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Chair

Mr. Joe Preston

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• (1100)

[English]

The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)): We'll call our meeting to order. We're here this morning, obviously, still studying Bill C-23. We have three witnesses today.

Mr. Howe, can you hear me?

Prof. Paul Howe (Professor, Department of Political Science, University of New Brunswick, As an Individual): Yes, I can, thank you.

The Chair: Super, great.

Professor Howe, we're going to start our opening statements and we'll start with you on the video conference. Then we have two other witnesses at the table. If you'd like to start, please go ahead, for five minutes or less if you could, please.

Prof. Paul Howe: Thank you, Mr. Chair.

I teach political science and have general research interests in Canadian democracy, as well as a particular interest in voter participation among young Canadians. I'd like to address two aspects of Bill C-23 that have some connection to my research: the proposal to restrict the role of Elections Canada in promoting voter participation, and the increase in the annual political donation limit to \$1,500.

My research focus on voter participation was triggered by the sharp drop in turnout at the 2000 federal election to just over 60%. Around that same time, Elections Canada also turned its attention to the issue in a significant way, conducting its own work and facilitating research by others. The result has been the development of a network of researchers doing focused work on this important issue.

Fourteen years on, we know a lot more and are in a better position to tackle the problem of declining turnout among young Canadians. There is some general consensus that the problem is rooted in deep-seated changes of a generational nature. An erosion in the sense of civic duty and a more individualized society are background cultural changes working against voter participation.

Relatively low levels of political knowledge and interest among younger generations are also key barriers. An important point is that many young people today are habitual non-voters. They do not just miss voting in the occasional election but instead vote in no elections. Much of this suggests that the problem runs deeper than simple administrative barriers, though these can be an additional obstacle for some.

Out of this research, various initiatives have been introduced to try to address the problem of low voter turnout. The criticism that's been directed at these programs is that the bottom line has not budged since 2000. Turnout has not increased. It's remained around the 60% mark with some minor variations since 2000.

I'm not persuaded by this criticism. First, it's impossible to isolate the effect of any given initiative to increase turnout, because unless it has truly dramatic effects, its impact will likely be washed out by a multitude of other factors. These would include some that would tend to drive turnout down.

For example, attack ads by political parties have become more common in the past 10 years, now running for extended periods outside election campaigns. Some would suggest this is likely to have a negative effect on turnout. So as Elections Canada has been trying to increase turnout through its promotional efforts, parties have been engaging in activities that may discourage people from voting.

I'm not suggesting there are easy solutions to this issue. The pattern of turnout decline is deeply entrenched and will be difficult to reverse. But I believe Elections Canada has been taking many steps in the right direction. One of these is simply raising public awareness about the issue, something it could not do under the provisions of this bill.

It has tried to address administrative barriers where they exist, encouraged voter participation through advertising campaigns, and sponsored civic education initiatives such as the student vote program. It will require sustained and more intensive efforts along these same lines to generate robust democratic engagement among younger citizens.

One further idea, for example, would be to allow or perhaps even require young people to pre-register to vote at age 16, as happens in some other countries. An annual registration drive could then be coordinated through high schools, which would be a very effective way of registering new voters as well as providing a further civic learning opportunity.

Seeking to abolish Elections Canada's educational mandate is clearly counterproductive and unacceptable.

The other issue I would like to address is one that has not received as much attention in debate around Bill C-23. That is the increase in the amount an individual can donate to a political party on an annual basis, from \$1,200 to \$1,500. I recently carried out a study relevant to this issue with some of my students at the University of New Brunswick.

The study was prompted by concerns about changes to the rules around the financing of political parties, in particular the phasing out of per-vote subsidies. I think there is a perception on the part of some that this was a reasonable move because the rules around party donations create a fairly level playing field. All parties must depend on relatively small donations from many thousands of individuals rather than being bankrolled by a few large donors.

But a couple of findings from our study suggest there are significant inequalities in patterns of political donations that should be of concern. First, donors of amounts over \$200 account for only one-quarter of all donors, but their contributions represent nearly two-thirds of all donation dollars. So larger donations, not surprisingly, count for a lot more.

Second, among these donors of amounts over \$200, there is a strong skew towards wealthier individuals. There are nearly four times as many people donating that amount in the top 20% of household incomes as there are among people in the bottom 20%. In short, political donating is not as widely spread as we might think and is instead significantly dominated by smaller numbers of relatively wealthy Canadians.

Our conclusion in the study is that raising the donation limit to \$1,500 is a move in the wrong direction. The limit should instead be decreased and probably quite substantially.

In raising this issue that has received little attention, my more general conclusion is that there are so many provisions in this omnibus elections bill that there is not adequate time to give proper attention to all of them and their potential ramifications. So finally, I would echo the sentiments of those who have said the bill needs to be substantially rethought and rewritten.

Thank you.

● (1105)

The Chair: Thank you very much, Professor Howe.

We'll go to Barry Thorsteinson from the National Pensioners Federation. Please make an opening statement of five minutes or less, if you could, please.

Mr. Barry Thorsteinson (Past President, National Pensioners Federation): Mr. Chairman, I have just a couple of introductory words on the National Pensioners Federation.

We are into our 70th year now. We are the only seniors' democratic organization that holds an open and democratic convention annually with delegates from across the country. I would appreciate that folks take note of our various networks and provincial clubs, and even local clubs, that we have, and our 250 affiliates and over a million members.

Not least, I would like to also mention that seniors vote and we're watching the progress of this bill carefully for reasons I'll get into.

Basically I am here to specifically mention seven different issues in the bill. I know you're very familiar with the comments already out there from 160 academics and 19 international experts, which have been well publicized in the media previously. But I want to touch on seven issues. I'll do each briefly here in the five minutes.

First of all, the issue of vouching in polling stations, I would put at number one. Realistically, although I'm here speaking on behalf of seniors, this has already been identified as a major issue with youth, students, and first nations, but I'll leave it to my friend opposite to comment on behalf of first nations.

The disenfranchisement of voters is a serious issue in Canadian electoral history. We didn't fight wars to erode democratic institutions and values. We fought them to preserve them and enhance them. On a personal note, my father marched through northern Europe in 1944 and 1945 until injured in an artillery bombardment in the Netherlands. Anyway, that is not what they were fighting for, to see institutions eroded, but enough of that editorial comment.

On to my second point of voter identification cards. Please keep them. Seniors are used to using them, used to seeing them in the mailbox, and used to using them at the polling stations. It is rare, if at all, that you would find a senior going in with a fraudulent voting card. Again, there lacks evidence that this is a problem.

As for witnesses to be compelled to give testimony, we would argue for an amendment to the legislation, the re-inclusion to compel witnesses to testify as is the case in some provincial jurisdictions. We can look to the sad example of Guelph in the last election, which is still being investigated to some degree and is before the courts with respect to at least one individual.

Again, there we have I believe a campaign manager, who has refused to testify, legally allowed to do so under existing legislation and this is maintained under this bill. I seriously ask on behalf of seniors everywhere: what is the motive for providing cover for those who potentially may be aware of, or have evidence of, wrongdoing in our electoral process? What is the motive? That is a question I leave with you.

I am up to number four. Clause 44, poll supervisors to be, in essence, an appointment under partisan mechanisms. We would strongly recommend that, again, the proper values in our electoral system be the appointment by returning officers by way of merit not partisan connections. I think this cuts across all party lines. You can certainly find overzealous folks, I know I have in the past, in polling stations.

I was going to get into it later. I've been a campaign manager at the federal constituency level on previous occasions, but maybe more on that later.

I would also add that there is some latitude in the legislation to excuse documentation of all electoral campaign expenses. We fail to understand that for a government elected on accountability. Perceptions of superiority would be involved in not calling for full accounting methods of documentation for electoral expenses. We would seriously question the motives for not covering that end of it.

A couple more points on Elections Canada. On the commissioner, we would ask that he remain an independent servant under Canada's election laws, not be moved over to the Director of Public Prosecutions' office and reporting to a cabinet minister.

• (1110)

Lastly, the seventh point is that Elections Canada should be freely at latitude to promote electoral participation, voter turnout, democracy, and whatever, within its proper full mandate to have full and meaningful elections in Canada, that it not be restricted in any way from promoting democracy or advertising mechanisms of voter turnout. This is simply un-Canadian.

If I've used up my five minutes, I'll stop there. If not, I'll continue. I've covered the seven issues. I have more to say but maybe in the questions they'll come up.

The Chair: We are past the five. We can get it during questions, Mr. Thorsteinson.

Mr. Dinsdale, welcome and thank you for coming today. You have five minutes or less for an opening statement, please.

Mr. Peter Dinsdale (Acting Chief Executive Officer, Assembly of First Nations): Thank you for inviting us to appear here today on unceded Algonquin territory. My name is Peter Dinsdale. I am a member of Curve Lake First Nation and acting chief executive officer of the Assembly of First Nations.

I am joined by Karen Campbell, our director of policy; Tonio Sadik, an associate director; and Aaron Asselstine, one of our policy analysts. They are much smarter than I am and can answer all the tough questions if I need them to.

You may be aware that the Assembly of First Nations is the national political advocacy organization representing more than 630 first nation governments in Canada. We've identified a number of very specific concerns with respect to Bill C-23 and the changes it would make to the Canada Elections Act.

Frankly, the relationship between first nations and Canada is complex. This is also the case of engagement of first nations citizens in elections for all levels of government. We need to keep in mind that previous to March 31, 1960, registered Indians were not able to vote in Canadian elections. If they did, they would no longer be considered Indians under the law and couldn't even live in their home communities.

While we don't have precise information on first nation voting rates, estimates range between 35% and 75% across Canada's different regions. There are a number of reasons why first nations citizens may not participate in federal elections but none of them should arise as a result of barriers that are created at the federal level.

The first nation population is very young. Almost half the population is under the age of 25 and they have very high rates of mobility and high representation among transient groups. There's no question that this subset of first nations citizen votes at a very low rate.

An AFN resolution from 2004 on electoral reform and increased first nation voter turnout directed the AFN to embark on a voter awareness campaign for first nations, given the direct impact that the Canadian Parliament has on first nations rights and interests. Additionally, the resolution directed AFN to explore options for electoral reform.

In 2005, the Assembly of First Nations and Elections Canada hosted a two-day first nation voter turnout forum that recommended the development of a communications strategy and collaborative public education outreach focused on sharing information with first nation voters. The AFN undertook a number of joint initiatives with Elections Canada to do so, developing information materials on how to vote, hosting a first nation voter kiosk at first nation gatherings, and broadcasting public service announcements, featuring former national chief Phil Fontaine on APTN. AFN also worked in partnership with Elections Canada to provide information to first nations on how to vote.

In 2007, in advance of the 2008 election, a number of changes were made to the Canada Elections Act with respect to ID requirements. These changes required voters to present two pieces of ID, one with a photo and another to include a home address of the voter to prove their residency. Many first nation communities don't use home addresses in this manner and many are serviced by postal boxes. Additionally, many first nation citizens living in urban areas, including students, may not have ID that corresponds with a current address at the time of voting.

The AFN contacted first nation communities directly in both 2008 and 2011 to help ensure that bands were aware of the ID requirements and options available to resident voters, including the option of having band officials issue an attestation of residence, the use of voter information cards to establish current residency, or the option of vouching, where someone who is already a registered voter from the same polling division is able to confirm a person's residence and identity.

Our efforts since 2011 have included phoning band offices directly, using a series of scripts developed jointly with Elections Canada, in 20 electoral districts, which were selected based on their geography, primarily north of the 55th parallel, and where the proportion of eligible voters, meaning those with high numbers of first nations people and election participation history, were deemed to have low participation.

What we found in this work is that there is a clear role for an independent organization to work directly with first nations to provide information about voting. While Elections Canada has some materials that could be made available to electors generally, they were assessed as less than optimal for first nations for a variety of reasons, including their legalistic tone and their generic approach.

During the election, returning officers are responsible for administering electoral processes in their ridings through direct contact with the first nations. AFN found that the amount and quality of information transmitted to first nation communities by these returning officers varied significantly.

Much more can be done to enhance first nation participation in federal elections and our relationship with Elections Canada has sought to build this over the past several elections. I'm not sure how many witnesses you have coming before you that can speak to this direct level of participation in order to raise awareness and encourage participation in this manner.

• (1115)

In this context, we have two specific concerns with the proposed changes under Bill C-23. The first is the restrictive ID requirements and disallowance of vouching. These provisions that disallow voter information cards as proof of residency will create a new barrier to first nations citizens wishing to vote, particularly those residing in first nation communities who don't use a home address or who have recently moved or are living in overcrowded housing situations, which we know exist.

Further, with the removal of vouching as an option, it is possible that some of these first nations citizens will have few or no options available to them to vote in the next election.

The second concern is the limits on communication between the Chief Electoral Officer and voters.

As I mentioned, we worked productively with Elections Canada in a non-partisan capacity over the past three federal elections to help ensure that first nation voters had information on how to participate in elections. Bill C-23 proposes significant changes to current section 18 of the Elections Act, eliminating the ability of the Chief Electoral Officer to communicate with electors or provide information through unsolicited calls.

These changes, it would seem, would eliminate our efforts to reach out to band offices to provide information for an upcoming election. The role of Elections Canada has included providing impartial support for fair and accessible elections that enable all eligible voters to exercise their right to vote if they so choose. The changes noted above will limit or prevent this role from being fulfilled.

Therefore, the AFN recommends removing from Bill C-23 any amendments to section 18 so as to retain the current mandate for the Chief Electoral Officer to implement public education and information programs and make the electoral process better known to the public, particularly to those persons and groups most likely to experience difficulties in exercising their democratic rights.

Secondly, the AFN recommends that provisions that remove the ability to use voter information cards as a proof of residency and that disallow vouching be struck from this bill.

First nations are determining how they want to interact with their own governments and more broadly with the Canadian state. These changes limit their options and ability to be engaged in a Canadian electoral democracy and to have equal say in its outcomes. We believe this is a step backwards.

Meegwetch. Thank you very much.

• (1120)

The Chair: Thank you, Mr. Dinsdale.

We'll go to questioning now, with a round of seven minutes.

Mr. Reid, you're starting today.

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

Maybe I'll start with Mr. Dinsdale.

Two things came up in your comments that I want to deal with. The first relates to youth participation. Are you aware of the Chief Electoral Officer's study on youth participation in the last election?

Mr. Peter Dinsdale: No, I don't have it in front of me, obviously, if we're going to quote it.

Mr. Scott Reid: Okay.

He published what he calls the 2011 general election "National Youth Survey Report". It was a survey of 1,300 randomly selected youth and young adults and also 1,293 youth selected non-randomly in order to get adequate sample numbers from a number of groups, including aboriginal youth.

I turn now to comments that were made there about lack of participation by aboriginal youth.

First of all, he states of the five youth subgroups:

Youth in the five subgroups reported voting at rates that were significantly lower than that of the general youth population, with the lowest turnout reported by Aboriginal youth and unemployed youth.

Then he summarizes the top number of reasons explaining why each group had a low participation rate.

For Aboriginal youth, the most important barriers to voting were lower educational attainment, low awareness of the different ways to vote, lack of interest in the election, and difficulty getting to the polling station.

He doesn't say this here, but I have the suspicion that aboriginal youth could probably be divided into two subgroups, those who live on reserve and those who live in urban centres, where they probably are just unfamiliar with things such as the polling location.

What I'm getting at when I mention all this is that the new section 18 in the proposed changes to the Elections Act would mandate the Chief Electoral Officer to have to provide some of this basic civics information, an area in which, in my view and the view of some of the witnesses we've had before us, has been woefully inadequate. They have done a very poor job of telling you such basic things as: where you should vote; what should happen if you're not on the voters list; what you do if you don't get a voter information card or if it has the wrong information on it; at what times you can vote, I think; what means you have, aside from the election day poll, for voting; and so on. These are all listed and mandated.

I have to tell you that, based on previous testimony I've heard by the Chief Electoral Officer over a number of years, the only example I've heard of outreach of this nature, giving this kind of basic information—not why you should vote, but how you should be able to take advantage of your right to vote—is of a program that was done with your own organization. There was one other aboriginal organization they worked with—I can't remember the name of the organization—

Mr. Peter Dinsdale: It was the National Association of Friendship Centres.

Mr. Scott Reid: That sounds right. Yes, obviously the attempt was to use it as a way of getting into the urban areas.

The impression I had, although I didn't get full details, was that those were good programs. I have to say that my view is that those programs would continue to be entirely acceptable under this legislation and indeed would serve, I think, as a useful model for such other groups as the disabled, who are also showing low rates of participation.

I just want to draw that to your attention, but what I'm really saying here is that your fear is reasonable but I think is actually dealt with in the legislation as written now.

Mr. Peter Dinsdale: There are a couple of things. First, I'm not familiar with the study you quote from, but it certainly sounds reasonable. You can slice aboriginal participation many different ways—on and off-reserve, for first nations people. Of course, Métis and Inuit will have their own unique challenges.

We've read other research, of course, saying that the reason first nations people don't vote is complicated. There is a sense of nationalism, sometimes—it's not our election, it's your election—that kind of sense of separation. We think there is a kind of concern about dealing with the federal state because of collective trauma, such things as the residential schools and previous history that we talked about. There hasn't been a tradition in our communities of voting in federal elections, and there is a kind of poverty notion, which you may be referring to, in some respects as well. These are obviously important issues.

I was the executive director of the National Association of Friendship Centres when that collaboration took place. It was very helpful. It was about telling people how to vote, what is required, getting their voter IDs in place prior to the election. It's very similar to what the Assembly of First Nations has done.

If you're telling me that this is in the current provisions, that hasn't been our reading of them. If it's the case, anything to strengthen and clarify that fact would be important. If that's the intention, it's certainly progress.

• (1125)

Mr. Scott Reid: Thank you.

Because I'm running short of time I'm going to turn my next comment to Mr. Thorsteinson.

Regarding the issue of voter information cards, I don't know whether you're aware of this, but under the regulations associated with the current legislation, voter information cards cannot be used as identification. The Chief Electoral Officer was proposing

expanding their use, and at the last election there were some experiments done, but outside of those experimental areas, it was not permissible to use the voter information card as a form of voter identification.

It's an important distinction. I hear many people say, "Don't stop this from being done". Well, we hadn't started doing it.

I just want to tell you of the concern I have with expanding the use of the voter information card and the reason that I'm happy to see that it is being prevented in this legislation. There are many errors in the voter information cards.

I'm turning here to a document, the report of the Chief Electoral Officer following the last general election. He tells us that the preliminary list for the 41st general election had 84% of electors listed at the correct address, which means that 16% were not. So we're talking about millions of people. The voter information cards are issued based on the preliminary list, not the final list, so we have 16% of people getting the wrong card or the wrong address.

To give one example, my ex-wife and I received cards advising us to vote in two different ridings because of some internal database error. Had she had that card as a piece of identification, she could have voted in the wrong riding.

I don't see how Elections Canada can authorize someone to vote in the wrong riding—a riding she didn't live in—but that kind of thing occurs. Until that is resolved, until they have a perfect database, which seems unlikely, the use of the information card will inherently be problematic.

I wonder, based on that, whether you would concur with me that it is perhaps not the right way to resolve the issues that are particular to seniors relating to their ability to vote.

The Chair: Make it a short answer, Mr. Thorsteinson.

Mr. Barry Thorsteinson: Yes, Mr. Chairman.

I would address the honourable member with the comment that I appreciate that in the 2011 election the voter identification cards had limited usefulness compared with the previous one. Nevertheless, many seniors like me have short memories and still rely on them. It assists the efficiency at the polling station to identify on the poll list who the voter is.

Yes, people take shortcuts. Do polling clerks, deputy returning officers, polling station supervisors search for two pieces of ID when they're satisfied that the voter card and the first piece of ID are legitimate?

I am not saying that there is an excuse for skirting the legal status of voter identification cards. Nevertheless, seniors like them. They don't want changes that diminish them in any further way, and I would encourage that their use continue.

Thank you.

The Chair: Thank you, Mr. Reid. Your time is done.

Mr. Scott, you're up. I understand I have a four and a three here.

Go ahead.

Mr. Craig Scott (Toronto—Danforth, NDP): Yes.

Thank you.

The Chair: I'll let you know.

Mr. Craig Scott: Everybody knows the Chief Electoral Officer has the authority to designate ID. Voter information cards were designated the last time. There's no—

Mr. Scott Reid: Only in a few experimental areas.

Mr. Craig Scott: It was within his authority to do so. So stop misleading people to think that this is not authorized.

Mr. Scott Reid: Oh, for goodness sake....

The Chair: Gentlemen, please.

Mr. Scott Reid: Shame on you, Craig.

Just a minute, Mr. Chair—

Mr. Craig Scott: It's authorized.

Mr. Scott Reid: —Mr. Scott has just used unparliamentary language in accusing me of misleading people.

Mr. Craig Scott: I did indeed.

Mr. Scott Reid: It's unparliamentary. I did nothing of the sort. He has to withdraw that.

Mr. Craig Scott: I'm not withdrawing anything.

The Chair: Please.

Thank you.

One at a time to the chair or to a witness, but not to each other.

Let's continue.

Mr. Craig Scott: Mr. Chair, the Chief Electoral Officer has the authority to designate ID. He had designated voter information cards to approximately one million people in 2011. The idea that's being suggested or implied that this was not acceptable or authorized in 2011 is wrong.

The second thing is that the Chief Electoral Officer testified that with an accuracy rate of 90%, the VIC is likely the most accurate and widely available government document. Licences are just as inaccurate as VICs because the addresses on them are often way out of date so the wild scenarios of Mr. Reid can occur with licences just as well—

Mr. Scott Reid: I have a point of order.

The Chair: Thank you. Mr. Scott, stop for a second.

I have a point of order from Mr. Reid.

• (1130)

Mr. Scott Reid: The point was that Professor Craig stated that I had misled this committee. If he wants to argue that there's information that I had not taken into account, that I was misinformed, or any of these other things, that's fine. But to argue that I've been disingenuous in front of this committee is unacceptable. I would never make such an accusation against him without evidence. I think he should withdraw that statement.

The Chair: Thank you.

Mr. Scott, help me with order by saying so.

Mr. Craig Scott: Mr. Chair, I did not use the word disingenuous. I suggested that the way in which the question was put gave the wrong impression.

Mr. Scott Reid: You used the word “misled”.

The Chair: I do believe you used the word “misled” and I'd love you to help me deal with this.

Mr. Craig Scott: I will.

Mr. Reid did not deliberately mislead the witnesses.

The Chair: Thank you.

Move on.

Mr. Craig Scott: If I could start by asking three questions.

In particular, I would like Mr. Howe and Mr. Dinsdale to address them because I only have a couple of minutes.

First, do you see any particular reason why section 18 as it exists, the public education and outreach, and the one suggested by the minister and championed by Mr. Reid for very good reasons that he's been giving, can't sit side by side? Is there any reason why we have to get rid of the existing one and replace it with only the current one? The minister has refused from day one when I suggested this to even consider it.

Secondly, with regard to cause and effect, do you see any evidence that the public outreach and education efforts by Elections Canada, including with the AFN, have had either no or negative effects?

I'll leave it at that because I only have a minute.

Thank you.

Mr. Peter Dinsdale: First off, I think the primary difference that we see in the change of section 18, of course, is the lack of proactive outreach and the lack of being able to research, particularly voting patterns, and the identification of groups who participate. That would seem to me to be the barrier that we're trying to address.

Secondly, I don't think there's any perfect database. I haven't seen one database out there that is not without flaw. That doesn't mean we shouldn't work to fix those databases, but my view is that the voter information card for first nations is a very useful tool. I'm not aware of any fraud, any issues, or any challenges based on the use of those in past elections.

Prof. Paul Howe: For my part, I think that the current role of the Chief Electoral Officer in promoting voter participation should be retained and it should be expanded. Although it's difficult to say what the precise effects of the initiatives that Elections Canada has undertaken are, we have a lot of evidence from other jurisdictions that have been able to use more precise methods of assessments—experimental-type methods and so on—which would say that when you do engage in voter outreach, it does have tangible effects. Sometimes they're rather small but you do have tangible effects and they add up. As you do more and more it all adds up.

The Chair: Okay.

Mr. Christopherson.

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

Thank you to our witnesses. I appreciate your being here.

I only have a few minutes, so let me just say to Mr. Dinsdale that given the fact you've come here today on behalf of first nations and said that this is creating new barriers.... Quite frankly, if this government had the respect they should have for our first nations people, that alone should be enough to bring this process to a screeching halt, and give more people—meaning Canadians themselves—an opportunity to comment on this. But they're not. I'm so glad you're here putting a face on the Canadians who stand to lose their precious vote.

But I want to swing over to Mr. Thorsteinson by way of commenting on your talk about the lack of documentation for the rebates that are given. While the government doesn't seem to be affected by the first nations, by the opposition, by the Chief Electoral Officer, the commissioner of elections, or an other expert who has commented on this, they've really done it now, because they've riled up Sheila Fraser. If there's one person in this country who Canadians count on to tell them the truth, it's Sheila Fraser. What did Madam Fraser say, as quoted in the media:

There's such a fuss being made about lunch money and what (politicians) spend for travel and (yet) the political parties get more than \$30 million (in rebates and tax credits) and there's no real accounting back....

In this era when everybody's talking about increased transparency and accountability, why would they not be subject to some kind of audit?

This refers to the fact that, of the \$66 million in the last election that the federal parties—all of them—paid, they got \$33 million back in rebates and they didn't have to provide a single receipt. There was no need to bring a receipt. I've mentioned before that it used to be around here, when I first got here—it was only changed a couple of years ago—that you could submit a \$25 expense claim for a cab without a receipt, because it was deemed to be a small, minor administrative matter. Then, in this new era, everybody said, “Well, wait a minute. You can't go giving out 25 bucks without a receipt. What the heck.” Here we are giving away \$33 million with no receipts.

So, Mr. Thorsteinson, if you would comment on how that looks from outside the Ottawa bubble, I'd appreciate your thoughts.

• (1135)

Mr. Barry Thorsteinson: Very briefly, Mr. Chairman, you cited quite a number of organizations, bodies, experts, or whatever who've chipped in already. I think it's on the record and the committee is well aware of their comments.

My comment would be, it will only have an impact when the governing-party base begins to start saying quietly, through their channels, that we are here to conserve democracy, we are not here to erode it, and this is going against Canadian values and standards. When they hear that enough from their own base, then the political impact will add up on the fallacy of this legislation.

Mr. David Christopherson: Thank you, sir.

Thank you, Mr. Chair.

The Chair: Thank you.

Mr. Lamoureux, you have seven minutes, please.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Thank you, Mr. Chair.

Mr. Thorsteinson, I really appreciated the statement you made to the effect that our men and women who went to war fought, in good part, for freedom and democracy. You represent an organization of seniors from all areas of Canada. It seems to me that this was a personal statement that you were giving, because obviously you feel very passionate about it, just as members of the opposition, myself included, feel very passionate about the issue.

You underlined that you felt the democracy is actually being diminished by the passage of this legislation. I don't want to put words in your mouth, but in your opinion, is there enough time to even salvage this bill, or should we be starting over?

Mr. Barry Thorsteinson: It's tempting to say we should be starting over, Mr. Chairman, but realistically, a significant list of amendments, I think, would probably find some degree of consent. I can't speak for the opposition parties in Parliament. They will decide on the quality of the amendments, if any, that are forthcoming. But a sweeping list of amendments that restore Canada's reputation in the international community with respect to electoral leadership, quality, and know-how would go a long way.

I would use the example of the New Zealand equivalent of the House of Commons, where it requires 75% approval for anything touching the elections act. That is the standard that Canadians should expect. I'm not sure I answered your question, but I think it was on the overhaul of the legislation, or completely starting over. I'll leave that in the parliamentarians' hands. I hope they're listening to Canadians.

Mr. Kevin Lamoureux: It's a valid point. Whether it's Sheila Fraser, past chief electoral officers, our current Chief Electoral Officer, or well over 120—or it might even be 160—political academics from all across Canada, there's this mounting opposition to this bill.

Sadly, I think it is going to have to be members of the Conservative Party appealing to this Prime Minister to do the right thing and allow for changes to occur. If that doesn't happen, it's going to be difficult for us to see...because the Prime Minister's Office just doesn't want to have change.

You made reference to something that we have recognized is a fundamental flaw in the legislation. There are a number of them, but the one that we're really interested in is the inability of Elections Canada to compel a witness. We believe, ultimately, that's going to weaken our laws. As more and more people are aware, all we have to do is just say no, and at the end of the day there are going to be fewer prosecutions.

You made reference to the compelling of the witnesses. Do you believe that it's an absolute must in terms of an amendment for this legislation?

Mr. Barry Thorsteinson: Yes. On behalf of our federation, Mr. Chair, I would say that it is a must. We either believe in getting to the bottom of a wrongdoing or we don't.

I would appreciate that those are fair questions for me as a witness here today, but I would love to hear the government members explain what the motive is for providing cover for those who would violate election laws. What is the motive?

• (1140)

Mr. Kevin Lamoureux: Yes, and I appreciate that it was the question you actually presented. What is the motive? We don't know and we're not hearing it. I suspect it's because the Prime Minister's Office has silenced them on providing the motivation.

To keep the commissioner under Elections Canada is something else that you have argued for. Again, this is absolutely critical. The commissioner's office was originally set up back in 1974, I believe, and it was put into Elections Canada because it was perceived that it would be better administered through Elections Canada as opposed to an outside office.

Do you want to pick up on that political point in terms of the perception of it being under Elections Canada?

Mr. Barry Thorsteinson: It's the independence of the institution of Elections Canada that's paramount here. The commissioner investigating irregularities or more serious alleged violations should indeed be as independent as possible from ministerial control. I think I made that point, but I think independent officers serving Parliament serve Canadians well, and I think most Canadians see it that way.

Mr. Kevin Lamoureux: Finally, Mr. Dinsdale, first nations' involvement in the electoral process is of critical importance. You make reference to section 18, everything that the government had said the current Chief Electoral Officer can, in fact, do. The concern that we have is that there are limits that are being put on the Chief Electoral Officer in terms of the ability to even be able to communicate with your organization to conduct studies or anything of this nature.

Again, I would ask, in your opinion, can this legislation pass without amending that proposed section 18 that would allow Elections Canada to be able to do studies such as how it is we could get more first nations involvement in elections? Could you provide comment?

Mr. Peter Dinsdale: Obviously, thank you for the question.

I think proposed section 18 should be, in our view, amended, or frankly, removed. As we know, as the Chief Electoral Officer said in his testimony and as he has provided information around, it imposes severe limits on the ability to communicate with the public, including civic engagement programs, which obviously would be seen as.... That's the issue that we really see being forefront in that particular clause. It needs to be changed to allow for civic engagement like we've been doing to continue.

Mr. Kevin Lamoureux: I notice that all three presenters here this morning....

I will give the last question to you, Mr. Howe, in regard to proposed section 18. It doesn't matter, it seems, that whoever comes before this committee is acknowledging that we need to allow

Elections Canada to do its job. This particular bill is going to prevent Elections Canada from being able to do the job that it needs to be able to do.

Mr. Howe, in your opinion, is proposed section 18 an absolute must in terms of our making amendments to this legislation?

The Chair: Please give a quick answer, Professor Howe.

Prof. Paul Howe: Yes, I think it's essential. This is really a key issue from my perspective, although I do concur with a lot of the other concerns and criticisms that have been voiced about the bill, but this particular one is of great concern.

The Chair: Thank you very much.

We'll go to Mr. Reid, please, for four minutes.

Mr. Scott Reid: Thank you, Mr. Chair.

Thank you to Professor Scott, as well, for the gentlemanly way in which he withdrew his earlier language.

I wanted to spend a moment, if I could, dealing with the specifics of the use of the voter information card. I repeat, of course, that it's the voter information card not the voter identification card, an important distinction.

What in fact occurred in the 2011 general election is discussed on page 36 of the Chief Electoral Officer's report on that election, which I have in my hand, and which of course was distributed to all members of Parliament. On page 36, he describes the voter information card was used as proof of identity and address in a number of different locations during the 41st general election in 2011, including 745 polling stations on aboriginal reserves, a large number of polling stations in seniors' residences served by mobile polls, and also in a much smaller number of student residences, and he provides further details.

But this was in three specific narrow cases. He mentions in the case of students that in fact only a small number were able to take advantage of this. Many did not actually receive their cards, an item that also arises because we don't know where they live, and therefore can't issue voter information cards to them. It's an issue that also arises in the youth report that he provided.

That doesn't change the fact that for the country as a whole, the error rate is extraordinarily high for the voter information card. The voter information card, according to page 28 of this very same report, has an accuracy rate not of 90%—the preliminary list on which the voter information card is based—but of 93%. That's as to the person, so they got you right and didn't put somebody else down. They didn't put a deceased person on the list. The other 7% are people who aren't citizens, who are deceased, or where there's just simply an information error.

However, when it comes to the person's address—which is vital because this is being used, as I've just said, as proof of location of residence—the accuracy drops to 84%, a 16% error rate.

He goes on to say—and I'm quoting the Chief Electoral Officer here, all right? So I'm not misleading people, Mr. Scott. I'm quoting the report. "The currency of the lists in 10 ridings was estimated to have dropped to less than 75 percent."

Now let's be clear about that. He doesn't say what dropped to 75%. I suspect that's accuracy with regard to the actual people. It may be—he doesn't explain—just accuracy with regard to addresses, in which case only 25% are getting the wrong information. It could be higher than that.

That constitutes a considerable problem that was not dealt with in the experiment he conducted. Nevertheless he indicated his intention to expand this across the country and make the use of that voter information card universal, including in ridings where 25% of them will send people to the wrong poll or will misinform people, etc.

That's the point at hand. Thank you.

• (1145)

The Chair: Thank you.

You had a minute left.

Okay.

Mr. Dave MacKenzie (Oxford, CPC): Mr. Thorsteinson, I heard you say that you were a campaign chair in the federal election. Can you give us your political background on this issue? I think it is important that people understand where you're coming from.

Mr. Barry Thorsteinson: Mr. Chair, full disclosure, I've been a political activist for some 41 years now and a campaign manager, not a chair, three times at the federal level and three times at the provincial level.

Mr. David MacKenzie: I want to get—

Mr. Barry Thorsteinson: I know, I'm getting to that.

Anyway, my campaign experience is with the New Democratic Party and that's a straight answer. However, my views on Canadian values I think are shared by all political parties.

Mr. Dave MacKenzie: Sir, does your group have a mandate?

Mr. Barry Thorsteinson: As I said earlier, we have an annual convention. We have a mandate on all kinds of issues. In fairness—

Mr. Dave MacKenzie: Do you have a mandate to elect NDP candidates?

Mr. Barry Thorsteinson: I was talking of personal experience. In years gone by, I've been a campaign manager. After my retirement in 2008, I became the president of this federation. I'm now past-president. But certainly I ceased my campaign manager experience upon retirement. I no longer manage campaigns.

The Chair: Thank you.

Mr. Kevin Lamoureux: I have a point of order, Mr. Chairperson.

The Chair: Certainly, Mr. Lamoureux.

Mr. Kevin Lamoureux: I think that we have to be somewhat careful. We have wonderful organizations that come before the committee. Someone should not be held in a disrespectful way because they were involved in a political party—

The Chair: Absolutely, Mr. Lamoureux.

Mr. Kevin Lamoureux: It doesn't mean that organization is partisan. I think that's important.

The Chair: Thank you.

Absolutely, Mr. Lamoureux, but certainly our witnesses are able to answer or not answer, and your Chair is here to help protect if we go beyond that.

Madam Latendresse, you're up for four minutes, please.

[*Translation*]

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Thank you very much, Mr. Chair.

I would like to go back to the questions my colleague, David Christopherson, asked earlier about the power of Elections Canada to ask for receipts from political parties.

Mr. Howe, I know that you have a lot of experience in the areas of money and politics. And so, I would like to obtain your opinion on this topic.

Currently, at the federal level, political parties, with Elections Canada, are the only bodies that do not have to produce receipts after an election report and who do not have to prove that the expenditures they made respect Canada's Elections Act. I would like your opinion on that.

[*English*]

Prof. Paul Howe: Well, I should say, actually, my research has focused much more on political participation of young people, less so on political finance. I did that one study with my students to touch on that one particular issue. But as an interested and engaged citizen, I would just respond that I do find that problematic and that, in fact, it is a provision that should be addressed. So I'd really just answer it in that fashion.

• (1150)

[*Translation*]

Ms. Alexandrine Latendresse: Thank you.

Mr. Dinsdale, my question will be for you. I would like us to continue to discuss the voters' cards.

We have been given a lot of information up till now and certain aspects were really not sufficiently clear. I think that we have to send people a very clear message.

We were told that in 5,600 polls, people were able to use the voter's card in order to be able to vote. According to Mr. Neufeld and Mr. Mayrand, this was a pilot project that worked very well. Both of them recommended that the use of the voter information card be broadened.

By itself, the voter's information card is not sufficient to prove one's identity when voting. If the voter's card was incorrect, this does not mean that this could lead to fraud because when it is time to vote, you have to present another ID card and the information on that second piece of ID has to correspond to the information on the voter's card.

According to the data I have here, approximately 72,000 aboriginal people used the voter's card to vote in 2011. According to you, was that positive, with regard to the exercise of their franchise by first nations?

[English]

Mr. Peter Dinsdale: Yes, absolutely, we did view the ability to use the voter information card as being a positive experience. In the last election, we contacted directly 313 first nations to inform them of the various ways to vote, and that was an important tool that was utilized.

In preparation for testimony before this committee, we did review previous testimony, including by the Chief Electoral Officer, where he flagged this section as well to indicate some groups of electors, including seniors and seniors' residence, etc., and first nation electors on reserve.... This was used as one way to address the list of authorized pieces of identification that were important. As you identified, there are two that are required. This could be one of them.

He summarizes in his testimony to this committee that, "The initiative was successful and well received by electors, institutions and reserve administrators. Allowing voters to use a [voter information card] to prove their residence will reduce reliance on vouching."

So, on all accounts, it appears to have been successful and something that should continue.

[Translation]

Ms. Alexandrine Latendresse: The Chief Electoral Officer also explained that the aboriginal identification card does not have an address on it. That was one of the big problems. Aboriginal persons had a card that did not prove their address. The voter's information card fills that gap and allows more aboriginal persons to go and vote.

Do you agree with that?

[English]

The Chair: A very quick answer...

Mr. Peter Dinsdale: My status card does not have an address on it. If that's the only photo ID I have, I wouldn't be able to vote.

The Chair: Thank you very much.

We'll go to Mr. O'Toole for four minutes to finish this round, please.

Mr. Erin O'Toole (Durham, CPC): Thank you, Mr. Chair.

Thank you both for appearing. My questions are going to be entirely based on some facts and some important issues that I want to get out on vouching. I'm going to talk about a few of those statistics and then focus my attention on Mr. Dinsdale's response.

Many witnesses, including you, Mr. Thorsteinson, have wrongly connect two issues facing us. Voter identification requirements are one, and voter participation issues are the other. Several people have mixed this up...Professor Thomas the other day. Here is what the Neufeld report said, and that's the report commissioned by Elections Canada.

Their audit showed there were 120,000 vouching transactions through an audit. They don't know that for sure, but it's a statistically significant audit, and 95,000 errors were made in that process. How was the audit done? One thousand randomized polls, then 10 polls from Etobicoke Centre, and then 50 from the three byelections in 2012, including my riding of Durham. So 1,160 polls were

randomized. There is no connection between those 120,000 vouching cases, and who vouched. So the suggestion that most vouching, as you said today, Mr. Thorsteinson, were young people, aboriginal people, or disabled people is not supported by the evidence.

Now we know there are turnout and participation challenges with those groups, and we should address those, but to suggest that they're the primary vouchers is actually not supported by anything before this committee. In fact, I appreciate Professor Howe's testimony here because he clearly said that participation, his area of study, is not really impacted by administrative barriers. In fact, my colleague, Mr. Reid, said that as well. The Elections Canada report from the 2011 general election showed that participation, particularly amongst aboriginal youth, was not the result of administrative barriers or vouching not being available. There are deeper issues that we have to address on that issue because I think all members of Parliament on all sides would like to see participation go up, particularly amongst our first nations. My colleagues heckle but they have no facts on any of the questions they've asked.

My question for you, Mr. Dinsdale, because I appreciate your time here, is this. You said in your experience both at the friendship centres level and at AFN, you found that for Elections Canada and particularly DROs the level of knowledge, experience, work on the ground to train and supervise varies dramatically across the country. Is there not more we can do directly, particularly within this act where we're trying to get back to first principles on access to voting, to get more first nations voting?

• (1155)

Mr. Peter Dinsdale: I certainly appreciate the question. I don't disagree with you. I don't think it's an either/or option, though. For me, it's not clear why we can't work on the other social exclusion issues that result in first nations not participating, and at the same time not put up new barriers to voting such as the voter identification card and other tools.

Mr. Erin O'Toole: Voter information card.... See my friends have confused you.

Mr. Peter Dinsdale: The information card.... Thank you very much.

I don't know why we can't do both, sir. It's not clear to me that we can't do both.

Mr. Erin O'Toole: Most vulnerable groups aren't getting VIC cards. This is the interesting thing because VIC information cards are created by an assembly of information that the government has to create its permanent list of electors. The irony that my friends don't seem to realize is that some of these groups that have low participation rates wouldn't have those sources of information to have a VIC. So the VIC is not the solution I'd suggest to you for aboriginal peoples.

Mr. Peter Dinsdale: With respect to the vouching as linked, I'm not sure of the nature of the areas you're referring to. I simply know that on first nation communities, similar with the vouching as it is with the voter information cards, that they are useful tools. They're useful tools given the housing situation, given the socio-economic status, given the lack of ID, the primary ID being a status card, which does not have the home address on it. They're useful tools to ensure that those who want to vote can vote. It's not clear to me why we shouldn't do both.

Why we shouldn't do what you're talking about to address the broader kinds of socio-economic issues and encourage people to vote so the social exclusion doesn't grow, and not put up new barriers, which potentially in the first nation context—I can't speak to the rest of them that you're describing—that they can continue as well...

The Chair: Thank you.

Thank you, Mr. O'Toole.

We will stop there.

Professor Howe, thank you for your input and your help today.

Mr. Dinsdale and Mr. Thorsteinson, thank you both for coming today.

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

• (1155) _____ (Pause) _____

• (1205)

The Chair: Committee, we'll come back to order, please.

Again, we're in meeting 27 of the Standing Committee on Procedure and House Affairs. For our second round of witnesses today, we have Gladys Christiansen and Teresa Edwards. They are going to give us some opening statements and tell us about who they are and what they think.

Ms. Christiansen, we're going to go first with you for five minutes or less if we can, please.

Ms. Gladys Christiansen (Director of Human Resources, Lac La Ronge Indian Band): Thank you, Mr. Chair, and good afternoon.

I want to begin by thanking the members of the Standing Committee on Procedure and House Affairs for inviting aboriginal and first nations people to appear as witnesses on this panel.

My name is Gladys Christiansen. I'm a band member and a first nations member of the Lac La Ronge Indian Band, which is still our legal name. It is the largest first nation in northern Saskatchewan with 9,935 members, 6,399 who live on reserve and 3,536 who live off reserve. Of these, 6,136 are of voting age, and 3,778 of those live on reserve and 2,358 of those who are able to vote live off reserve.

We don't know how many La Ronge band members voted in the last election, but we do know that voters were denied because they did not have voter information cards or any of the required forms of identification. We also know that vouching was used to vote in the last election.

I am not an expert, and that's not the reason I was invited here. You've heard many experts already, but I can speak to the concerns we have of Bill C-23 and how it will impact the future participation of first nations in the federal elections.

I am a status Indian who has lived on an Indian reserve for most of my life. Bill C-23 proposes to eliminate vouching and the use of voter information cards. As we heard from the Chief Electoral Officer here on March 6, Bill C-23 will further reduce the number of first nations members who are able to vote in federal elections.

Harry Neufeld, a former B.C. electoral officer, on the TV program *The West Block* just this past weekend indicated that in 2011, 400,000 Canadians used voter information cards, and 120,000 used vouching in order to vote. The majority of these were aboriginals on reserves—this is what he said—students in residences, and seniors in old folks homes. Bill C-23 will eliminate all of these voters.

The majority of Canadians are able to vote with just their driver's licence, as long as it includes their address. However, as the Chief Electoral Officer indicated in his presentation to this committee on March 6, there are approximately four million Canadians who do not have a driver's licence. Furthermore, I have a valid Saskatchewan driver's licence, and it does not include an address. This means that in addition to the four million Canadians who do not have a driver's licence, there are many more who cannot use a driver's licence that meets the identification requirements.

The other option for voter identification at the polls is to produce two forms of authorized identification, one of which must have an address. There is a list of 38. Of these, only 13 may include an address. I have reviewed that list, and unlike the Democratic Reform Minister Pierre Poilievre, who has numerous pieces of identification in his wallet, most first nations people do not have any of those pieces of authorized identification and documents, much less one that contains an address such as a utility bill, a bank or a credit card statement, vehicle ownership, a residential lease, or an insurance policy.

The reality on the reserve is that many first nations people living on reserve are unemployed and live in crowded housing, often with three and four generations within one household. This is the way that I grew up on my first nation. This means that only one person in that household receives a utility bill. When a person is living on \$320 a month, how can that person be expected to have credit cards, bank accounts, vehicles, mortgages, residential leases, and insurance policies? Many do not have a driver's licence and they do not have any other forms of identification.

• (1210)

Even obtaining a treaty card has been difficult for the last several years. First nations are still waiting for new cards to come from Ottawa because the cards can no longer be issued at the first nation's or even the regional Aboriginal Affairs and Northern Development Canada's offices. Applicants have been waiting for up to two years to receive their treaty cards.

If the government is issuing new cards, we hope that they have given some consideration to accepting the treaty status membership card as the acceptable form of identification. It is a government issued picture ID. Why can't it be just as acceptable as a driver's licence?

We support the past initiatives of Elections Canada in their attempt to increase voter participation for disadvantaged Canadians, such as the voter information cards and vouching. This was a relatively new process and can be improved, but it should not be eliminated.

How can the Canadian government continue to monitor the voting procedures and processes in other countries when they are excluding the most disadvantaged voters in Canadian federal elections?

The government continually stresses the accountability of first nations. What about the government's accountability to Canadians? The Chief Electoral Officer has numerous experts and these experts have been calling for amendments to Bill C-23 and the government and Minister Pierre Poilievre continue to ignore these experts. First nations hope that the Standing Committee on Procedure and House Affairs will be able to influence the minister and the government to make the required amendments to Bill C-23.

If Bill C-23 is not amended, the number of first nations people that will be able to vote in the next and future federal elections will be significantly reduced. It will be eliminated for many of them.

Thank you.

The Chair: Thank you. You did great.

Ms. Edwards, your opening statement, please....

Ms. Teresa Edwards (In-House Legal Counsel, Director, International Affairs and Human Rights, Native Women's Association of Canada): Thanks so much, Gladys. I feel like I don't need to speak after that. It was very thorough and says it all.

Wela'lin. [Witness speaks in Mi'kmaq]

My name is Teresa Edwards and I am a Mi'kmaq of the Listuguj band. I am here today in the capacity as the legal counsel and director of human rights for the Native Women's Association of Canada.

I want to acknowledge the territory of the Algonquin people, where we are gathered today.

The Native Women's Association of Canada, otherwise known as NWAC, has worked for the last 40 years to advance the well-being of aboriginal women and girls, as well as their families and communities through activism, policy, trying to change legislation, making presentations such as these, and all forms of advocacy.

NWAC was incorporated in 1974 and is one of the five nationally recognized aboriginal organizations whose purpose is to represent and speak at the national level, on behalf of aboriginal women, primarily first nations and Métis. We do have some Inuit members, but defer to Pauktuutit to speak for them.

NWAC has identified a number of very specific concerns with Bill C-23 and the changes it makes to the Canada Elections Act. As you may or may not know, prior to 1960, registered Indians were not able to vote in Canadian elections or they would no longer be

considered Indians under the law and would not be able to live within their territory, community, the reserves. The fact that some aboriginal peoples only fairly recently acquired the right to vote explains, in part, the low number of aboriginal women and men elected to the House of Commons. Since 1867, approximately only 18 people who have self-identified as aboriginal have been members of the House.

The relationship between first nations and the government has not always been positive, particularly as it relates to voting and elections. This has had an impact on first nations participating in elections for all levels of government, federal, provincial, territorial, and municipal, outside of their own communities. It's quite the reverse when you talk about participation in their communities. It's not a question of apathy or being ill-informed. It's a choice they are making, generally speaking, from what we've learned at NWAC, from what the women have shared with us and what our research has shown.

These first nations are extremely active in running as chief and/or council within their own communities and in voter participation. It's not a question of their not knowing about the process. They are very well-informed and do partake in the process within their own communities.

In the work that we've done on elections, aboriginal women have listed numerous reasons why they don't participate in federal elections. A few are: they don't see themselves as being represented by the government, particularly with this government; they don't recognize the federal government as their form of governance and leadership; and/or they don't believe the federal system will positively impact their lives. That's some of the reasons.

I would never want to speak for Six Nations, but for example they have their own passports. They have their own position on why they would never participate, from what we've heard from our women, in elections. It would be seen as complying or going out of their sovereignty, if you will.

Although there may be many reasons to explain why aboriginal women do not participate in federal elections, such as the ones I've listed, there should not be barriers put in place, as Gladys so eloquently listed, by this government to further limit their ability to vote, if they so choose.

Aboriginal young women are often single mothers. They live in poverty and have high rates of mobility, and are often forced to move several times a year, possibly. They could be moving on and off reserve or from different provinces to be with other family members. Sometimes it's due to housing crises, poverty or they're going after jobs, going away to school, or perhaps they are fleeing violence.

NWAC has been working this last year on a project for Elections Canada, and we hope to continue to do similar work in the future, to increase voter turnout among Aboriginal women and youth. We are targeting this group because statistics show that if you vote when you are young, you will continue to vote when you are older.

In 2007, in advance of the general election, a number of changes were made to the Canada Elections Act with respect to ID requirements. These changes required voters to have two pieces of ID, one photo ID and the other had to show a home residence.

Many aboriginal women do not use home addresses and are serviced by post office boxes. In fact today I was just filling out a form to be submitted to Canada Revenue, and two of our board members have post office boxes. There was a criteria that said "not allowed: post office boxes". Well, that is their address, that is where they live. I'll have to go reconcile that problem when I get home, before I can file those papers for our board.

• (1215)

There's another form that is commonly used, as there are also many aboriginal women who live in urban areas, including students, or who have moved multiple times throughout the year, who may not have ID that corresponds with their current address at the time of voting. So that was mentioned by Gladys, and I mentioned that earlier.

A major problem is the form of ID that is used as the Indian status card. Right now there is no standard for service with the Indian status card within the Department of Aboriginal Affairs and Northern Development. NWAC deals with cases of women who have been waiting three years, five years, twelve years, for their status card. Or in a case like mine, I'm an expired Indian. Just out of sheer rebelliousness, I refuse to go and get my card renewed, because what other race would expire at a certain date. Sorry, I just had to add that.

That would be an acceptable ID. I've tried to use that. I expired last year in July, at my birthday, and I've tried to use it on numerous occasions. Although it's supposed to never be refused for services, if you can show other ID such as a passport, driver's licence, which I have, I'm constantly refused service because I'm expired.

As Gladys mentioned, that's the case for many aboriginal women. In the case of Bill C-3, the law that just came into effect a couple of years ago, where aboriginal women want to register their children they have to have birth certificates for each of their children. Perhaps she is a single mother with five children and she needs birth certificates for each child. The cost of that birth certificate could be up to \$90, depending on the province or territory that you have to pay, for each child. Then you have to have pictures taken, and that could be \$25 at your Shoppers Drug Mart to get passport-size pictures. Then you send the forms into the Department of Aboriginal Affairs.

I know, for example, my daughter sent hers in three years ago. They have sent it back three times. The process took so long. They said everything she sent was accurate; however, the picture had expired. After a year, it was no longer any good. They hadn't finished processing it and it was sent to a new department, so she had to pay for the pictures to be done again. They also needed a new copy of the original birth certificate, and the first one hadn't been returned to her. So there she had two charges of \$90 for birth certificates and two charges for... This is all just to get an Indian status card, which is a primary card that is used in this process.

Bands were aware of the ID requirements and options available to resident voters, including the option to have authorized band officials using an attestation of residence; the use of voter information cards to establish current residency; or the option of vouching, as Gladys mentioned, where someone who is already a registered voter at the same polling division is able to confirm a person's residence and identity.

AFN's efforts in 2012—and they did this with Elections Canada—included phoning bands and using a series of scripts developed jointly with Elections Canada, basically, to inform eligible voters of what they needed for ID. What we found at NWAC, in the work that we've been doing with Elections Canada, is that there's a clear role for independent organizations such as NWAC or AFN to work with our populations, in collaboration with Elections Canada, to give information or workshops or help inform our people regarding election processes, and so on and so forth.

There are so many other things that can be done to enhance first nations participation in federal elections, such as the ones that we're doing and AFN's done in the past, in relation to Elections Canada, to build on past campaigns. Or we could even learn from the U.S. in this one instance with the Indian vote campaign.

It's in this context that we have specific concerns with the changes proposed under Bill C-23: the restrictive ID requirements and disallowance of vouching. So the provision of Bill C-23 that disallows the use of voter information cards as proof of residency will create a whole new barrier for us, and for women, in particular, especially for those residing in first nation communities that don't use their home address or have PO boxes.

Further, with the removal of vouching as an option, it's possible that some of these aboriginal women and elders, in particular, will have no other options available to them to enable them to vote in the next election. For example, you have students who are living away from home, a single mom, as I mentioned, who moves multiple times throughout the year, or an elder who is living with the family.

• (1220)

I know I'm running out of time. I also want to talk quickly about NWAC's working with Elections Canada. Basically, the changes we see happening to the current section 18 of the Canada Elections Act, which provides a broad mandate for Elections Canada with respect to public information and engaging with electors, would limit the ability of the Chief Electoral Officer to communicate with electors to provide information through unsolicited calls. We had hoped in the future to deliver the guidebook we're developing for aboriginal women and girls about voting and to work with our provincial and territorial member associations in a way that could be described as similar to this. This would prevent us from doing that work.

The role of Elections Canada has included providing impartial support for fair and accessible elections that enable all eligible voters to exercise their right to vote if they so choose. The changes noted above will limit or prevent this role from being fulfilled.

Therefore, NWAC recommends removing from Bill C-23 any amendment to section 18, so as to retain the current mandate for the Chief Electoral Officer to implement public education information programs to make the electoral process better known to the public.

Additionally and finally, NWAC recommends that provisions that remove the ability to use the voter information card as proof of residency and that disallow vouching be struck from this bill.

Thanks very much. I'm sorry for going over.

•(1225)

The Chair: Thank you very much.

We'll go to questioning now, in a seven-minute round.

Mr. Lukiwski, you're starting off today.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Thank you very much, Mr. Chair, and thank you both for being here.

For the first question I will start with Ms. Christiansen.

I'm from Saskatchewan. I think we have at least some common friends. One of my closest friends was the late Jim Sinclair. I know that any first nations person or Métis in Saskatchewan and probably across Canada knew Jim. I was a big admirer of his and I was very sorry to see him pass. I'm not sure whether you went to the funeral. I say in passing—no pun intended, obviously—that I was the only non-aboriginal to speak at his funeral. I miss him greatly. I know he always had, as much as any Canadian I've ever met, the best interests of all first nations people, all aboriginal people, and Métis in his heart.

I want to ask you a couple of specific questions based on comments you made about voter identification being a barrier to voter turnout. You mentioned that just more than 3,700 people, I think it was, live on the reserve in Lac La Ronge, but whatever the number is, it's really fairly irrelevant.

You've lived there for most of your life, if not all your life. I know you can't probably give me an exact number, but roughly what percentage of members of your reserve would have their status cards? Is it the majority?

Ms. Gladys Christiansen: These are all status members.

Mr. Tom Lukiwski: I know they're all status people, but you said that some don't have their...that they've been waiting years to get their status treaty cards.

Ms. Gladys Christiansen: That doesn't mean that you don't have a....

Mr. Chair, may I...?

Mr. Tom Lukiwski: Sure.

So they all have cards?

Ms. Gladys Christiansen: They don't necessarily have cards; they have treaty status. The number I was using was for how many registered first nations members there are in Ottawa's books, wherever they are. When we are born, we are born status.

Mr. Tom Lukiwski: But the treaty status card that they have would be an acceptable form of identification as to who they are. It doesn't have their address on it; I understand that. But it does have an identification of the person themselves, doesn't it? It has your name on it.

Ms. Gladys Christiansen: I have my status card right here. I got it in Ottawa the last time I was here. It has a picture ID. This is

supposed to be the new card, as I understand it. The one I had prior to this didn't have a picture.

Mr. Tom Lukiwski: No, but I'm saying it has your name on it.

Ms. Gladys Christiansen: It has my name on it, but it doesn't have an address.

Mr. Tom Lukiwski: Right, and that seems to be the problem for most people, that they don't have addresses. I can certainly appreciate that on reserve. But are you aware that you can use just a letter from any band council member or chief or administrator from the reserve to verify address, and that it would be acceptable?

Ms. Gladys Christiansen: No, I'm not aware of that and I don't think my chief or the leadership is aware of it.

Mr. Tom Lukiwski: Yes, it's part of the 39 items that are available to prove address. So in other words—

Ms. Gladys Christiansen: Well, I read that listing.

Mr. Tom Lukiwski: —if you have your status card, all you would need is a letter from someone in the band administration to say that this is so and so who lives on this reserve. Then you would be able to cast a ballot.

The problem with VICs, as explained by a couple of witnesses, is that they're pretty unreliable, particularly voter information cards going to on-reserve recipients. So one of the provisions in this bill was to try to alleviate that problem and make it as easy as possible to show proof of residence. With a status card and a letter from either a band council member, a chief, or a band administrator, you would be able to use those together as identification and proof of identity and cast a ballot.

I guess my question to you, then, is this. Would that alleviate a lot of the problems that you have identified?

Ms. Gladys Christiansen: I just read about that this weekend to give myself the background information I needed to be able to come and speak here. When I read it, I had never heard of it before, so I don't know whether the people who look after the voting polls know it.

What I was saying was that we have close to 10,000 members, of whom more than 6,000 are of voting age. Who in the band administration is going to be writing out these letters to say that you can go vote? Why should it be an additional burden for the first nation all the time?

•(1230)

Mr. Tom Lukiwski: I guess my point would be—I'm just trying to find a simple solution here—that you can have one letter, like a template—

Ms. Gladys Christiansen: A simple solution would be to put an address on this card.

Mr. Tom Lukiwski: Yes, it would, but in lieu of that, I'm saying that there's really no impediment to voting for anyone on reserve, because those options contained in Bill C-23 are available. Thanks for the commentary, but—

Ms. Gladys Christiansen: But you still need an additional piece of ID, in addition to that letter.

Mr. Tom Lukiwski: Pardon me?

Ms. Gladys Christiansen: You still need an additional piece of ID, in addition to the letter.

Mr. Tom Lukiwski: You have that with your status card.

Ms. Gladys Christiansen: That's if we have a status card.

Mr. Tom Lukiwski: That's true. That's why I asked the question originally about what percentage of your reserve would have status cards.

Ms. Gladys Christiansen: We don't know, because for two years they haven't received them.

Mr. Tom Lukiwski: Okay.

Would most of them have health cards?

Ms. Gladys Christiansen: A health card doesn't have an address.

Mr. Tom Lukiwski: No, but it does have your name.

Again, having in combination a health card and a letter from the band saying that you live on the reserve qualifies you to vote.

Ms. Gladys Christiansen: No, I don't think so.

Mr. Tom Lukiwski: Actually, it does. It's contained in Bill C-23.

Ms. Gladys Christiansen: I thought you had to have one with a driver's licence, with—

Mr. Tom Lukiwski: No. That's an option. If you had a driver's licence, that's all you would need. But if you don't have a driver's licence, you can have—

Ms. Gladys Christiansen: —a picture ID and an address, sorry.

Mr. Tom Lukiwski: I guess this is a roundabout way of saying that since I don't see.... Although it may cause some people at the band administration office some extra work, the identification and address really aren't the impediments to voter turnout. I don't know and you mentioned that you don't know what the voter turnout was on your reserve in the last election. In the polling information I have seen, unless I read it incorrectly it looked as though it was roughly 35%.

Mr. Dinsdale, who was here before, said that's in the range. He said that normally reserves across Canada range between 35% and 75%. To me, this means that there have to be lots of other reasons that first nations people aren't engaged in the voting process other than lack of proper ID, because in the last election, even though these provisions weren't in place, vouching was available, as you mentioned. Anyone on your reserve who wished to vote could have had their neighbour vouch for them, so there was no real impediment to voting—certainly not from an identification standpoint.

The Chair: Thank you, Mr. Lukiwski. Your time has expired.

We'll go to Madame Latendresse for seven minutes.

I should give you a chance to make a short answer and then I'll go to Madame Latendresse.

Ms. Gladys Christiansen: I was just going to make a comment that it probably wouldn't be their neighbour, because the neighbour wouldn't have the proper identification.

An hon. member: Oh, oh!

The Chair: Okay.

Madame Latendresse.

[*Translation*]

Ms. Alexandrine Latendresse: Thank you, Mr. Chair.

I am going to speak to the witnesses in French. You can listen to the simultaneous interpretation of my questions by using the headsets.

I thank both of you for your statements. Your work is very important.

Ms. Edwards, I really appreciated how you explained all of the difficulties certain persons encounter to obtain that piece of identification.

Ms. Christiansen, I agree with you entirely that there is a real problem when we place the burden of providing these ID cards on band chiefs. I think that a lot of people have a lot of other things to do aside from producing paperwork to allow people to exercise their franchise.

Certain witnesses who represented homeless people raised this same problem with us. They explained the difficulties raised by the fact that they can no longer resort to vouching. The government gave them the same answer by saying that soup kitchens and missions can provide them with proof. Do we really want to cause soup kitchens and shelters to use their resources and energy to provide ID papers to the thousands of people who use them?

Currently, there is a solution to that problem which is the use of vouchers and the use, at large, of the voter's card. I do not understand why we would make these changes and put more obstacles in the way of potential voters than there are currently.

My question is for Ms. Edwards.

I know that Elections Canada had a contract with the Native Women's Association of Canada regarding civic participation programs that targeted young women particularly. Can you talk to us a bit about that experience? What is your opinion about the fact that this program will not continue under Bill C-23?

● (1235)

[*English*]

Ms. Teresa Edwards: Thanks for the question.

Yes, exactly. Right now NWAC is finalizing.... We have until the end of April to finish a guide that we're developing for young aboriginal women, because as I mentioned we know that will set their voting patterns. So if we can reach them when they're young, they'll continue to vote. But we also know that they do have all these other barriers, such as the ones that we've listed and that have been mentioned.

Although for someone it sounds quite easy to just contact your band office and get the letter, it's a huge challenge for our women. Many of our aboriginal women are poor. As I said, they are moving two to three times a year. They could be fleeing violence. They don't have the finances to go and get ID made.

You know, simple things such as opening a bank account require you to have a specific ID, and many of the women who we work with aren't able to do that. So it's not an easy task. They don't have the capacity to know.... I mean, we can add that to our guidebook, that you can get a letter from your band, but again it's another burden that is being put on aboriginal people to have to come up with an extra chore to be able to vote, when other Canadians don't have that same barrier. We're already facing so many barriers in the existing situation.

[Translation]

Ms. Alexandrine Latendresse: Precisely.

As my colleague Mr. Christopherson was saying earlier, why, when it could be so easy for us to do things differently, should we place all of these additional obstacles in the path of a community where it is already difficult to obtain a high electoral participation rate?

The purpose is to encourage people to vote by every possible means. However, I see that this bill goes exactly in the opposite direction.

[English]

Ms. Teresa Edwards: To live in a democracy, we want everyone to have a voice and we will do things to facilitate those people, who don't normally have a voice, to have a voice and not erect barriers for them to have even less of a voice. I agree wholeheartedly.

[Translation]

Ms. Alexandrine Latendresse: Absolutely.

Ms. Christiansen, do you have anything to add to that?

Ms. Gladys Christiansen No.

Ms. Alexandrine Latendresse All right.

I also wanted to mention that during the 2011 elections, on the Indian reserve in my riding, I came across Ms. Michèle Audette, the president of the Native Women's Association of Canada. She did a lot of work to help women get to the polls and provide them with the necessary information. I want to pay tribute to that woman. She really went to a lot of trouble to encourage the aboriginal women of Canada to participate. I think that that is extremely important. I want to thank her very much for the work that she does.

Moreover, according to the current Chief Electoral Officer, Mr. Mayrand, as well as Mr. Neufeld, Mr. Kingsley and all of the experts who have appeared, the need to provide a proof of address is what is problematical. On this, witnesses have suggested that we replace the use of vouchers, as is currently the case, by an official declaration by the voter. A person having only one piece of identity and no other document to prove his or her address could then simply sign a declaration affirming that he lives at a given address, and then vote.

According to you, can the elimination of vouching be a reasonable option?

[English]

Ms. Teresa Edwards: Absolutely. I wanted to mention two things.

The first point, you mentioned our president, Michèle Audette. She sends her regards. She's out doing human rights defending with her cape right now, so that's why I'm here in her place. She is very passionate about engaging our people in voting.

We do know actually within aboriginal communities to say that we're not participating or that it wouldn't make a difference is not an accurate statement, because of the fact that out of 633 communities, we know that there are over 120 women chiefs. We know that there are more than 800 women councillors. That's a higher ratio than any government—federal, municipal, provincial, territorial—for representation of women within any party, any level of government. So aboriginal people are engaged in their elections.

I wanted to make that point, and no, I would not see any problem whatsoever with someone giving an attestation or an oath affirming where they live and being able to sign that as a viable option or alternative.

● (1240)

The Chair: Thank you.

Ms. Gladys Christiansen: I would agree. We just recently had our elections at our first nation level this week, and out of the 6,000 voters there were 3,200. Also our chief, Chief Tammy Cook-Season, is a female.

The Chair: Thank you, Madam Latendresse.

Mr. Lamoureux, you have seven minutes, please.

Mr. Kevin Lamoureux: Thank you, Mr. Chair.

I think that there is a consensus that what we want to be able to do is to get people engaged in the electoral process. That's why I believe proposed section 18 is really being heavily criticized today. It's because we don't recognize that the biggest organization that's out there is Elections Canada and we're putting limits on its ability to be able to increase voter turnout across the board. There are certain pockets of areas where we really do need to improve.

What better way than having Elections Canada work with different stakeholders to try to do what they might be able to do given the resources and the expertise that they have to offer to increase that voter turnout and improve the system.

The question I have for both of you deals with the consultation that happens between your organization, or as an individual, with Elections Canada. Is there an ongoing consultation that takes place? Are you invited to participate in any form of consultation in terms of first nation votes or people of aboriginal ancestry to be able to get them more engaged in the process? To what degree is there consultation with Elections Canada today?

Ms. Teresa Edwards: I could speak for NWAC specifically.

I actually sought out Elections Canada two years ago and approached them about doing work with the Native Women's Association of Canada to reach more than 50% of the aboriginal population, preparing youth, pitching the idea.

We know aboriginal young women are the fastest growing population. If we target women who are 16,17, or 18 years old now they'll be voting in the next election. We're informing them now because basically as much as Elections Canada has tried to make information publicly available to everybody, it's not meaningful for our people. It's not culturally sensitive. It's not in plain language. There is still a difference in how the information is presented.

When a third party such as NWAC or the Assembly of First Nations interacts with the first nation, they already have a relationship of trust developed. For us at NWAC, we have 12 provincial-territorial member associations, we have a network, and within Ontario there could be 60 offices that all have memberships of aboriginal women. When we send something to our provincial office in Ontario, for example, the Ontario Native Women's Association, they then in turn send all the information out to their membership.

When you have a partnership between Elections Canada and NWAC you're reaching a broad-based group. AFN already spoke for themselves so I won't go into their whole representation and all the people who they would reach across Canada. For us, our women members are on and off reserve.

To me, that is definitely a relationship you want to build on, it's something you want to enhance and promote. The first time I approached them I was refused because of lack of budget and their inability to engage with NWAC. It was only this fiscal year, from 2013 to 2014, that we were able to secure a small project with Elections Canada and develop a guide for aboriginal women and girls to inform them and get them more engaged and interested, and helped create a focus group and did a literature review.

Our dream would be to take this guide now and deliver it across communities with our provincial-territorial members and that could be seen as interference or...

Mr. Kevin Lamoureux: You see, I guess this is it now, Ms. Edwards.

When I look at it, what you're saying is that as of today, you have been successful in working with Elections Canada, and through their assistance you've been able to do much more.

You have a contract with Elections Canada?

Ms. Teresa Edwards: It's a small contract for a guidebook. It's very limited. It was because I sought them out repeatedly.

• (1245)

Mr. Kevin Lamoureux: If section 18—

Ms. Teresa Edwards: So there wasn't consultation, I would never use that word. There was slight engagement.

Mr. Kevin Lamoureux: If proposed section 18 were not to be amended or deleted, that sort of engagement would likely not be allowed.

Ms. Teresa Edwards: Right.

Any engagement, or the future engagement we were hoping to have with our provincial-territorial member associations...

Mr. Kevin Lamoureux: And your objective is to try to get more people engaged in participating in federal elections.

Ms. Teresa Edwards: Civic participation, absolutely....

Mr. Kevin Lamoureux: Yes.

Ms. Christiansen, did you want to provide comment? Again, I'm referring specifically to proposed section 18 and how Elections Canada is being limited in its role.

Ms. Gladys Christiansen: Again, I'm not familiar with section 18, but in answer to your question, I'm not aware of Elections Canada talking to our first nation because we're only one of 74 in Saskatchewan. It is more likely if they were doing any work with them to increase voter rates, it would be with AFN or possibly with the Federation of Saskatchewan Indian Nations.

Mr. Kevin Lamoureux: You had made reference that in the recent election, I think you said there was a turnout of just 51% for the election of chief and council.

Ms. Gladys Christiansen: Yes.

Mr. Kevin Lamoureux: If you were to take your best guesstimate, what percentage do you think participate in a federal election?

Ms. Gladys Christiansen: I have no idea. That's why I tried to Google it.

I guess some people have been able to find it. I wasn't able to find it. The only article I could find was an old article that said that 51% of first nations were out to vote, and then they used the number 75, and that's why I thought I had better put my numbers in here for how many, because I don't know how we get at these....

Your comments the other day about the Gary Merasty.... You had some comments—I was watching the other day—about Gary Merasty and the election.

Initially, I don't know how they come up with the names, but if you have a first nations person running for any party, it really doesn't matter which party, everybody's going to come out and vote. I will go out and vote—

Mr. Kevin Lamoureux: It has an impact.

Ms. Gladys Christiansen: —where typically I don't vote.

Mr. Kevin Lamoureux: Finally, I heard Peter Dinsdale address the voter identification card issue in his closing comments in response to a question. He thought we should allow it to be used as a tool.

The Chair: Thank you, Mr. Lamoureux.

Mr. Kevin Lamoureux: Okay, thank you, Mr. Chair.

The Chair: We would be a little tight on this next round if I didn't cut you off there. I apologize for doing so.

We'll go to Mr. Richards for four minutes, questions and answers in that four minutes so we can actually get the round in, please.

Mr. Blake Richards (Wild Rose, CPC): Thank you. I appreciate you both being here today.

I wanted to follow up on some of the earlier stuff that I heard in terms of the questioning and comments. I think what I've heard identified here is that, Ms. Christiansen, you've indicated that with regards to vouching, you didn't really feel that vouching would be something that would be very useful because for members on a reserve, if you don't have ID and your neighbour doesn't have ID, your neighbour can't vouch for you. That was kind of the comment you'd made.

Ms. Gladys Christiansen: I don't know how you got that.

Mr. Blake Richards: Well, you did say that. When Mr. Lukiwski asked you specifically about vouching, you indicated that if your neighbour didn't have ID, your neighbour couldn't vouch for you either, and that is in fact accurate. If your neighbour didn't have the correct ID, your neighbour couldn't vouch for you either.

So I think what we've identified here is that vouching and voter information cards aren't necessarily the answers to things here. What the answers are is better education, and the reason why—

Ms. Gladys Christiansen: Definitely not, definitely not....

Mr. Blake Richards: Sorry, let me finish, because I think we have actually...although you may not see that yet. Let me explain what I'm saying here.

What has been indicated today is that, say, for example, we did talk about the fact that a driver's licence obviously is something that qualifies you for all...you know, it has the address, it has the name, it has the identification required. If one doesn't have that, we've indicated, on the reserve for a status Indian, that the status card, which you've indicated you were not sure how many have, but that is certainly one option available to prove identity.

There's a whole host of others and I could list off a few of the more common ones. There are 39, of course. You know, a health card, a birth certificate, a passport or other proof of citizenship, a credit or a debit card, any other kind of provincial ID card, those are just a few that I'll list and there are many others that could be used. If one has that and then has the attestation that can be provided by any authority from the council or the band office, that's what would be required to vote.

I know in earlier questioning, Ms. Christiansen, you indicated that you weren't aware of that. I suspect there are probably others who are not aware of that. That tells me that the provisions that we have in the fair elections act, which require Elections Canada to better inform people and better educate people about the ways that they can vote, would be very helpful and useful for individuals all across Canada. But we think we've identified that, particularly on the first nation reserve today, it would be helpful to you because you had indicated you weren't aware of that.

What I'm curious about is whether you feel that if you were better informed about that, more people would be able to get out and vote. If they were aware that with one piece of ID and an attestation, they could get out and vote with that, would that be something, requiring Elections Canada to better inform people, that would be helpful?

•(1250)

Ms. Teresa Edwards: I respectfully submit that the fact that people aren't aware of how difficult it is for many aboriginal people to obtain an ID and that it is said so simplistically, not a matter of

education, not a matter of poverty.... It's not a matter of options, it's a difficult task—

Mr. Blake Richards: What they're not aware of is what the opportunities are. They're not aware of what their options are to be able to vote. To indicate to them what their options are.... Ms. Christiansen was very clear, she was not aware that this was a way she could vote. To be made aware of that would be obviously helpful

Ms. Teresa Edwards: In her one instance she was not aware but

The Chair: Let me try first. Let him allow an answer, you have 10 seconds left.

Ms. Teresa Edwards: I was just saying, it shows the amount of privilege that's in this room that people have no comprehension of how difficult it could be for aboriginal people to obtain identification.

An hon. member: Hear, hear!

Mr. Blake Richards: The point is that Elections Canada is not informing people of what their options are—

The Chair: Your time is completed, Mr. Richards.

Ms. Gladys Christiansen: That's why I don't bother answering because I said it here already and whoever wanted to hear what I said, heard it.

The Chair: Thank you, Ms. Christiansen.

We'll go to Mr. Christopherson for four minutes, questions and answers, please.

Mr. David Christopherson: Thanks, Chair, and thank you so much for your last comments and summation of what's happening.

Chair, if I might, I had indicated to you and I've indicated to Mr. Lukiwski my hope and desire to place my notice of motion today. I've indicated I don't have a lot—if anything—to say. My hope is that maybe we can just deal with it today, but if not, if we need the time, we'll find it I hope. But I served you notice of that and I hope we can deal with it today.

Therefore, I'll ask just one question so I don't risk going over. I want to come back to the comments from both of you. There's this sense that we're not understanding what you're up against and the challenges that you face and the frustration of seeing the federal government, where you already have relationship strains to say the least, now creating new barriers.

I want to focus on the VIC card. The government is very touchy about calling it the voter information card, because they don't want it to be the voter ID card.

But here's the thing, I'm the furthest thing from a statistician there is on this planet. However, common sense would say to me that if you're drawing from every database that you can to find the most up-to-date address available for a citizen, then that should be as accurate if not more accurate than the databases that you're reaching into, because it's those databases that generate all the other cards and pieces of ID that they say are acceptable, and you have the benefit of the amalgam of all those databases.

So there's a really good argument that goes in the opposite direction of what the government is doing. We ought to be looking at the idea of a voter identification card that uses the resources of databases to help people so that they can actually go in and as easily as possible vote.

Just again, is there any further testimony you can give to show the damage of denying the VIC card during the election process and conversely how much it would help if that card could be used as the piece of ID with address, even if you needed another piece to show name and photo?

Ms. Teresa Edwards: Exactly, I mean you've said it all right. If Elections Canada has not demonstrated that there is an actual problem or issue with the information contained on that, then why are we fixing something that's not broken, right?

Mr. David Christopherson: Exactly.

Ms. Teresa Edwards: This will only further put up barriers for aboriginal people and it can't help but make someone wonder, is that the intent? Is this really democracy or is the intent to actually limit aboriginal voting in the next election? Ask that question.

•(1255)

Mr. David Christopherson: Yes.

Ms. Christiansen, did you want to add anything, ma'am?

Ms. Gladys Christiansen: No, I don't have anything to add other than if they're so concerned about it, why can they not find a way to fix the treaty card so that it is an acceptable form of identification for the government?

Mr. David Christopherson: Nothing I can say would add to the power of the impact that you've left. Thank you so very much for being here today.

Chair, I'm good.

The Chair: Thank you, so that finishes your round. It would be a normal four-minute round here but I understand the government is saying—

Mr. Tom Lukiwski: Well to facilitate David's motion and the response and get out of here, I think it's probably better that we all forego the last four minutes and just go.

The Chair: All right, I thank our witnesses. Thank you for coming and sharing with us today. You did a great job and we were happy to have you here.

We're going to now argue among ourselves. Thank you. It's always the chair's most fun part of the evening. It's not quite evening yet. Why does it feel like evening?

Mr. Christopherson, your motion please....

Mr. David Christopherson: Thank you, Chair.

My motion is:

That, pursuant to the motion adopted by the House of Commons on Thursday, March 27, 2014 relating to the parliamentary functions being performed in offices of the Official Opposition, the Committee invite the Honourable Leader of the Opposition; and also invite the Right Honourable Prime Minister to appear before the Committee to address the many partisan activities undertaken by his government, specifically by the Prime Minister's Office (PMO) and by the Conservative Research Group (CRG), and that furthermore, the current study on

C-23 be extended by the same number of days as those scheduled for the study on the referred motion.

I so move, Chair.

The Chair: Thank you.

Mr. Lukiwski, you are first, and Mr. Lamoureux is second.

Mr. Tom Lukiwski: Yes, thanks. I just have a point of order respecting David's motion. I'll read it into the record, Chair, and hopefully you can deal with it either at your leisure or as quickly as you can.

I believe Mr. Christopherson's motion is out of order, Chair. The second half of the motion calling for this committee to study activities other than those of the official opposition is simply beyond the scope of this committee's mandate. We all know what happened, Mr. Chair, a week ago Thursday. We entered a UC motion or asked for a UC motion to have Mr. Mulcair appear before committee. That was denied. We then invoked Standing Order 56.1 and the NDP didn't have 25 members to stand to oppose it, so it was passed. That was their procedural bungle, but I think by trying to enter this motion, they bungled once again.

I'll illuminate what I mean. First, the motion itself says that it was made pursuant to the order of reference adopted by the House last Thursday. For the benefit of everyone, I'll read that motion into the record:

That the Standing Committee on Procedure and House Affairs be instructed to consider the matter of accusations of the Official Opposition's improper use of House of Commons resources for partisan purposes; and

That the Leader of the Opposition be ordered to appear as a witness at a televised meeting of the committee to be held no later than May 16, 2014.

Mr. Chair, that motion in itself is quite specific. There's nothing in there about the government, the Conservative Party, or even the Liberal Party, just the matter of how the official opposition, the New Democratic Party, is using parliamentary resources.

Mr. Chairman, not only is this motion out of order with respect to the order of reference adopted by the House last Thursday, but the elements related to the activities of the government, and specifically the Prime Minister's Office, are beyond the scope of any order of reference this committee possesses.

Page 993 of *House of Commons Procedure and Practice*, second edition, says:

With a few exceptions, all studies conducted by committees are based on an order of reference or instruction from the House of Commons (and the Senate in the case of joint committees). The order of reference is the formal means by which the House mandates a committee to consider a matter or defines the scope of its proceedings. Committees receive orders of reference when they are established and may receive others from time to time.

While most standing committees possess a general and wide-reaching standing mandate under Standing Order 108(2), the procedure and House affairs committee is exempted from that provision. Standing Order 108(3)(a) contains most, but not all, of our own standing mandate.

Page 962 of O'Brien and Bosc captures the extent of our various mandates set out in the standing orders. Again I'll quote:

The Standing Committee on Procedure and House Affairs deals with, among other matters, the election of Members; the administration of the House and the provision of services and facilities to Members; the effectiveness, management and operations of all operations which are under the joint administration and control of the two Houses, except with regard to the Library of Parliament; the review of the Standing Orders, procedure and practice in the House and its committees; the consideration of business related to private bills; the review of the radio and television broadcasting of the proceedings of the House and its committees; the Conflict of Interest Code for Members of the House of Commons; and the review of the annual report of the Conflict of Interest and Ethics Commissioner with respect to his or her responsibilities under the Parliament of Canada Act. The Committee also acts as a striking committee, recommending the list of members of all standing and legislative committees, and the Members who represent the House on standing joint committees. It also establishes priority of use of committee rooms, and is involved in designating the items of Private Members' Business as votable or non-votable.

Mr. Chair, what is clear from reading that is that our mandate relates to the House of Commons and its administration, functioning, business and members, including the process by which we were elected to the House of Commons, something we are seized of right now with part of our order of reference on the study of Bill C-23, the fair elections act.

Page 994 of O'Brien and Bosc is quite clear. I quote once more: Committees are bound by their orders of reference or instructions and may not undertake studies or present recommendations to the House that exceed the limits established by the House.

How does this relate to the motion proposed by Mr. Christopherson? I believe that on page 1054 of O'Brien and Bosc they have an answer for us: Generally, the rules governing the admissibility of motions in the House of Commons apply in the same manner to parliamentary committees....

Furthermore, motions moved in committee must not go beyond the committee's mandate....

Our standing mandate, quite frankly and quite clearly, Mr. Chair, does not allow for us to explore the activities of the government, and the motion adopted in the House on Thursday last is expressly limited to the official opposition's use of House of Commons resources.

● (1300)

Now that we've clearly identified that the motion is at least in my estimation wounded, what is the appropriate course of action?

The answer to that can be found in pages 533 and 534 of O'Brien and Bosc. Although it describes the admissibility of amendments, it is I submit analogous here in informing how a motion beyond the scope of our mandate should be treated. Once more I quote:

An amendment is out of order procedurally, if:

it is irrelevant to the main motion (i.e., it deals with a matter foreign to the main motion, exceeds its scope, or introduces a new proposition...);

...any part of the amendment is out of order;....

Now, Mr. Speaker, I submit to you that I believe you have no choice but to rule Mr. Christopherson's motion entirely out of order. I'm sure they are kicking themselves for getting outfoxed procedurally a week ago, but I would suggest to you, Mr. Speaker, that this is the second procedural bungle they have made, because quite clearly this motion is outside the mandate and scope of our committee, and therefore out of order.

Thank you, Chair.

Mr. David Christopherson: I have a point of order.

The Chair: I'm already on a point of order.

Mr. David Christopherson: I'll be on the list on the point of order.

The Chair: I have Mr. Lamoureux next, but it's past one o'clock, folks. This is when we were supposed to end, which is why....

Mr. David Christopherson: I know by personal experience this committee can keep on meeting.

The Chair: I always thought the chair had something to say about that, Mr. Christopherson. I just learned I get to pick committee rooms. I don't understand this part.

Mr. Kevin Lamoureux: On the same point of order, I guess....

The Chair: Mr. Lamoureux.

Look folks, are we going to go until 1:30 or what on this? I would like a little direction before I go further. I'm happy to adjourn and continue this at our next meeting. We started very late in the day.

Mr. Kevin Lamoureux: I think if we can just give another five minutes. I'd like to hear the response. Five more minutes...?

Mr. David Christopherson: Let's finish it. It shouldn't take that long.

The Chair: Mr. Lamoureux has the floor next, Mr. Christopherson.

Mr. Kevin Lamoureux: I'm not as—

The Chair: I'm pointing it out that it's not too long a comment.

Mr. Kevin Lamoureux: —well prepared as Mr. Lukiwski is on this particular point of order. I just want to state what I believe is the obvious, Mr. Chair, and that is the fact that we are dealing with a motion at a time when we are attempting to deal with Bill C-23, which has some very strong timelines. By May 1, it all has to be passed through the system. It concerns me greatly. I wouldn't want to see anything that would interfere with that.

As for the motion itself, I can understand the leader of the official opposition has been ethically challenged on this particular issue, and he will get his day before the committee, I understand, before May 16. If there are motions of this nature it might be best to have them debated thoroughly if it's ruled as being in order effective May 2, after we have actually dealt with what is the most important bill, I would argue, this committee has had to deal with for many years.

I would suggest to you that we just move on, and leave it at that.

● (1305)

The Chair: Thank you for the guidance, Mr. Lamoureux.

Mr. Christopherson, you have a couple of seconds, please.

Mr. David Christopherson: Thanks.

Mr. Tom Lukiwski: Mr. Chair, I'm sorry. I'm wondering procedurally....

The Chair: He's on your point of order. You have done a point of order. He gets to also speak to it.

Mr. Tom Lukiwski: My question would be if you know now when you would be planning to rule on my point of order as to the admissibility.

The Chair: As soon as the folks are all done giving me their wisdom.

Mr. David Christopherson: He needs to hear from all of us our opinion on your point, and then....

You still accept that we get an opinion I'm assuming, Mr. Lukiwski.

Mr. Tom Lukiwski: I would never deny you the right to your opinion because it wouldn't do me any good anyway.

Mr. David Christopherson: Ad nauseam no less sometimes....

Mr. Tom Lukiwski: It wouldn't do me any good anyway.

The Chair: I've seen days of your opinions, Mr. Christopherson. Would you like to give me just a little bit shorter version?

Mr. David Christopherson: I'll never live that down. There isn't that much time left in my life.

Two things if I might.... First of all, my first reaction is basically the government is saying it's okay to play silly bugger with the leader of the official opposition, but the Prime Minister is protected, and you can't touch him. That's basically what he said.

But on a more specific technical point, I would also point out that Standing Order 108(3) allows PROC to study provisions of services and facilities to members. The CRG provides services to members, and we believe the PMO is doing the same thing, and therefore we believe that it makes every sense in terms of fairness.

If we're going to go down this road with the official opposition, fair enough, let's go down the same road with the Prime Minister. Don't just start saying we can do whatever we want, slapping around the official opposition whenever it suits us, but you can't do anything with the Prime Minister of the government. It's all protected.

That's basically the argument, Chair. I would just say to you in terms of fundamental natural justice that it is not fair in terms of at least allowing me to make the argument and have a vote that would

decide, rather than just a ruling from the government that says, "We're protected, and we'll go after the others whenever we choose."

The Chair: Thank you, Mr. Christopherson.

I will rule on the point of order. I have been thinking about this. The clerk and I have discussed this a few times since the motion came forward, which is why I kept asking you when you would move it. I do find it to be out of the scope of this committee.

It adds to.... I can't change the order of reference from the House. It comes from the House and it comes here. Your motion does add things that this committee is not normally seized with, so I will rule your motion out of order.

Mr. David Christopherson: If I might, with the greatest of respect, sir, and I mean this on a personal level, I challenge the chair.

The Chair: It has been done before.

Mr. David Christopherson: I know.

The Chair: Does that mean I get tomorrow off?

Does the committee sustain Mr. Christopherson's challenge of the chair? No, it's my decision.

Does the committee sustain my decision?

Mr. David Christopherson: Positive votes support you; negative votes do not.

Can I have a recorded vote, please?

The Chair: I was going to suggest.... Are we doing it that way or am I just asking for hands?

Mr. David Christopherson: I'm just trying to be helpful, sir.

The Chair: All right. Go.

(Ruling of the chair sustained: yeas 5; nays 3) [See *Minutes of Proceedings*]

The Chair: My decision stays. That is good.

Is there anything else for the good of this committee today?

We are adjourned.

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