has been really dealt with before. Since you have illuminated some of the concerns around privacy, it would be terrific to have Ms. Stoddart present.

Thank you very, very much for the work you do every day and particularly for the work you've done today.

Thank you.

**The Chair:** Thank you, Mr. Dewar, it is duly noted. We will deal with that under future business.

Witnesses, it's not often that I have my work done for me, but you have been thanked. I want to echo on behalf of all the committee members the great work that you do outside of this room, and in particular the great work that you've done today by providing this committee with clear and concise answers and some great and valuable information.

I appreciate very much you coming down on short notice. Mr. Nothing, I know you were called in at the last minute. We thank you for compromising and cancelling and whatever else you had to do to get here. We certainly appreciate that.

I also don't like handing out homework, so I would like to thank my other colleagues for handing out homework. Mr. Preston and some committee members have made requests for some very easy to obtain, I hope, information. As chair, I would simply wish that you could get that to our clerk at your very earliest convenience so we can try to get it into both official languages and distribute it to folks.

Thank you very much, witnesses. Again, we certainly appreciate you coming. I hope you enjoyed your lunch. You are actually at this moment dismissed, with our gratitude.

Colleagues, while the witnesses are excusing themselves, I would like to carry on with some business that we don't need to go in camera for, so we will stay in public at this moment.

You have before you a copy of the committee's budget. I was informed by the clerk that the budget for the next few months, or the next session, needs to be looked at and approved by the committee. As all committee members are aware, this budget is to deal with the expenses of witnesses, for the most part, specifically Bill C-31.

We don't often have lunches. I believe this might be the second time this committee has worked through lunch. Again, I appreciate the indulgence of all members, who work extremely hard on this committee. We may have the need for another lunch next week.

We'll see how that goes. Ultimately, that is what the budget in front of you is for.

Are there any questions regarding the budget? I will allow my clerk to answer the tough ones and I will answer the easiest.

No questions? It's a standing procedure, of course.

May I have committee approval for this budget?

**Some hon. members:** Agreed.

**The Chair:** We will take one minute to go in camera and discuss future business.

*[Proceedings continue in camera]*

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