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# **Standing Committee on Procedure and House Affairs**

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**Thursday, November 17, 2011**

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**Chair**

**Mr. Joe Preston**



## Standing Committee on Procedure and House Affairs

Thursday, November 17, 2011

•(1105)

[English]

**The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)):** I call our meeting to order, and we'll get started today.

We have two sets of witnesses and a little bit of committee business to do at the end of the meeting today, so we're going to just see if we can find a little bit of time out of each of the witnesses.

We're here today, still pursuant to the order of reference of Thursday, November 3, 2011, on Bill C-20, An Act to amend the Constitution Act, 1867, the Electoral Boundaries Readjustment Act and the Canada Elections Act.

We have as our first witness today Mr. Wayne Smith, our chief statistician.

Mr. Smith, I understand you have a set of opening remarks. I'd ask you to introduce your colleagues today, make your opening remarks, and then we'll get to questions.

Mr. Lukiwski.

**Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC):** Perhaps I just haven't seen it, Chair, but I was wondering if Mr. Smith has a written copy of his remarks and if they've been distributed.

**The Chair:** Have we distributed opening remarks?

No?

**Mr. Wayne Smith (Chief Statistician Statistics Canada):** No.

**The Chair:** Okay.

It's a great move. You'll make the members pay attention, rather than reading ahead.

Mr. Smith, it's yours. Thank you.

[Translation]

**Mr. Wayne Smith:** Thank you, Mr. Chairman, for this opportunity to address the committee in relation to its study of Bill C-20.

Today, I am accompanied by two officials from Statistics Canada who are experts in census and population estimate methodologies, namely Mr. David Dolson, Director of Social Survey Methods, and Ms. Johanne Denis, Director of the Demography Branch.

[English]

As I think you know, Statistics Canada's role in the readjustment of electoral boundaries is in the supply of population data to support,

first, the application of the formula for allocation of seats to the provinces and territories, and, second, the delineation of electoral districts within provinces and territories. For the purpose of delineation of electoral districts within provinces and territories, there is only one source of population data that provides the necessary detailed geographic breakdowns, and that is the census of population, which is conducted every five years.

For the purpose of allocation of seats between provinces and territories, there are two alternative sources of population data that could be employed. The first source, and the one that has been used in the past, is the unadjusted population counts from the decennial census of population. Statistics Canada will publish counts from the 2011 census of population on February 8, 2012. The second alternative source is Statistics Canada's population estimates program. This program produces annual and quarterly estimates of the populations of the provinces and territories. Estimates in this program reflect at any given point in time all of the information that Statistics Canada possesses in order to provide the best possible evaluation of those populations.

Bill C-20 proposes, in a departure from previous practice, to use the currently available estimates of provincial and territorial populations at July 1, 2011, for purposes of calculating the allocation of seats between provinces and territories. These estimates reflect results of the 2006 census adjusted for net undercoverage, augmented by births and immigration since the census date and reduced by deaths and emigration.

Given that the objective of Bill C-20 is to launch the readjustment process at this time, the relevant statistical issue for consideration by the committee is which of the two alternative measures of the populations of the provinces and territories is likeliest to be the closest to the true value: the currently available population estimates or the unadjusted 2011 census of population counts that will be released in February. To answer this question, the census counts and the current population estimates need to be compared to the definitive estimates of the 2011 population that Statistics Canada will produce in 2013. These will reflect estimates of net undercoverage of provincial and territorial populations from the 2011 census of population to be generated by studies that are currently under way but not available.

Let me explain briefly the key notion of net census undercoverage. Official statisticians in all countries know that a census of population, however well conducted, will miss some people while counting some others twice. Statistics Canada, after each census, conducts a statistical study of these two effects.

Estimates from the 1996, 2001, and 2006 censuses indicate that net undercoverage, because we miss more people than we double count, is typically on the order of 2% to 3% of the population counts in the Canadian census. We cannot know at this time what the level of net undercoverage will be for the 2011 census of population—the necessary study, as I said, has not yet been completed—nor can we definitively know whether estimates of natural increases and migration that underlie the population estimates will be confirmed.

The best guide, therefore, to answer the question of which of the currently available population estimates or the unadjusted 2011 census population counts will be closest to our definitive estimates is to look at what has happened in previous censuses. Having done this work, I can inform the committee that the population estimates for the provinces and territories available at the time of the release of the census counts have typically been substantially closer to the definitive estimates than the unadjusted census counts themselves.

To demonstrate this, I have prepared a table, which I think you have in front of you, based on the 2006 census, that looks essentially at the situation as it unfolded for the 2006 census. The table compares the unadjusted 2006 census population counts and the population estimates published in September 2006, which is essentially the same generation of estimates that we're talking about right now for 2011, to the adjusted 2006 census population counts that were published in September 2008.

At the Canada level, the population estimates published in September 2006 were 0.3% higher than the definitive population counts, while the unadjusted counts were 2.8% lower. As at the Canada level, at the provincial and territorial levels, the population estimates were invariably significantly closer to the definitive population counts than the unadjusted counts were.

In summary, even with the release of the 2011 census unadjusted population counts on February 8, 2012, it is Statistics Canada's view that the currently available estimates of population at July 1 represent the best available evaluation of the population of the provinces and territories that is available at this time or that will be available on February 8. It is therefore appropriate, in our view, that they should be used for the purposes of Bill C-20.

Thank you.

• (1110)

**The Chair:** Thank you for that. We'll go to rounds of questions.

We'll start a seven-minute round with Mr. Lukiwski.

**Mr. Tom Lukiwski:** Thank you very much, Mr. Chair.

Thank you for being here, Mr. Smith. Your presentation was informative for me because I think the largest question all of us have is based on population estimates and their accuracy.

The formula the minister explained to all of us is based on the population estimates. If we are to do a relatively accurate redistribution, or in this case increase, of seats by population, we have to be assured that the numbers we're using are accurate.

I have some confidence based on your presentation, but I would like to get a little more information and perhaps probe a little deeper, if I can, to give not only me but other members of this committee

some confidence that the population estimates, as opposed to the census data, are the figures we should be using for the purposes of Bill C-20.

You've given us a chart based on the 2006 population from the census perspective in the population estimates. You've stated, and it shows on the graph, that the population estimates are, I think in your words, invariably more accurate.

Why are the population estimates more accurate? Is it because you've designed a better formula, or is it because perhaps the census data taken only comes out once every few years?

I think it's important for us to know why we can count on population estimates and should be counting on them in terms of accuracy of population counts both in Canada and across the provinces.

**Mr. Wayne Smith:** There are two elements to the response.

One is that for the purposes of the estimates of population, we have very rich information sources in Canada. We have very accurate information from vital statistics on births and deaths and on immigration to the country. We have extremely useful administrative files that allow us to capture interprovincial migration. The issue ultimately comes down to whether or not the data has been adjusted for net undercoverage and the normal size of that adjustment.

Given the precision of the measures that go into the population estimates, and given the fact that the population estimates were adjusted for the undercoverage in the previous census, that almost guarantees in Canada, and certainly has for multiple censuses now, that the estimates are going to be closer because they reflect an adjustment for undercoverage, rather than the unadjusted counts that we publish at the beginning of February. The difference of the people that we missed on the net basis in the census is on the order of 2% to 3%. That difference is sufficiently large that any possible error in the estimation process is exceeded by that error.

It's a very technical explanation, but that's the essence of it.

**Mr. Tom Lukiwski:** I appreciate that.

It seems fairly obvious, but just to make sure we're crystal clear on this one, the essence of what you're saying is you are convinced that if our government used population estimates in calculating any possible allocation of new seats, that would be a more accurate assessment of the population from province to province than if we used the census data.

**Mr. Wayne Smith:** That is absolutely our view.

**Mr. Tom Lukiwski:** Thank you.

Let's talk for a moment on the undercoverage. I'm a little unsure of some of the things you talked about.

Before that, let me ask you, with respect to the information you have examined over the years, because you said you've been examining this for several years now, are there any specific demographic groups or any particular areas of Canada where there seem to be more problems with undercoverage than others? Why would that be if there is such a pattern?

• (1115)

**Mr. Wayne Smith:** The groups that tend to be subject to undercoverage particularly are young people, young adults particularly, notably young males. Recent immigrants are another group.

**Mr. Tom Lukiwski:** Could you define young males?

**Mr. Wayne Smith:** The 20 to 35 age range is where we see we have.... The issue comes down to really one of mobility, the fact that they are very difficult to find, and uncertainty in households where Johnny is at university or at a labour camp in northern Ontario—whether he is being counted where he is or whether they should put him on the form. We tend to miss some, significantly.

Because recent immigrants are often living in unusual living circumstances, that makes it more difficult for us to find them, and also because of a certain degree of discomfort some recent immigrants have, given their personal experiences in dealing with governments. Language issues as well cause a problem for us with recent immigrants.

People who obviously don't have a well-established place of residence are a problem. Certainly we see problems with people who are in low-income groups. Urban aboriginals, for example, can be a problem. Homeless people are obviously a problem for us.

Essentially, it's a question of mobility. People who are very mobile and don't have a strong attachment to a fixed residence are the ones we are most likely to miss.

**Mr. Tom Lukiwski:** Based on what you're saying, am I to conclude that there is no real pattern, no real specific either demographic group or province that you'd point to and say this may be an area or a group where there is more undercoverage than the average, or less?

**Mr. Wayne Smith:** Well, I guess there is a demographic group— young males of 20 to 35 years—and certainly recent immigrants. Those are demographic groups where we do see a higher incidence.

Geographically, the problem—because of what I just said—tends to be focused in urban cores, large urban areas. Provinces, therefore, that are very urbanized are potentially more subject to....

I'd like to ask my colleague to comment on whether we see that provinces that are more urbanized tend to have a higher rate of net undercoverage, but geographically, that's the usual relationship.

**Mr. David Dolson (Director, Social Survey Methods, Statistics Canada):** Consistently, census after census, we observe higher undercoverage rates in large urban centres across the country.

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

Mr. Christopherson, you have seven minutes.

**Mr. David Christopherson (Hamilton Centre, NDP):** Thank you very much, Chair.

Thank you very much, Mr. Smith and your colleagues.

Please don't take this question the wrong way, and I say that to the government members opposite and to yourself. I am merely asking this question for clarification; I'm not setting anything up.

My question is this. Who do you report to?

**Mr. Wayne Smith:** I report to the Minister of Industry, who is also the minister responsible for Statistics Canada, Minister Paradis.

**Mr. David Christopherson:** Right, so you're part of the bureaucracy, as opposed to any kind of an independent like the Auditor General.

**Mr. Wayne Smith:** Statistics Canada has always been set up as a department of government reporting through a minister to Parliament.

**Mr. David Christopherson:** Okay. That's fine, thank you. I appreciate that. I just wanted to be clear.

Did you make the recommendation, first of all? Did this idea come purely from an analysis of numbers? Was it your recommendation to the minister that he look at changing the formula?

**Mr. Wayne Smith:** No, it was not our recommendation. We were asked simply to provide information about the relative merits of the different sources.

**Mr. David Christopherson:** I see.

Would you have recommended this change?

**Mr. Wayne Smith:** It wouldn't be appropriate for Statistics Canada to come forward recommending that the process of allocating seats in Parliament be modified.

**Mr. David Christopherson:** Sorry, fair enough, when you put it that way.

I was more thinking of your analyzing this with your staff. I'm assuming you constantly review things to make sure they're up to date and modern. You do best practices, check what's happening with other G-8 countries and in the Commonwealth, etc. So I was just curious as to whether this was something you could've had on a work plan and said, "We could really improve something that's important to the government; we'll make that recommendation."

**Mr. Wayne Smith:** Again, that's not something we would normally have proactively recommended. If we were asked the question we would certainly answer it to the best of our ability, as we were asked, which is the best of the alternative sources, but we did not proactively go forward and suggest considering using the population estimates rather than—

• (1120)

**Mr. David Christopherson:** Thank you, Mr. Smith. That's fine; you've answered the question.

My next question is this. Given that the best claim to fame that the new formula has is that it's used in transfer payments, which is pretty important and requires a certain level of acceptability by everyone who is a non-partisan figure, yadda, yadda, yadda.... You know where I'm going. Given that this change is being made and you think this is an improvement, is it your intention to advise the government that it should change the transfer payment formula too, since this is a better number?

And my other question is this. If it did that, would you say, “Yes, indeed, that would be an improved formula as opposed to what we do now?”

**Mr. Wayne Smith:** The estimates are already the numbers used, and the numbers used in transfer payments are the estimates, the ones that are being proposed to be used in Bill C-20, so those are the ones that are used for transfer payments, and we indeed do believe they're a better basis, for the reasons that I've just presented. They're a better basis for making those allocations.

**Mr. David Christopherson:** Do other parliaments also use this number in their calculations? When they're trying to find the figure that's most accurate, whether it's for this purpose or other purposes, is this the number they use now?

**Mr. Wayne Smith:** I know practice varies tremendously, but I can't really speak in any detail about what is done in other countries. The United States uses unadjusted data. I don't know whether my colleagues are better placed to answer about other countries. We're kind of world leaders in terms of this process of adjusting censuses for undercoverage. So I certainly think we're particularly capable in this domain, but I don't think we're unique in it.

**Mr. David Christopherson:** Now, will you also be doing a review to determine whether the actual numbers confirm what you had projected? I mean, right now everything's projection. You can only assume this will be a better number. Proof—as close to proof as possible—would be down the road. Are you planning that kind of follow-up to satisfy yourself that your projected improvements are real?

**Mr. Wayne Smith:** We have always published all the details. When we get to the point where we actually have the adjusted census numbers, we look at our estimates program and how well it has performed, what the degree of closure is, what the error of closure is, and the difference between our estimates and what was considered to be the final population for 2011. All of that information is published.

We also have a federal-provincial committee. Obviously, the provinces are very interested in the quality of these estimates—

**Mr. David Christopherson:** I'm sorry, I'm short on time and I don't mean to be rude.

Are there any provinces that have any concerns about the new change?

**Mr. Wayne Smith:** Not a single province has voiced any concern to me at this juncture.

**Mr. David Christopherson:** Okay, and that includes territories too, obviously.

**Mr. Wayne Smith:** It includes territories.

**Mr. David Christopherson:** How's my time, Chair?

**The Chair:** You have two minutes left, David.

**Mr. David Christopherson:** Beautiful. We'll just keep right on going.

What would the difference in terms of the seats be, or the outcome? How dramatic is the change in terms of the actual resulting number in the formula? Is this a dramatic change, or a minor change?

**Mr. Wayne Smith:** I can't answer that. I don't know. My sense is that the differences are not large enough, if you're dividing by

111,000. In most cases, the absolute differences won't be large enough to have a meaningful impact in most places, but I haven't actually looked at the calculations. I can't really look at 2011, in any case, because I don't have the other pieces yet.

**Mr. David Christopherson:** From a numbers point of view, the government's previous bill—and I'm not trying to drag you into the politics of it, I totally respect the lines; however, the previous government bill had a different resulting increase in seats for the provinces, and it was apparently because it was based on a previous census.

Now they're using updated numbers, and I'm still not quite sure what they mean by “updated numbers”, because it's only a matter of a few months between the change the government ran on Bill C-12 and their coming into power and saying here's a new bill, we've got new numbers.

Just strictly from a numbers point of view, can you explain to me what's new?

**Mr. Wayne Smith:** I'm simply not aware of the other piece of legislation, so I'm not able to answer your question.

**Mr. David Christopherson:** Sorry, but you must have been consulted on that bill too, I would think.

**Mr. Wayne Smith:** Perhaps Statistics Canada was consulted. I wasn't the chief statistician at the time. I'm not aware of it. I'm not sure whether either of my colleagues have any....

**Mr. David Christopherson:** I'm sorry, no, they weren't, or no, they don't know?

• (1125)

**Ms. Johanne Denis (Director, Demography, Statistics Canada):** We weren't consulted.

**Mr. David Christopherson:** You were not contacted on the previous bill?

**Ms. Johanne Denis:** No, we weren't.

**Mr. David Christopherson:** That's interesting. Why not, do you think? Is that normal?

**Mr. Wayne Smith:** I can't answer that question.

**Mr. David Christopherson:** Let me ask, is it unusual?

**The Chair:** David, I will let you come back in the next round. Your time is done on this one.

**Mr. David Christopherson:** All right, Mr. Chair. Thank you very much.

Thank you very much, Mr. Smith. I appreciate it.

**The Chair:** Monsieur Dion, good to have you here today. You have seven minutes.

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Thank you so much, Mr. Chair.

[Translation]

Good morning to all three of you.

First of all, I would like to go back to a question posed by my colleague.

In previous bills presented by the same government, I believe that it was felt that this change was not appropriate. You were not consulted about which would be the best method to use, correct?

**Mr. Wayne Smith:** The only thing that I can state is that none of the three individuals present here today have any recollection of such a consultation taking place. I cannot, however, categorically state that this never did occur.

**Hon. Stéphane Dion:** Fine.

This time, however, the minister or the government asked you which would be the best method. Is that the question you were asked?

**Mr. Wayne Smith:** Basically, we worked with the Privy Council Office. Representatives from this office asked us to make some presentations on the differences between census data and population estimate data, so that they could have a better understanding of the differences and establish which data was the most accurate.

**Hon. Stéphane Dion:** You told them, in your conclusion, that preliminary post-census estimates were the most accurate.

**Mr. Wayne Smith:** We provided them with information that led to such a conclusion.

**Hon. Stéphane Dion:** Fine.

Are you comfortable with the fact that we are now using preliminary post-census estimates rather than census data?

**Mr. Wayne Smith:** Yes, absolutely.

**Hon. Stéphane Dion:** All right.

The issue we are discussing is very important because that could make a difference of a few seats for each province, depending on which method is used. You are saying that in determining the proportion to be given to each province, you're going to be using the most accurate method, under the circumstances; but when it comes to the number of seats within these provinces, how are you going to proceed?

**Mr. Wayne Smith:** As I mentioned in my presentation, we do not have adjusted estimates, however, the proportional discrepancy is the same, in theory, for the entire province. The committees that will be examining this issue will have no other choice but to use the unadjusted census data, as there are no other available options. Indeed, we do not have adjusted data for every town, city or row of houses.

**Hon. Stéphane Dion:** So we are using method B within each province, and method A for everything that is—

**Mr. Wayne Smith:** —for the breakdown between the provinces.

**Hon. Stéphane Dion:** Will we not have problems when we have to decide on seat distribution within each province if we use two methods and switch back and forth between the two?

**Mr. Wayne Smith:** We may have problems when it comes to fairness within the province. The net under-coverage is not the same in a rural riding, where it normally is quite small, as compared to a large metropolitan area such as Toronto. Obviously, there is going to be a net undercoverage discrepancy between these two locations. If we try to establish ridings with the same populations, the urban centre will be at a disadvantage.

In reality, there are no other options. There is no data available, but there is for the provinces and the territories.

**Hon. Stéphane Dion:** Pardon me, but you are in fact saying that we're going to be working from an estimate of the total population of a province when we have to compare the provinces with each other, but that this number will disappear when we start distributing seats within the province? We're going to take the figure obtained using method B and not obtained using method A when it comes to the total?

**An hon. member:** Yes, that is correct.

**Mr. Wayne Smith:** Essentially, you are right, but this does not come under my purview. I cannot speak on behalf of—

**Hon. Stéphane Dion:** Yes, it is under your purview, and I want to know if this creates a problem as far as the method is concerned.

**Mr. Wayne Smith:** I do not distribute or use the data, this is done by the committees responsible for establishing electoral boundaries. I provide the data.

I agree that within a province, we are going to be using a data set that is different from the data used to—

**Hon. Stéphane Dion:** That causes a statistical problem.

**Mr. Wayne Smith:** In my opinion, if the objective is to do the best distribution possible between the provinces and the territories, it is preferable to use the most accurate data. If such data does not exist at a lower level, I do not see why it is problematic to use the available data.

• (1130)

**Hon. Stéphane Dion:** You come with statistics on the entire Canadian population, and it seems to me that this is what needs to be done. However, in its count, the government excludes the three territories. It is therefore basing itself on the population of the provinces in order to distribute the seats amongst the provinces. The only statistical effect of this methodology is that it deprives Quebec of one seat.

Do you think that there is a statistical reason—and not a political one—justifying the fact that the government, in its own count, establishes the proportion for the provinces without considering the three seats from the three territories?

**Mr. Wayne Smith:** That is not a statistical question.

**Hon. Stéphane Dion:** It could be done based on the entire population.

[English]

From a statistical point of view, it would be possible to allocate the seats to provinces and take into account the three territories that exist and that have one seat each. You don't see any statistical problem with that?

**Mr. Wayne Smith:** It's not a statistical question. The government, in deciding how to go about allocation of seats, establishes a formula. The nature of that formula is not a statistical question. I really honestly can't take a position to answer you.

**Hon. Stéphane Dion:** Thank you very much for that.

**The Chair:** You still have one minute.

**Hon. Stéphane Dion:** No, I think I have my answers. They're worrying me, the answers I received, but thank you very much for that.

**The Chair:** Mr. Reid, four minutes.

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Four minutes. You could give me Mr. Dion's minute and that would be fine.

**The Chair:** We're flexible around here. Give it your best shot.

**Mr. Scott Reid:** I think Mr. Dion had an interesting point. I've often thought it odd that the formula involves working with the number of seats for the provinces rather than all the seats. That's a peculiarity. I don't know if it crept into the system with the 1985 formula or if it's simply an artifact of the original much-changed and ever-changing formula that existed before. It is an oddity that we've inherited. It's a legislative oddity, as opposed to a statistical one.

Mr. Smith, I went through the numbers you had there. I took column A and column B and did a quick comparison. I see that they produce fairly minor shifts when we look at the raw numbers for the provinces, most provinces. Then there are significant shifts for Quebec, Ontario, B.C., and Alberta. This is just me doing it by hand.

The population difference in Newfoundland between column A and column B is only 4,000; P.E.I., 3,000; Nova Scotia, 21,000; New Brunswick, 20,000; Manitoba, 29,000; Saskatchewan, 13,000. There is a 105,000 difference in Quebec; 526,000 in Ontario. Column A is always bigger than column B. Alberta is 85,000; British Columbia, 197,000.

Does that mean, effectively, that if we use the numbers in column A as our basis, which is what I think the legislation proposes, versus column B, the status quo, which is what the 1985 formula would propose, and all other things are equal, we would get more or less one extra seat for Quebec, four or five seats for Ontario that wouldn't otherwise be given, and then a seat each for B.C. and Alberta? Is that more or less the practical impact of this?

**Mr. Wayne Smith:** I'm not comfortable answering, because the application of the formula is not a responsibility of Statistics Canada. I'm not sufficiently conversant with it to give you an expert opinion in that regard.

**Mr. Scott Reid:** I realize it's not a statistical question, but I guess that's the practical impact of using this. If you are assuming about 110,000 people per seat, you'd wind up with something like that. It's not a statistical question, but am I wrong...?

**Mr. Wayne Smith:** If I can take as given that the divisor that creates the seat is 100,000, then given those discrepancies I would arrive at the same conclusion.

● (1135)

**Mr. Scott Reid:** So using the new formula reduces the degree to which the larger provinces are underrepresented and the smaller provinces are overrepresented. That would essentially be the practical result once column A is chosen, the preliminary post-census estimates based upon the population counts.

**Mr. Wayne Smith:** My way of putting it is that it would advantage provinces where we have a more significant under-coverage problem, by increasing their population; therefore, using the formula that we were just discussing would lead to greater seat

numbers. We missed more people in those provinces, and it's compensating for that fact.

**Mr. Scott Reid:** Is that because people are more mobile in those provinces?

**Mr. Wayne Smith:** This is where the major urban centres are. The downtown core, large urban centres—that's where we miss people. That's where the problems are. These are the ones that are disadvantaged if you use the unadjusted counts. It's compensated if you use the adjusted counts.

**The Chair:** We can get back to you, I hope.

Mr. Christopherson.

**Mr. David Christopherson:** I'm going to pass it over to Ms. Charlton.

Thank you.

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Thank you very much.

Thank you very much for your presentation. I'm particularly interested in the comment you made about underrepresentation and undercoverage. I may simply not be understanding well enough, so let me pose a couple of questions, and I may go elsewhere, depending on your answer.

When you talked about why there is undercoverage or underrepresentation, you pointed to very specific factors. Underrepresentation would not, for example, take into account economic trends. There was a point in time when Saskatchewan was losing population at a pretty dramatic rate, and then the economy turned around and it gained population at a very dramatic rate. Those kinds of factors aren't at all part of your estimates for the future. Is that right?

**Mr. Wayne Smith:** We're not projecting here; we're looking backwards. They are taken into consideration. We do measure interprovincial migration, and the population estimates reflect everything we know about interprovincial migration. For example, one of the techniques we employ is to take different generations of the tax files, find somebody in one file, and then see where they were in the next taxation year. Have they moved? That information is used to help us estimate interprovincial migration.

In fact, the estimates that are currently available do reflect the best information we have on interprovincial migrations, which are usually a result of economic considerations.

**Ms. Chris Charlton:** But in essence, the estimates are through the rear-view mirror, if you like, because you're always dealing with data from the past. There is no consultation in the estimates about projecting future growth.

The reason I am asking is because obviously the Fair Representation Act governs us for the next 10 years. We don't adjust annually. We can't adjust for the midway point massive migrations to one region of the country or another.



Can you envision ways whereby the estimates could actually be more prospective? I know there is no certainty. I don't know where you would find that statistical halfway point, but are there mechanisms you would like to suggest we look at so that the 10-year period actually doesn't end up with the huge discrepancies that we now so often find ourselves with?

**Mr. Wayne Smith:** Statistics Canada does publish projections of Canada's population at the Canada and provincial levels, but we make a distinction between projections and forecasts. A forecast might be what you believe is going to happen. A projection is simply saying if this happens or that happens, this is what results.

The problem is we don't know what's going to happen, particularly at the level of the provinces and territories where internal migration can have a huge impact on populations. The simple, natural, increase in immigration would yield one set of projections, but more important, what we couldn't ever anticipate would be the economic factor. So I really don't think I could responsibly produce a set of numbers that I would say you could be reasonably confident would hold true for the next 10 years. I simply don't think that's possible, not by Statistics Canada. Braver people might be willing to do that, but we wouldn't have the confidence to produce that kind of number.

● (1140)

**Ms. Chris Charlton:** As part of the reasons for undercoverage, you talked about immigration, linguistic skills, and some of those things being a part of underreporting, perhaps. I know you also work closely with the Electoral Boundaries Commission. It's not clear to me exactly what services you provide to the commission, but let me ask it in this way. If we know that most of the settlement areas for newcomers are in large urban centres, such as Montreal, Vancouver, Toronto, and Hamilton, for example, does your work with the Electoral Boundaries Commission include setting boundaries differently around urban centres, or is your undercoverage only reflected in the provincial gross numbers?

**Mr. Wayne Smith:** The adjustment to undercoverage can only be made at the provincial and territorial level. We provide all and any support that is requested from us by the commission, but normally that is the detailed census counts of very small geographic areas, including down to the block level, in order for them to delimit the electoral boundaries.

I could be corrected by either one of my colleagues, perhaps, but we don't suggest adjustment in any way from the actual counts. We simply give the counts and the commissions apply them. We wouldn't, for example, counsel the commission that we are possibly underestimating in the downtown core. That kind of advice wouldn't be normal, either in what they ask from us or in what we provide to them.

**The Chair:** Mr. Williamson.

**Mr. John Williamson (New Brunswick Southwest, CPC):** Thank you.

Actually, I want to continue this line, in part to follow up on some of the questions Mr. Dion had.

You're sampling at a national level, and as we read, whenever we take a sample and we start cutting it down, it becomes less and less representative. So in fact it's not unusual for us to use two methods.

The national sample that you're taking just wouldn't work within my province of New Brunswick. It begins to look less certain, and hence we turn to the actual census numbers when we're dividing up boundaries. Is that right?

**Mr. Wayne Smith:** I think the reason we use the census numbers is simply that we need to be able to go down to very small levels of geography. That's the primary driver, or has been historically, for using census numbers. Because we count everybody, in principle—that's the objective—we can say that down one side of one street in downtown Halifax, this is what the population count was there.

**Mr. John Williamson:** On the adjustments you make on a province-by-province basis or on a national basis, could you do that on a local level, a riding-by-riding level? Or is it impossible?

**Mr. Wayne Smith:** It's impossible because in fact it would be another census, to be able to go to that level of detail.

**Mr. John Williamson:** That's what I thought. So we either have to accept what we have now, which is to take the best number nationally, which is the adjusted number for underrepresentation, and then break the seats out along at least the 10 provinces, and then switch gears and use census data when we're looking at the ridings.... The other alternative would be just to use unadjusted census data, but that actually would give us a less accurate number nationally, if you want to be consistent with your data. That seemed to be Mr. Dion's concern, that we were shifting gears.

**Mr. Wayne Smith:** Provincially, you would be using something, in our view, that would be less than the most accurate representation of the population of the provinces and territories, if you were to use the unadjusted counts.

**Mr. John Williamson:** Okay. That's what I thought.

I have no further questions. I'm done, thank you.

**The Chair:** All right. Great.

I'm going to entertain a couple of one-offs. I see a couple of hands. But let's keep these to about 30 seconds to ask and 30 seconds to answer.

Monsieur Dion.

**Hon. Stéphane Dion:** I just want to say to my ministerial colleagues, especially Mr. Reid, that there is no obligation, no constitutional obligation, to compute as if the territorial seats did not exist when we change it, and I suggest that we recommend it to the government.

My question is very simple. Can we have an electronic copy of it?

● (1145)

**Mr. Wayne Smith:** Absolutely. We'll make sure this goes up on it.

**The Chair:** Great.

Mr. Christopherson, a quick 30-second ask and answer.

**Mr. David Christopherson:** I suspect that I'm asking the same question Mr. Williamson did, but I'm going to ask it anyway to make it clear for me.

On the numbers that are coming out on February 8, 2012, are those the unadjusted census...? And was your answer to Mr. Williamson that this would still be less accurate, in your opinion, than the projected provincial projections or estimates? I know that makes a difference.

**Mr. Wayne Smith:** Yes, the numbers that are coming out on February 8 are the unadjusted population counts, and yes, we consider that they would be less accurate than the estimates that are currently available.

**Mr. David Christopherson:** So the bottom line is that you think the most—

**The Chair:** Now, now, you said one.

**Mr. David Christopherson:** You're right.

**The Chair:** Ms. Charlton, help your colleague.

**Ms. Chris Charlton:** Thank you. I just have a really quick question as well.

Do you expect that the difference in magnitude between the estimate and the actual census population counts is going to increase now that we've moved to a voluntary census from a mandatory census?

**Mr. Wayne Smith:** First, I will just clarify one thing. The census remains mandatory. There were 10 questions that people were required by law...and it's those questions that are used to establish the population. So the census itself was mandatory.

The 2011 census, based on information that we have up to now, is looking very good. The response rate to the census was actually higher than in the 2006 census. We had an extraordinary level of cooperation actually from the population. We spent relatively little effort, relative to previous censuses, chasing non-respondents on the census side. So there is a lot of evaluation that still has to happen, including the coverage studies that we've been discussing, before we can form a definitive view. But based on what we know now, things are looking very positive for the 2011 census population.

**The Chair:** Thank you.

Mr. Lukiwski, I gave everybody else one, so I'll give you one too. Go ahead.

**Mr. Tom Lukiwski:** I'd like to make sure I heard this correctly. I think it's important to note, because I know the opposition is a little confused about this fact, as they've indicated on many occasions before when we were debating the changes our government made.

The census is mandatory, so that doesn't affect the numbers whatsoever. Whether it's a mandatory short form or voluntary long form, the information you need based on population is still as accurate today as it has always been regardless of the changes, correct?

**Mr. Wayne Smith:** The 2011 census of population comprised 10 questions that formed the basis of the numbers that will be released on February 8. It was mandatory, and as far as we know today it was very successful and had a higher response rate than the previous census.

**Mr. Tom Lukiwski:** That's what I wanted to find out. What was the response rate, and how much higher was it compared to previous censuses?

**The Chair:** I gave David two questions, so I have to watch it.

**Mr. Tom Lukiwski:** I'm sure one of my colleagues will take that one up.

**The Chair:** Is there one from anyone else?

We'll just say, "Way to go, Canadians". They've done a good job of responding to you.

Mr. Smith, thank you and your colleagues for coming today. You've done a great job of responding to us.

We'll suspend for a couple of minutes while we change our witnesses.

• (1145)

\_\_\_\_\_ (Pause) \_\_\_\_\_

• (1150)

**The Chair:** I call this meeting back to order.

Mr. Kingsley, it feels like the old days having you back. You can almost say "past days". We've certainly had Mr. Kingsley here before as the Chief Electoral Officer. Now he's the former Chief Electoral Officer. He's currently a senior fellow of the graduate school of public and international affairs at the University of Ottawa.

So you're sharing your knowledge with others now. Great. Are you as busy now as you were as the Chief Electoral Officer?

**Mr. Jean-Pierre Kingsley (Former Chief Electoral Officer, As an Individual):** No way. I miss it tremendously.

**The Chair:** I take it you have a bit of an opening statement. Then we'll get to ask you questions.

**Mr. Jean-Pierre Kingsley:** It's no more than five minutes.

**The Chair:** Fantastic. Let's hear from you, and then we'll go ahead and ask you a bunch of hard questions.

[Translation]

**Mr. Jean-Pierre Kingsley:** Mr. Chairman, committee members, I'm very pleased to be appearing once again before you. This is the second time that I have made an appearance since leaving my position. I can recall some very interesting exchanges during my previous appearance. As always, I feel that it is a privilege to be able to appear before the people who represent Canadians after an election. This is, in my opinion, a very great honour.

I was eager to accept the invitation that was extended to me on Tuesday at noon. I would like to point out that I may not be able to answer all the questions that you may have. If that is the case, I would like the clerk to note them and I will provide you with a response in writing, if you wish, or in person if that is of greater interest to you.

The documents that I have had the opportunity to read, without doing so on an in-depth basis, obviously include Bill C-20, with its many scenarios, depending on the date of adoption, as well as the testimonies provided last Tuesday when Minister Uppal and Mr. Marc Mayrand, my successor, appeared before you. I also had an opportunity to read my 2005 report and I looked at seat distribution for 2001 and 1991.

I would also like to remind you that when I worked at the office during the 1990s—I do not recall the exact date—the chief electoral officer had suggested that the number of seats be limited to about 300. At that time there were 301 ridings and people were worried about this number rising. Moreover, yesterday, someone quoted Mr. Harper at the time.

In addition, the redistribution exercise was put on hold at one point, effectively disrupting all of the work. This is something to be avoided if at all possible. Once a committee has begun its work, it should continue without interruption, without new data, without any change in data, until everything has been completed.

• (1155)

[English]

In my view, with respect to the bill that is before you, with respect to three matters, with respect to the shorter timeframes, the seven months instead of the year to get ready, we did it. I remember well Mr. Martin, the Prime Minister at the time, wanted to do an election within six months. I had to tell him I couldn't do it before seven, even though the law allowed me 12. Seven was the shortest, and we were able to achieve it.

The 30 days instead of 60 and the 10 months instead of 12 came out of presentations, representations made by the commissions themselves, because we had post-mortems and we had questions. The 30-day minimum is a minimum. It does not mean that you've cut everybody else off.

These were ideas emanating from the commissions themselves that we wanted to act on.

I will just mention that one of the reasons why all of this becomes very possible is the very high-performing computers that now exist for cartography, for example, for utilizing StatsCan data, skimming off what you need in order to help the commissions. Whereas it used to take two months to prepare a series of maps, it can now take half a day. With respect to the formula itself, we've heard what the chief statistician said. It's obvious to me that a new number has been designed in order to do the in-between provinces. The way the indexing formula for future redistribution exercises works is that it will be the average of provincial population growth.

That will have the impact of slightly lowering the quotient, compared to if you used the total population, the average Canadian population overall, which means then that the seats will remain slightly higher, which is what is sought by this exercise.

The resulting allocation from Bill C-20, in my view, with Ontario getting 15 seats, Alberta 6, B.C. 6, and Quebec 3, is exceedingly good.

The west, in essence, and Ontario, while not getting exactly what they should, will certainly be much better represented, in terms of

what democracy is about. Insofar as Quebec is concerned, Quebec will remain right on, not overrepresented, not underrepresented, based on the total number of seats. This has been one of the objectives for a very long time. I think Mr. Reid was alluding to this in his testimony yesterday. It has been around for a long time that Quebec was a pivotal province. There are those that are underrepresented. There are those that are overrepresented. Quebec is right there. This approach is one, certainly, that I am in agreement with.

Thank you, Mr. Chairman.

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

We'll go to Mr. Reid first.

**Mr. Scott Reid:** Mr. Chairman, how much time do I have?

**The Chair:** You have seven minutes to start.

**Mr. Scott Reid:** All right, thank you very much.

First of all, I was here when the last redistribution took place, and I sat on the subcommittee of this committee, which dealt with the whole appeal from parliamentarians and so on. I remember it was a process that certainly was within a tight timeframe, probably tighter than you would have liked, but ultimately, success was achieved.

In looking at it, one thing that struck me was that the problems that arose in the process seemed primarily to come out of—as I recall, there was a widespread dissatisfaction in one of the smaller provinces, Saskatchewan, where the seats weren't changing. Other than that, the problems seemed primarily to arise in Ontario and Quebec, maybe because they're larger areas.

What struck me is that any problems that would have arisen in terms of the 30-day timeline would be coming out of those larger provinces. So looking back at the post-mortems you have, do you recall any particular problems, in relation to the problems you get when you have so many seats to work with, that were mentioned by the folks from the Ontario and Quebec commissions?

• (1200)

**Mr. Jean-Pierre Kingsley:** I don't remember the Ontario and Quebec commissions complaining about the tightness of the timeframes. I do remember some of the other provinces saying they could start earlier than 60 days, if people were ready to be heard within 30 days.

The idea of the recommendation that we made when I was at Elections Canada was that it should be 30 days when you can start doing them. You put out a public notice and people notify you if they're interested, and that process can start within 30 days. It can also start 50 days later. It is just that within 30 days the notice has to be made. You know, the Italian Canadian community of, wherever, wishes to be present and to make a presentation.

That notification can go and then it is scheduled in accordance with when they're ready, and when the commission is ready to listen to them. It is a minimum time. It's like the election itself, it is a minimum of 37 days, but in 2005-06 we had a 53-day general election.

**An hon. member:** Ah, the good old days.

**Mr. Scott Reid:** Yes, I remember that too. I remember canvassing during that election.

Okay, that gives me a bit of an idea.

I realize you didn't sit on the commission, but you have the perspective of having listened to all the different commissions. That's why I'm pursuing this with you.

It seems to me that there is a practical difference that exists between trying to deal with a very large province—I guess I am thinking primarily of Ontario—and dealing with a much smaller province where not that much is changing; the seat count is different.

I guess in the case of Ontario, and it's probably true in British Columbia as well, you get growth that is occurring in one centre and then everything kind of radiates out from that and you get your domino effect from that. You've got an area where you have a combination of some areas that are remote—in the same sense that Nunavut is remote, or the Northwest Territories are remote—combined with areas that are extremely compact.

Was there anything mentioned with regard to the problems of trying to deal, in a practical way, with such a large and varied task, where there are really no common factors that would be involved in dealing with some of these different kinds of areas and trying to be fair to all of the geographically differentiated areas of the province?

**Mr. Jean-Pierre Kingsley:** To come back and answer your initial question more fully, the challenges that large, populous provinces face with their commissions—Ontario and Quebec being prime examples, and B.C. somewhat—is the number of hearings they must hold across the province, which means you can't hold them all within 30 days, which is why they need to spread them out.

To answer your second question, I want to explain the process. For the 2001 redistribution exercise, software was developed whereby you tell your computer to give so many ridings here, while respecting the present configurations of ridings to the fullest extent possible. What will happen at this exercise, in Ontario, for example, is that computer will spew out ridings that are going to be geographically smaller in size, but they will try to stay within what exists now.

I remember one member of Parliament writing to me and saying, "Mr. Kingsley, my riding is okay. Please don't touch it." Well, they will all be touched; there's no doubt about that.

That's the type of thing that that computer can do. Then, the commissions start to look at that and say, "Well, that doesn't make sense."

I should also explain that the other reason why this tool was developed was that while the commission is sitting, the commission can say, "Well, move that line a little bit over here." As it's moving, the numbers will change, and that line will tell you that you've just moved 3,500 Italian Canadians, or you've just moved so many people of Catholic ancestry, or whatever. It will tell you all these demographics so they are able to take that community of interest, initially, into account. This greatly facilitates the initial swath—the initial task of creating the initial boundaries—so they can be reviewed by the commission, analysed by the commission, and then put out as their first draft, which is public, on which they will get public comments.

●(1205)

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

**The Chair:** You have 15 seconds, but I will move on to Mr. Christopherson.

**Mr. David Christopherson:** I'll try to hold it back. If you think of something you need, throw it in there, just to be helpful.

I only have one question, and then I will defer to my colleague. Overall, you seem to be very pleased with the approach in terms of the change to the formula. Do you agree that it is an improved result?

**Mr. Jean-Pierre Kingsley:** Yes, I do. It is a significantly improved result.

**Mr. David Christopherson:** Okay. It's significantly improved?

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

**Mr. David Christopherson:** My question is on your thoughts. It's kind of a macro picture, given your earlier role. As you've noticed, it still leaves us—I'm not going to deal with the Quebec issue, because that's really a political issue—with an issue where Ontario and B.C. are still not as close to their population seat count as the other provinces.

First of all, what do you think about that, in terms of the health of our democracy, where we maintain that discrepancy, especially in our largest province and our third-largest province? And secondly, do you have any thoughts as to what we could do about those anomalies, because they are outside this formula? Can you think of anything we could do—even a one-off—that would be consistent with the thinking, but bring us closer yet to parity in terms of the seats that Ontario and B.C. should have?

**Mr. Jean-Pierre Kingsley:** Obviously, every province should have the number of seats that is proportional to its proportion of the population. That is the ideal.

Is there a way of improving this bill? In order to do it and have a formula to do this, mathematically speaking, you have to work with the quotient. You will have to reduce that quotient to increase those seats. At a moment in time, you can't do it just for one province. It has to be based on a formula.

The alternative is to increase that, but this is what you were discussing the other day. You get to a point where you have too many members of Parliament, especially when you consider that the people at the bottom, the people who are overrepresented, the provinces that are overrepresented, are significantly overrepresented, some of them. If you are going to be basing it on that, in order to have that as your common denominator, you have to blow the House of Commons totally out of proportion.

I think it's the right idea to eliminate that as part of the solution. You just leave that and work on the rest. That's why I think this bill is probably as good as it can get.

**Mr. David Christopherson:** Thank you very much.

I'll defer to my colleague.

**Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP):** Thank you.

[*Translation*]

With respect to the time limits that are going to be changed, Mr. Mayrand mentioned last week that it usually takes 9 to 12 months to get ready for an election, except in 2001, when it was done in 7 months. Mr. Mayrand said it took heroic efforts to pull that off.

By changing the limit to seven months, don't you think there could be some problems?

**Mr. Jean-Pierre Kingsley:** I'm sure Mr. Mayrand is as capable of heroic efforts as I, and Elections Canada is as well equipped as when I was there. I answered somewhat jokingly, but basically, it won't cause any problems. The mould has been broken. It could even take a little less time. We made heroic efforts, not superhuman efforts. So it can be done. Mr. Mayrand said he thought he could be ready in seven months too.

**Ms. Alexandrine Latendresse:** Could there be any flexibility with the time limits? The main thing is to have optimum conditions, consultation, and that everyone be satisfied with the process. Do you think there could be some flexibility with the time limits so that things can be done as adequately as possible?

• (1210)

**Mr. Jean-Pierre Kingsley:** In order for there to be flexibility, it would have to be in the act. Personally, I don't see the need for that. I don't think the changes to the time limits are a big deal.

**Ms. Alexandrine Latendresse:** That's good.

**Mr. Jean-Pierre Kingsley:** If I felt that way, I would say so. That's not my job anymore, but I have a clear recollection of how I ran the shop. There is no reason to worry about any problems here.

**Ms. Alexandrine Latendresse:** At any rate, it is my understanding that a number of these recommendations come from your own report in 2005.

**Mr. Jean-Pierre Kingsley:** They were based on our experience. So I was comfortable saying so. It takes seven months, because I've done it in seven months. No one committed suicide at the end of the exercise.

**Ms. Alexandrine Latendresse:** That's usually a good sign.

Thank you.

[*English*]

**The Chair:** There's still a minute or a minute and a half left here, if you wish to use it.

We'll go on to Monsieur Dion for seven minutes.

[*Translation*]

**Hon. Stéphane Dion:** Thank you, Mr. Chairman.

Mr. Kingsley, thank you for being here.

The bill has to do with seat distribution by province. That attracts a lot of attention, understandably, but there are also a lot of other, more technical aspects. These aspects call for expertise that we parliamentarians don't necessarily have. At least, I don't. You have considerably more than we do.

So my question is very general, but important. Do you see anything in the bill that could be improved, in terms of how elections

are conducted, when it comes to everything other than seat distribution by province?

**Mr. Jean-Pierre Kingsley:** In the report produced in 2005, when I was chief electoral officer, a whole range of proposals to improve the process were made. Here the focus is on a bill that would basically redistribute seats and speed up the process. Other recommendations were made that, to my mind, should be dealt with by the commissions themselves. I had proposed that they be dealt with in legislation, but that may not be necessary.

Mr. Mayrand indicated in his testimony that he planned to hold a conference like the one I had organized, involving the chairman and the two other members of the electoral boundaries commissions. It was a 3-day conference that brought together 30 people. We went over various subjects and facets, for example, what constitutes a community, in order for there to be a common view of this concept. The improvements I was after should, in my view, be discussed, so they should be on the agenda at this specific conference, so that together, commission members can agree on how to improve their performance.

I will give you an example. I said that for aboriginal people, for members of first nations, the dimensions of reserves should be taken into account. One reserve was divided into two ridings.

**Hon. Stéphane Dion:** That's very interesting, but I don't want to go into too much detail. I'd like to know whether there are things that in your view should have been included in the bill and that we won't later be able to deal with otherwise.

**Mr. Jean-Pierre Kingsley:** I don't think that is necessary at this point. I recommend that immediately after the exercise, this committee should see how it worked.

**Hon. Stéphane Dion:** Is it possible that in a week or two, when you examine the bill more closely, other ideas may come to mind that you may wish to share with the committee?

**Mr. Jean-Pierre Kingsley:** I am leaving for two weeks on a business trip. I will be bringing the bill and all that with me. I will have a chance to look at it, and if other ideas come to mind, I will get back to the committee through the chair.

**Hon. Stéphane Dion:** You mentioned earlier that the government—and I guess it was a Liberal government—had asked you to consider the possibility of reducing the number of seats in the House to 300. What year was that?

**Mr. Jean-Pierre Kingsley:** I believe it was in the 1990s and it was a request from—

• (1215)

**Hon. Stéphane Dion:** At the time of the 1994 readjustment?

**Mr. Jean-Pierre Kingsley:** I believe it was later. A fair number of Reform Party members had been elected. I don't remember the specific date. I made some phone calls this morning, but nobody remembers. A lot of documentation was created in connection with that committee. We studied the question and determined how it could be done.

**Hon. Stéphane Dion:** At the time, how many seats were there in the House?

**Mr. Jean-Pierre Kingsley:** There were 301.

**Hon. Stéphane Dion:** And did you make recommendations?

**Mr. Jean-Pierre Kingsley:** Yes, recommendations on how to go about it. But they were considered far too difficult to execute. So much so that the committee abandoned the idea.

**Hon. Stéphane Dion:** Do you have a personal opinion on this? If you could have the same proportion of seats and limit the number of seats in the House to 308 instead of 338, would that option potentially be preferable?

**Mr. Jean-Pierre Kingsley:** In my opinion, no. I'm not going to get into the issue of proportional representation. Anyway, it's impossible to answer that question without taking into account the circumstances in which this country was formed, the historical context. I know that this point was raised the other day. But if you tell a province that it is going to lose some members, but that it shouldn't worry about it because it will keep the same proportion... I don't know how such a thing could be done in this country.

**Hon. Stéphane Dion:** That is how it has been done throughout the world and that was the case for a very long time in Canada. Only recently have we felt the need to constantly increase the number of seats. In the history of the country, some provinces gained seats and others lost them until the 1970s.

**Mr. Jean-Pierre Kingsley:** All I can say is that you asked for my opinion and I gave it to you.

**Hon. Stéphane Dion:** Okay, and I gave you mine.

You said that Quebec now has its demographic share, regarding the number of seats, but that is only true if the territories' three seats are not taken into account. Otherwise, Quebec is still under-represented.

Do you not think that we should consider the reality in the House rather than leave something out? The House has 308 seats, not 305.

**Mr. Jean-Pierre Kingsley:** I did not notice that in the formula. I will look into that. Each territory has a population of about 35,000 or 40,000, and it is a bit lower in Nunavut.

**Hon. Stéphane Dion:** In fact, my colleague Justin Trudeau did the math, and indeed if those three seats are added, Quebec would just lose one seat. You can check.

Thank you.

[*English*]

**The Chair:** Thank you.

Mr. Kerr, you have five minutes.

**Mr. Greg Kerr (West Nova, CPC):** I won't need five, but thank you, Mr. Chair, for the consideration.

Thank you very much, Mr. Kingsley, for being here. It's been a real learning curve for those of us who are reasonably new to the process to know that we are heading in the right direction. I think you have agreed that we are.

I would like you to expand on the technology. That's a bit of an eye-opener always as we face the changes coming, particularly the

younger people. Maybe you could expand on how it is either taking some of the pressure off or adding new opportunities to move this whole process along. You made reference to its speeding up many of the activities. I'd like to hear more about that.

**Mr. Jean-Pierre Kingsley:** It speeds them up immensely. It makes them much more accurate. One must remember that tied with the geography tool, which is the reallocation of ridings, there is also the register of electors, which allows you to tie the names to the addresses after the exercise and easily have new polling divisions quite rapidly prepared within the ridings. It goes down to the StatsCan 600 count, which is their basic count; this tool allows you to do that.

In terms of the redistribution effort itself, the commissions were blown away by the computerized tool, the power of which, I understand, has been enhanced now because of the increase in technology since we built the tool to make it available for this purpose, probably in 1996-97.

All that much more powerful technology is there, so the results must be even faster, therefore allowing you to do even more things with it.

**Mr. Greg Kerr:** There's no sense pursuing it further, so I'll pass it along now.

**The Chair:** Mr. Lukiwski will take a bit of your time, then.

**Mr. Tom Lukiwski:** Thank you, Mr. Chair.

We've dealt with the formula quite a bit, Mr. Kingsley. You also made several recommendations in the report with respect to boundary commissions and redistribution and solving the process there. And the legislation has adopted some of those, I am glad to see.

Generally speaking, would you have any suggestions for the boundary commissions themselves? Regardless of whether Bill C-20 is enacted, come early February, the process of boundary commissions being established and doing their work has to continue.

Did you see any problems in past years when you were administering this process? Do you have any suggestions you might be able to pass along, both to this committee and perhaps to some of the commissioners who will be appointed, in many cases, I'm sure, for the first time?

● (1220)

**Mr. Jean-Pierre Kingsley:** The recommendations that I thought were pertinent were contained in that 2005 report, because that was the follow-up to the commissions' feedback to Elections Canada. We asked them to provide feedback to us so that we would have a consensus about what was going forward. The recommendations in there are essentially what we suggested.

If I were to advise a commission on anything, I would say that instead of aiming at the 25% variation, aim at the 15% maximum. If you look at the results, this is generally what they do. I don't think there were exceptions, except maybe in one or two small provinces that are geographically spread out.

The exception for very remote areas, which means they can vary by more than 25%, should be maintained, because this is Canada. This is the way it is. Northern Saskatchewan is northern Saskatchewan. That is true for Alberta as well. You can't change that.

As well, have a very meaningful discussion about communities of interest. We've tried to redefine that time and time again, and it's not easy. It's a matter of understanding how commissions interpret that.

Those are the best recommendations I would make.

**Mr. Tom Lukiwski:** One of the options members of Parliament have, of course, as you know, is that following the initial reports by the individual boundary commissions, interventions can be heard. I know from past experience that on several occasions, perhaps more than just several, members of Parliament have had some concerns about the draft boundaries because of things like communities of interest and trading patterns, and so on and so forth.

What influence, generally speaking, do members of Parliament have if they have objections or suggestions for changes to the boundaries drawn up by these commissions and the commissioners?

**Mr. Jean-Pierre Kingsley:** Mr. Mayrand indicated that there were two opportunities for members of Parliament. If you want to be forward thinking about it, there could actually be three.

First, one could signal something to a commission. A member of Parliament could write to a commission as it is being struck and ask it to please keep this in mind. That is worth the paper on which it is printed, or maybe a bit more. They will look at what they've received from anyone, including members of Parliament, in the way of concerns.

There is also the opportunity for a member of Parliament to go in person and make representation. None will be refused. From what I can remember, none have been refused. That's a very good opportunity, which members of Parliament should not miss.

The second main opportunity really is when you see the result. You're at the penultimate stage, and you have objections or real concerns. But you have to have nine others agree with you. Even if you sit on this committee, you have to have nine others. There seems to be a bit of confusion in the notes. You need 10 people to have this committee look at any kind of objection. This committee then makes its own views known to each commission, based on its concerns.

My recollection is that around 60% of the concerns expressed result in changes. It is a meaningful thing. Even if I have the two mixed up and it is 40%, it's still meaningful.

We can thank God that it's the commissions that make the final decisions and that they are independent.

**Mr. Tom Lukiwski:** Thank you.

**Mr. Jean-Pierre Kingsley:** I'm comparing this to the American system.

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

Is there no one else? Jump in if you hear something.

Go ahead, Mr. Williamson.

**Mr. John Williamson:** Thank you.

Does that program you talk about kind of account for gun owners as well?

• (1225)

**Mr. Jean-Pierre Kingsley:** Can it...?

**Mr. John Williamson:** This is a joke. If it accounts for rural long gun owners as well, you can drag that line across and see how you're doing there.

I wanted to follow up. I was going to let it go because I thought the Liberal opposition was moving off Mr. Garneau's suggestion of holding the cap at 308 seats. We heard the other day in testimony that it could be done. Today it was suggested that maybe it could be done, and numbers are floating out there, but we have yet to see any numbers that would, according to the Liberal opposition, allow us to change the seat composition, maintain the 308, and land us where we are now with the rough distribution.

By our calculations, we would see Quebec, for example, losing six seats, which could be done without a constitutional amendment. I believe the 75 seats is a legislative change, not a constitutional one. We would see Newfoundland lose a seat, we'd see Nova Scotia lose a seat, and we'd see Saskatchewan and Manitoba probably lose four seats each, for 16.

Like myself, you don't have exact numbers. What do you think the effect of this would be? Do you think this is a reasonable solution given that Saskatchewan and Manitoba would fall to 10 seats each, for example, which is the same as the number in New Brunswick and Nova Scotia, 10 each? The population in those two provinces is about half a million more, roughly, and those two provinces, of course, only have six senators and New Brunswick and Nova Scotia each have 10 senators.

What do you think the effects would be of this change if we were to keep the cap at 308 and make these changes that would see these provinces, including Quebec...which would lose its historic 75 seats and fall to perhaps 69?

**Mr. Jean-Pierre Kingsley:** Obviously I'm speaking beyond the Chief Electoral Officer role, which is why I'm here in part. I don't see how it could be achieved politically. The force of resistance would be too great. Change is more difficult in this country than maintaining the status quo. A negative change is quasi-impossible in our system, unless we really have our backs to the wall.

**Mr. John Williamson:** I think that's true, but let's just say we could do it. Would you want to do it?

It's very alluring to hear that you could do this. It would save taxpayers the cost of an additional 30 members, but if you could ram it through and do it, would it be good for democracy to have two prairie provinces with 10 seats each and six senators each versus two maritime provinces, Nova Scotia and New Brunswick, with 10 each? Their populations are significantly smaller and they also have 10 senators each. Would that even be fair? Would it be the right thing to do if you're looking for representation by population as well?

**Mr. Jean-Pierre Kingsley:** I thought in your example that you were actually reducing the eastern provinces, and I'm saying no, that will not work. Even if you don't reduce them, you're maintaining an inequity in the regime. You're maintaining it and suffering a lot more to maintain the inequity that is still there and not really addressing the issue.

**Mr. John Williamson:** You're absolutely right. My point is that there's less room to move the Atlantic seats because of constitutional Senate limits, for example, whereas for Saskatchewan and Manitoba, you could actually drain them down to six seats in theory, which strikes me as being not even correct from a rep-by-pop point of view. You would have much more disequilibrium between the smaller provinces. That was my point.

**Mr. Jean-Pierre Kingsley:** The answer to the question is in the question.

**Mr. John Williamson:** Would you conclude that the idea of making 308 seats is folly, that it's not really a solution when we're looking to move toward rep-by-pop?

**Mr. Jean-Pierre Kingsley:** If one puts on the hat of a democrat seeking to see people represented because this is a representative democracy, then the number of seats has to go up in order to achieve this. As I said, from my review of it, and I looked at it before when the two other bills were presented in general terms, not in specific terms, and when I saw this one, I said this is closer, this is going to be hard to beat in terms of approaches.

**Mr. John Williamson:** So the Liberal proposal is undemocratic. Thank you very much.

**Voices:** Oh, oh!

**The Chair:** Thank you.

Is there anyone else from the government side? Mr. Albrecht.

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Thank you for being here, Mr. Kingsley. I just want to follow up on your comment about the application of a member of Parliament, along with nine others, to this committee.

You clarified that even if I am sitting on this committee I may not access that particular vehicle for consideration. Would the very fact that I'm on this committee give me access to that, or do I still have to have the nine others join me in a written submission?

• (1230)

**Mr. Jean-Pierre Kingsley:** In my view, from my recollection of the statute—and I attended two redistributions, one in 1991 and the other in 2001—if your fellow committee members were doing their jobs, you wouldn't get away with that.

**Voices:** Oh, oh!

**The Chair:** That goes without saying.

**Mr. Harold Albrecht:** More importantly, I think we wouldn't let them get away with that.

**Voices:** Oh, oh!

**Mr. Harold Albrecht:** Seriously, I'm glad you clarified that, because it seemed to me, from the Chief Electoral Officer's remarks, that just by virtue of being on this committee it would stand to reason that we would have input, but if we do follow the letter of the law, it would require nine others to join with us in our submission to consider a reallocation of those boundaries.

Thank you very much.

**The Chair:** Is anyone sharing any of that time?

**Mr. Harold Albrecht:** Mr. Chair, I'm happy to share it.

**The Chair:** Great. Mr. Dion, for a short question, and we'll be finished.

[*Translation*]

**Hon. Stéphane Dion:** I will not ask you to respond to what we have just heard.

However, I would like to come back to the recommendation of having 300 seats that was made to you. It was this committee that requested it and not the government.

**Mr. Jean-Pierre Kingsley:** It was the committee that requested it, if I remember correctly, following representations made by Reform members of the committee.

[*English*]

**Hon. Stéphane Dion:** It's likely that the leader of the opposition at the time, the leader of the Reform Party, the current Prime Minister of Canada, requested that because he himself came up with a plan to decrease the size of the House to 273 seats.

I understand that nobody at that time called it undemocratic, but that was his view.

[*Translation*]

So I just wanted to tell you that, Mr. Kingsley.

**Mr. Jean-Pierre Kingsley:** I appreciate it.

[*English*]

**The Chair:** As there are no other questions, we thank you for coming today, Mr. Kingsley. We have given you a little bit of homework, I think. You said you would read through it one more time and if you had more thoughts you would share them with us. We ask you to do that, if you could.

My phone is always available to you, and the clerk's too, if you come up with thoughts as we finish our study on this.

Thank you for coming on very short notice. I recognize that we put you under a lot of pressure to get you here today. Thank you very much for being able to do it. You've been more than informative, as usual.

**Mr. Jean-Pierre Kingsley:** Thank you so much, Mr. Chairman. Thank you to all the members. It's been a delight, as usual.

**The Chair:** I'm going to suspend so we can go in camera for committee business.



*[Proceedings continue in camera]*

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