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

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**EVIDENCE**

**Thursday, May 2, 2019**

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**Chair**

**The Honourable Larry Bagnell**



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• (1125)

[*Translation*]

**The Chair (Hon. Larry Bagnell (Yukon, Lib.)):** Good morning.

Welcome to the 152nd meeting of the Standing Committee on Procedure and House Affairs.

[*English*]

We had discussions with all parties, and if it's okay with everyone, we will proceed with 45 minutes for each set of witnesses because we have two sets and a half hour less.

Is that okay with everyone?

[*Translation*]

Very well.

This morning, we are continuing our study on the main estimates for 2019-20, vote 1 under Office of the Chief Electoral Officer.

The witnesses are from Elections Canada. We have Stéphane Perrault, Chief Electoral Officer; Michel Roussel, Deputy Chief Electoral Officer, Electoral Events and Innovation; and Hughes St-Pierre, Deputy Chief Electoral Officer, Internal Services.

Thank you for being here today.

I will now hand the floor over to you, Mr. Perrault. You may go ahead with your presentation.

**Mr. Stéphane Perrault (Chief Electoral Officer, Elections Canada):** Thank you, Mr. Chair.

It is a pleasure to be before the committee today to present Elections Canada's main estimates and plans for 2019-20. This appearance also provides the opportunity to update committee members on the implementation of Bill C-76 and, above all, our final preparations for the general election.

Today, the committee is voting on Election Canada's annual appropriation, which is \$39.2 million and represents the salaries of some 440 indeterminate positions. This is an increase of \$8.4 million over last year's appropriation. As I indicated when I last appeared before this committee, the increase is essentially a rebalancing of the agency's budgets, moving expenses for terms and contract resources out of the statutory authority and into the annual appropriation in order to fund indeterminate resources. It does not represent any spending increase overall. In fact, it results in a slight spending reduction.

Combined with our statutory authority, which funds all other expenditures under the Canada Elections Act, our 2019-20 main estimates total \$493.2 million. This includes \$398 million for the October 21 election, which represents the direct election delivery costs that will be incurred in this fiscal year.

Our most recent estimates indicate that total expenditures for the 43rd general election will be some \$500 million. The expenditures may vary due to various factors such as the duration of the campaign.

I note that, while preparing our budgets last fall, we had estimated the cost of the election at some \$470 million. The difference is mainly due to Bill C-76—\$21 million—which had not been passed at the time of preparing our estimates and therefore had not been taken into account.

Elections Canada continues to implement Bill C-76 and bring into force its provisions as preparations are completed.

Following my last appearance, the new privacy policy requirements for political parties, the administrative reintegration of the Commissioner of Canada Elections within the Office of the Chief Electoral Officer, as well as the establishment of the new register of future electors, came into force on April 1.

On May 11, the changes brought by Bill C-76 for electors residing outside Canada will also come into force. The balance of other provisions will come into force in June. From an electoral operation perspective, Elections Canada will then be ready to conduct the election with the required Bill C-76 changes. Our applications, training and instructions will have been updated, tested and ready for use.

In terms of regulatory activities, all guidance on political financing will be finalized and published prior to the beginning of the pre-writ period on June 30. Leading up to that date, we will continue consulting parties on various products through the opinions, guidelines and interpretation notes process.

The agency is also gearing up to complete the audits of political entity returns following the election. We are expecting increases in the audit work stemming from the new requirements introduced by Bill C-76, notably for third parties, as well as the removal of the \$1,000 deposit for candidates.

Despite this increase, we aim to reduce the time required to complete the audit of candidate returns by 30% in order to improve transparency and ensure more timely reimbursements. To achieve this, we are implementing a streamlined risk-based audit plan.

•(1130)

[English]

A key priority as part of our final preparations is to further improve the quality of the list of electors. Every year some three million Canadians move, 300,000 pass away, more than 100,000 become citizens, and 400,000 turn 18. This translates roughly into 70,000 changes in any given week.

To ensure the accuracy of the register, Elections Canada regularly draws on multiple data sources from more than 40 provincial and federal bodies as well as from information provided directly by Canadians, mostly online. This will be facilitated by recent improvements made to our online registration systems to capture non-standard addresses and upload identification documents.

With the enactment of Bill C-76, Immigration, Refugees and Citizenship Canada is now able to share information about permanent residents and foreign nationals. This provides Elections Canada with a much-needed tool to address the long-recognized issue of non-citizens appearing on the register of electors. This spring, we expect to remove approximately 100,000 records as a result.

We have also recently written to 250,000 households for which we believe we have records that need correction. Efforts to improve the accuracy of the list of electors will continue and will be supported by a new pre-writ campaign to encourage Canadians to verify and update their information over the spring and the summer.

On April 18 the agency concluded an extensive three-week election simulation exercise in five electoral districts. The simulation allowed us to test our business processes, handbooks and IT systems in a setting that closely resembles that of an actual election. Election workers were hired and trained, and they participated in simulated voting exercises that factored in changes introduced by Bill C-76. This exercise also gave some of our new returning officers the opportunity to observe local office operations and exchange with more experienced colleagues.

Overall, the simulation exercise confirmed our readiness level while identifying a few areas in which we need to refine some of our procedures, instructions and applications. The final adjustments will be made this spring.

With the assurance provided by our simulation and most recent by-elections, I have a high level of confidence in our state of readiness and our tools to deliver this election.

From an electoral security perspective, the agency is engaged this spring in a number of scenario exercises with the Commissioner of Canada Elections and Canada's lead security agencies to ensure that roles and responsibilities are clear and that proper governance is established to coordinate our actions. As indicated in the Communications Security Establishment's most recent report, Canada is not immune to cyber-threats and disinformation.

Since the last general election, a wide range of organizations, including Elections Canada, have worked to adapt to the new context and strengthen Canada's democratic resilience in the face of these evolving threats. Elections Canada and its security partners approach

the next general election with a new level of vigilance and awareness and unprecedented level of co-operation.

General elections are one of Canada's largest civic events. Our role is to provide a trusted and accessible voting service to 27 million electors in some 338 electoral districts. It involves hiring and training more than 300,000 poll workers deployed in more than 70,000 polls across the country. Our returning officers have been continually engaged in improvements planned for the next election. I had the opportunity to meet with our field personnel across Canada. I can assure you that they are engaged, ready and resolved in their commitment to provide electors and candidates with outstanding service.

•(1135)

[Translation]

Mr. Chair, I would be pleased to answer any questions the committee members may have.

[English]

**The Chair:** Thank you very much. It's great to have you back again. We have a great working relationship.

We'll go to Mr. Simms for seven minutes.

**Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.):** I'm going to be sharing my time with Mr. Graham.

First of all, welcome back, as always. I want to talk about some of the good things you've done over the past little while: the new policy requirements for political parties, the register of future electors and of course the administrative reintegration of the Commissioner of Canada Elections, which I think was something very important for them to do their jobs.

In the meantime, one new element of Bill C-76 that many people had questions about was the ramifications, both financial and administrative, for what we now know as the pre-writ period.

Can you comment on that, please?

**Mr. Stéphane Perrault:** We have new rules that will be in place for June 30. They're not in force right now; that period starts at that point in time. At that point there are now extensive rules for third parties on the one hand to cover all of their partisan expenditures and rules for parties to limit their partisan advertising expenses, which covers only the direct advertising. This is a new feature that we did not have in previous elections.

**Mr. Scott Simms:** Okay.

Let me return to the future electors list, which is also a new process. Can you describe how it's going? I know, as of April 1, it's now in force. However, what do you have left to do to make sure this is ready for the coming fall election?

**Mr. Stéphane Perrault:** The register is in place. Right now, we are not very actively pursuing registration of future electors. We are mostly going to focus on that after the election.

We are receiving. It is up and running, but our energy is not focused on the registration of future voters; it is focused on the register of electors for this election.

**Mr. Scott Simms:** Yes, understood. I think Mr. Graham is going to touch on that issue in just a moment—not to presuppose what he is going to ask, but I just did.

I want to get back to another issue. That is, during the last iteration of what was called the Fair Elections Act, Elections Canada found itself constrained in what it could communicate with the public. It's very important that Elections Canada be more outgoing. Certainly it would be great for Elections Canada to be communicating more broadly with the people about the importance of their constitutional right.

Can you tell us some of the things you are doing to reach out to people? I understand about the list itself and cleaning up the list, but what are some of the things you are doing to communicate to people about the vote itself that is coming up in the fall?

**Mr. Stéphane Perrault:** During the writ period itself, we are not changing our approach. During the election period we're focusing strictly on providing information about where and when to register and to vote. That is our focus.

What has changed somewhat is that before the writ period we can now speak more broadly about the electoral process, including to voters, not just non-voters. One of the things we are doing, which I mentioned in my speech, is a pre-writ campaign to promote registration. We want to have Canadians register and update their information, so prior to the writ period we will have an influencer campaign to promote registration and voting. That will run starting this spring and this summer but will stop in the writ period.

We are also going to have a campaign on social media literacy to talk about disinformation, the risk of disinformation and making sure that Canadians check their sources when they go online on social media.

Those are the basic new things we're doing.

• (1140)

**Mr. Scott Simms:** Thank you.

My remaining time can go to Mr. Graham.

**The Chair:** You have three minutes.

**Mr. David de Burgh Graham (Laurentides—Labelle, Lib.):** As I recall, we've changed the rules a bit on foreign electors. Can you tell me the level of interest you're getting, if there is much, from potential foreign electors?

**Mr. Stéphane Perrault:** In terms of the new rules, it's a bit of a complicated process, because there was a ruling by the Supreme Court in February that allows Canadians abroad, who have resided in Canada, to vote notwithstanding the fact that they've been abroad for any number of years. Since that time, based on that ruling, we've received up to 2,000 new Canadians-abroad registrations. Half of them are from people who have been away for more than five years.

On May 11, the new rules will kick in, so that will change and restrict the ability of voters to choose where they can vote. Under the old regime, they could choose a number of places where they could vote; under the new rules, they have to vote at their place of last ordinary residence in Canada. That will kick in on May 11.

In terms of numbers, we've seen some increase but nothing very dramatic.

**Mr. David de Burgh Graham:** Okay.

In your comments, you talked about the 70,000 changes per week to the voters list, which is obviously significant. If I were to look at a voters list on any given day, what would you say is the percentage of accuracy of that list?

**Mr. Stéphane Perrault:** You have roughly 10,000 changes that happen in any given day. The accuracy of the list evolves as we get closer to the election. At the time we began the last election, the accuracy was around 91.5%, and it ended up around 94.5%.

Based on the number of activities we're doing right now, I'm quite optimistic that we will be at a higher level when we start this election than in the last one, but it's something we'll have to measure then.

**Mr. David de Burgh Graham:** Okay. I have a minute.

You talked about cyber-threats. I'm not sure that's a public discussion. It should probably have been an in camera discussion. Is there material that we would find useful to have in camera during this meeting?

**Mr. Stéphane Perrault:** Not really. We had to make a lot of changes to our IT infrastructure just because it had become obsolete. We had the opportunity this cycle to take advantage of that, to renew our IT infrastructure in a way that meets security standards. We have been working quite closely with the CSE to provide us advice on how to do that and make sure that our suppliers are trustworthy, and so forth.

We have, then, been working with them, and that really is the main thing.

The other thing I would add is that we have been doing training for all of our personnel at headquarters and in the field. You can invest enormous amounts of money in IT security, but if somebody clicks on a link, that compromises everything, so many of our efforts have been on awareness. We have many workers during an election at headquarters, and there are people in the field using computers. We want to make sure that everybody who has a computer is trained to recognize phishing attempts, for example.

**Mr. David de Burgh Graham:** And foreign influence is not your bailiwick.

My time is up. Thank you.

**The Chair:** Welcome, Pierre Poilievre, to the committee, for seven minutes.

**Hon. Pierre Poilievre (Carleton, CPC):** SNC-Lavalin falsified documents to funnel more than \$100,000 in illegal money through 18 company officials to the Liberal Party. Do you support the commissioner's decision to let the company off without charges?

**Mr. Stéphane Perrault:** I am not aware of the details of the investigation or of all the circumstances that informed this decision. What I can say on this is what is on the public record, which is that the seriousness of the offence is one factor but is not the only factor in making the decision to prosecute or take other steps, such as a compliance agreement. The commissioner has been explicit on that.

One factor, for example, is the availability of evidence. Is there evidence that could support a criminal prosecution? If there is not such evidence, then that's the end of the avenue for prosecution.

**Hon. Pierre Poilievre:** On that point, the CBC did a documentary, and it discovered a list of employees through whom the money was funnelled. I am going to quote:

All of the former SNC-Lavalin employees and spouses named in the list who spoke to *The Fifth Estate*...said they were not contacted by the Commissioner of Canada Elections to let them know their names were on the document.

These are the people through whom the illegal donations were funnelled. You say there's no evidence. How could you possibly conclude that, when none of the people who were used to funnel the illegal donations were even contacted?

• (1145)

**Mr. Stéphane Perrault:** I did not speak to the existence of evidence in that particular file. I said that this is one factor in general that the commissioner takes into account. I'm not aware of the evidence that was available in that file or the evidence in particular that relates to any of these individuals.

**Hon. Pierre Poilievre:** Well there's plenty of evidence, in fact, the company has now conceded that it had generated fictitious bonuses and other benefits which, according to information obtained in the context of the commissioner's investigation, were of a total value of \$117,803. That is evidence; that is known.

Knowing this, do you still support your commissioner's decision not to pursue the matter in court?

**Mr. Stéphane Perrault:** As I said, I cannot pronounce on that. I do not, by institutional design, have access to the information.

**Hon. Pierre Poilievre:** Who would?

**The Chair:** I'm sorry, I have a point of order.

Mr. Graham.

**Mr. David de Burgh Graham:** This is a matter for the elections commissioner, who, because of the Canada Elections Act, was not part of Elections Canada at the time of this investigation.

That's just a quick point. Carry on.

**Hon. Pierre Poilievre:** Who would?

**Mr. Stéphane Perrault:** The Commissioner of Canada Elections has this information.

**Hon. Pierre Poilievre:** Do you support his appearance to answer these questions before this committee?

**Mr. Stéphane Perrault:** It's neither for me to support or to oppose his appearance.

**Hon. Pierre Poilievre:** You might want to claim that, but you asked to have control over the commissioner, you now hire the commissioner, you fire the commissioner and you decide how much the commissioner gets paid—that was something you asked for in

the legislation. Now you seem no longer to want to have the responsibility that comes with that power. Which is it?

**Mr. Stéphane Perrault:** For the record, the reunification of the commissioner with Elections Canada was not something that was recommended by Elections Canada.

**Hon. Pierre Poilievre:** The original separation was vigorously fought by Elections Canada when you were at the highest level. You also endorsed the bill that reunified them. You asked, then, for the power, but you don't seem to want to have the responsibility.

**Mr. Stéphane Perrault:** The unification is an administrative one. The Chief Electoral Officer, under the regime as it is designed under Bill C-76, is at arm's length from any investigation conducted by the commissioner.

**Hon. Pierre Poilievre:** The office is now reunified, and you are now responsible for it; section 509 of the current statute makes it so. That is the hard reality.

Can you understand why Canadians would become cynical about the fair and even-handed enforcement of election law in this country, when well-connected Liberal insiders can engage in a four-year-long conspiracy involving 18 company officials to funnel illegal money using false and fictitious documentation and not face a single day in court? Can you understand why someone might get a little bit suspicious about whether the law is being evenly enforced on elections?

**Mr. Stéphane Perrault:** Mr. Chair, as I've said, I do not have the information that allows me to have a sense of that particular file and the reasons that supported the decision of the commissioner. I'm not aware of the discussions that took place with the commissioner or with the DPP, if there were any discussions with the DPP. This is outside of the scope of my activities.

**Hon. Pierre Poilievre:** You said in your opening remarks that it was within your scope, because you pointed out that the reunification affected the budgetary matters of your agency. You have acknowledged the reunification; my friend across the way has celebrated it. All of a sudden it has become very inconvenient for you to have the two offices reunified in one, because while you want the power, you don't want the responsibility.

It sounds to me as though what we need here is the commissioner to come to explain his actions, if you won't explain them for him.

**Mr. Stéphane Perrault:** That's something for the committee to decide. It's certainly not for me to decide.

Under the new arrangements, the only thing I would add is that we are responsible—I am responsible—for the administrative support of the commissioner, but not for the specific investigations he may choose to pursue or not pursue, and if he pursues them, the measures that he undertakes pursuant to the—

**Hon. Pierre Poilievre:** So, are you committing that no one in your office or under your employment will ever speak to the commissioner about investigations?

**Mr. Stéphane Perrault:** We certainly will not be involved in any decision regarding the conduct of an investigation—

**Hon. Pierre Poilievre:** But you discuss them with him?

**Mr. Stéphane Perrault:** The commissioner is empowered to ask my view or the views of others—

**Hon. Pierre Poilievre:** Would you offer them without being asked, ever?

**Mr. Stéphane Perrault:** I think that's an abstract question. I don't have the answer—

**Hon. Pierre Poilievre:** Well, it's not abstract. There are investigations that could happen, and you would be able to advise on them. Do you, ever?

**Mr. Stéphane Perrault:** If the commissioner has a question regarding, for example, the importance to the regime of a particular provision, I think that's a fair question.

**Hon. Pierre Poilievre:** So you do discuss investigations with him.

**Mr. Stéphane Perrault:** That is not what I said.

**Hon. Pierre Poilievre:** Well, it seems to be what you said.

**Mr. Stéphane Perrault:** What I have said, Mr. Chair, is that if the commissioner wants to engage in a conversation regarding the importance, for example, of a provision of the act, the integrity of the regime, that is a sound thing. I think the Commissioner of Canada Elections, who enforces the act, and the Chief Electoral Officer need to have a common view on how the regime operates and what the more important aspects of the regime are.

• (1150)

**Hon. Pierre Poilievre:** Well, I think, given that you've acknowledged that you can have conversations with the commissioner, you should have a conversation about how it is even possible for an enterprise like SNC-Lavalin to carry out this kind of patent, four-year running fraud involving 18 employees to funnel money, 93% of which went to one political party—the party whose government appointed you to your position—and not face one single day in court for it.

You offered your opinion on a lot of different things over the years. Can you at least offer your opinion on whether you think that state of affairs is correct?

**The Chair:** Do so briefly, because the seven minutes are up.

**Mr. Stéphane Perrault:** Mr. Chair, I would simply point to the compliance agreement as drafted by the commissioner, in which he was at pains to explain the evidence obtained by SNC-Lavalin and the fact that this was a critical aspect of pursuing the matter. As I said before, the existence or absence of evidence supporting a prosecution is of course critical to the ability to do a prosecution. Anything beyond that relates to the investigation itself, and I cannot speak to it.

**The Chair:** Thank you.

Now we go to Mr. Christopherson.

**Mr. David Christopherson (Hamilton Centre, NDP):** Thank you, Chair. With your permission I'd like to move from inquisition back to the matter at hand.

My question to you, first of all, would be, what was the biggest challenge of implementing Bill C-76? What was the toughest part of it?

**Mr. Stéphane Perrault:** Certainly, there was quite a large effort required in changing the IT systems that are affected. It's not something that is easy to appreciate from the outside, but many of the business processes in running a launch involve IT systems, and

doing comprehensive changes to IT systems in the months leading up to an election is a challenge.

We were able to do it; I can say with confidence that these changes were made. They were tested in January; they were then stress-tested to the volume, and exceeding the volumes, that you can expect in a general election; and they were deployed in a simulated election. We've handled that challenge and we're confident. I am certainly confident going into this election.

**Mr. David Christopherson:** I have some security questions, and I know Mr. Graham has too. I can do them now, but I have a funny feeling that they still might be better done in camera, because I want to drill down a bit. I'll leave that to the end, however, and we can make a determination.

As much as the government gets credit for Bill C-76 and unravelling some of the ugliness that was in the “unfair elections act” that the previous government enacted, the way they did it was ham-fisted and borderline incompetent.

However, am I correct in stating that the government, like the previous party in power, did not change the law regarding parties submitting receipts? It's my understanding that for years and years we've been trying to get to the point that parties should have to provide receipts in the same way candidates do when you are evaluating whether they are entitled to their subsidies.

I can't think of the number right now off the top of my head, but \$76 million comes to mind, though that could just be a number I'm pulling out of thin air. It's a huge amount of money that the parties get subsidies for, and they don't have to provide receipts.

Is that still the case?

**Mr. Stéphane Perrault:** Yes, that's the case. The number you're looking for is \$76 million.

We are the only electoral jurisdiction, I believe, in Canada that does not have access to any supporting documentation for parties, so I was disappointed that this was not a part of Bill C-76.

**Mr. David Christopherson:** Yes, it is just unbelievable that we've gone through two regimes that changed the law and both have said no to parties having to provide receipts. How the heck do you get subsidy dollar one from the Canadian government without a receipt if they ask for it? This has to be the only example, and it's such an abomination in our democracy; it truly is.

This is my last kick at this thing, which is why I'm going at it. This is just unacceptable.

How many millions of that \$76 million should not go to the political parties—my own included—when they're not even providing receipts? We do not know. I put the blame for this squarely with this government and the previous government, who refuse to hold themselves to the same account that they demand from everybody else who deals with government. If there's anything to write about in terms of big things that still need to be done to fix our democracy... People think security, and that's legitimate, but accountability, folks: \$76 million of subsidies goes to political parties with no receipts. Unbelievable.

Now I want to turn to security, so I'll just ask the questions, Chair, and I'll leave it to you and the witnesses to determine whether we should stay in public or not.

Right now, what do you see as the single biggest macro threat to our election?

• (1155)

**Mr. Stéphane Perrault:** I can only refer to the recent report of the Communications Security Establishment, which is a public report. It says basically that the biggest threat is disinformation and the biggest target is the ordinary voter. That's the biggest target, and that's why we think it's important in the lead-up to the election to have an awareness campaign to make sure that Canadians check their sources.

We have no indication that there are any foreign actors who intend to favour one party versus another. We have no sense that this is the concern. I think the general sense is that there's an interest in undermining the electoral process itself and the willingness of Canadians to participate and trust in the electoral process. That's where our focus is going to be.

**Mr. David Christopherson:** Where are we expecting these threats?

**Mr. Stéphane Perrault:** It's not for me to speak to that. It's for a national security agency.

**Mr. David Christopherson:** Don't you need to know that, though?

**Mr. Stéphane Perrault:** It really doesn't change what we do. Our role is to protect our infrastructure. Our role is to correct misinformation about the voting process. Our role is to educate Canadians. Whether the disinformation comes from one country or another or whether it's internal to Canada really does not affect our response to this. It affects Global Affairs; it certainly affects CSIS, for example, or CSE, but not Elections Canada.

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

I assume that there is a plan in place to be evaluating this question throughout the election. Then, I would also be interested in what your plans are for everybody to regroup after the election, in terms of security, to see what worked, what didn't work and how well we defended our system.

**Mr. Stéphane Perrault:** These are two good points.

In terms of regrouping, we're not there yet, but it is certainly something that is high on my mind. After the election we'll have to touch base to see what happened. What we are doing now, as indicated, is working using scenarios—tabletop exercises with security partners—to make sure that we each understand what the other can do, what the boundaries are, what the contact points are, so that the governance is clear and that nothing falls between the cracks and that we operate efficiently, if we need to intervene during the election.

**Mr. David Christopherson:** Okay.

Are you in consultation if not outright coordination with other allies that are facing the same problem?

**Mr. Stéphane Perrault:** Absolutely. First of all, we take part in various forums that exist around the world and have discussed this

issue. We've been in Estonia—I believe last March. There was a forum at the OAS as well this year. We have what we call the four countries, which are the U.K., Australia, New Zealand and Canada.

**Mr. David Christopherson:** —the Five Eyes?

**Mr. Stéphane Perrault:** —well, without the Americans.

We are a group that are in fairly constant communication. I will be in London this summer engaging them, looking at what will have occurred in the Australian election, which is just happening. We are, then, keeping abreast of the issues around the world.

**The Chair:** Thank you.

Mr. Bittle.

**Mr. Chris Bittle (St. Catharines, Lib.):** Thank you all for being here today.

Can you remind me when the commissioner was appointed?

**Mr. Stéphane Perrault:** I believe it was in 2012, but I'd have to confirm.

**Mr. Chris Bittle:** I also believe that it was in 2012. I believe that was a few years before this government was elected, as a first point.

The next point is that the honourable member from Carleton has mentioned and has criticized Elections Canada as really “a Liberal black dog”. Would you care to comment on that?

• (1200)

**Hon. Pierre Poilievre:** I'm sorry, that is false.

As a point of order, I said “lap dog”, not “black dog”.

**Mr. Chris Bittle:** Oh, I'm sorry, Mister. I have a transcript in front of me. It says “black dog”, but we'll go with “lap dog”.

Would you care to comment on that?

**Mr. Stéphane Perrault:** I will not comment on that.

**Mr. Chris Bittle:** Looking around the world, do you have any concerns with elected officials calling into question the integrity of impartial elected officials?

**Mr. Stéphane Perrault:** Again, I will not comment on that.

**Mr. Chris Bittle:** The job of Elections Canada is to remain independent and be a beacon to Canadians, but also a beacon to other countries, because we've heard from other individuals at this committee that Elections Canada has a strong profile around the world because of the regulations in place and because of the reputation of Elections Canada—not just this current administration's, but going back many decades.

Is that the role you seek to maintain as Chief Electoral Officer?



**Mr. Stéphane Perrault:** We have a strong tradition in Canada. We will be celebrating next year our 100th anniversary, “we” being Elections Canada. One hundred years ago, Canada chose to create an independent chief electoral officer. It was the first country in the world to do that, and it's been considered ever since a model around the world in terms of the independence of the office. It's something we're very proud of.

**Mr. Chris Bittle:** Before the commissioner was moved back to Elections Canada under Bill C-76, can you remind us where the commissioner was previously housed?

**Mr. Stéphane Perrault:** Until recently, he was within the office of the DPP, the Director of Public Prosecutions.

**Mr. Chris Bittle:** That's interesting, that he was with the Director of Public Prosecutions. It's also interesting that the opposition is calling, seemingly, for interference in a prosecution, which is ironic, given the debate in this city over other issues the past few months ago.

I appreciate that you don't want to comment and shouldn't comment—and I respect that—on this prosecution. Would you care to comment on the compliance—?

**An hon. member:** [*Inaudible—Editor*]

**Mr. Chris Bittle:** I don't know, Mr. Poilievre. I think in this committee we wait for each other to finish, but I know you're new and that this is your first time being here.

Would you care to comment on the compliance agreement between the Commissioner of Canada Elections and Mr. Poilievre that was signed in 2017?

**Mr. Stéphane Perrault:** For the very same reason that I will not comment on the SNC-Lavalin compliance agreement, I will not comment on that compliance agreement or any compliance agreement.

**Mr. Chris Bittle:** I appreciate that. It's interesting that Mr. Poilievre, in his glass house over there, is throwing stones. I guess he didn't question whether he should have his day in court to hear this out. I appreciate that he may be up for the Nobel Prize in irony, in coming here today to make this criticism.

I have a few minutes left. I'd like to turn it over to Mr. Simms.

**Mr. Scott Simms:** I found it very ironic. I hope I got this correct, but Mr. Poilievre mentioned the independence. Listen, I'm all for that. As a former critic.... About the commissioner returning to Elections Canada, it was never suggested by them. It was a decision that we wanted to make as a party, and on becoming government, we wanted to return to that for the independence. I agree with him, but I found it ironic that his very last comment there was about telling this man to tell the commissioner about SNC-Lavalin.

You should have that conversation with him.

They're either independent or they're not, which is what Mr. Poilievre suggested. That's unfortunate. As Mr. Christopherson likes to say, I mean, come along.

Anyway, thank you very much.

**The Chair:** Mr. Bittle.

**Mr. Chris Bittle:** I'll move on to another point.

Getting back to the topic at hand, I'd like to ask questions about the simulations and how those ran. I was wondering if you could expand on that a bit, please.

**Mr. Stéphane Perrault:** Certainly. It's something that we've done once in the past on a much smaller scale. This time around, we essentially opened five returning offices. We deployed the technology. A lot of our systems are new. We trained the personnel to work on that technology, to use it. We simulated complaints and public inquiries. We tested the governance, not just the systems and the response. They interacted with headquarters, for instance, on those issues. As I said, they hired personnel. They trained them.

Just like in a real election context, they go home for a few days after the training. When they come back, it's not just right after the training. They will have forgotten a few things. Then we run simulations of different kinds of voter ID issues and of people registering in order to make sure they understand the procedures and they run them well. Then we make adjustments to our training as necessary. We also ran scenarios of the wrong things happening. People were not aware of what those scenarios would be, so they had to respond appropriately.

It's a comprehensive test of the systems, the governance, the procedures and the training that go into an election.

• (1205)

**Mr. Chris Bittle:** I only have a few seconds left. In which regions of the country did you operate these?

**Mr. Stéphane Perrault:** There were five: New Brunswick, Montreal—in Outremont, Toronto, Winnipeg and Ottawa.

**Mr. Chris Bittle:** Thank you so much.

**The Chair:** Now we'll go to Ms. Kusie for five minutes.

**Mrs. Stephanie Kusie (Calgary Midnapore, CPC):** Thank you very much, Chair.

I certainly would like to thank the honourable member for Carleton for being here today to bring these occurrences to light, and I have to say that I have a lot of respect for the Chief Electoral Officer. As a former diplomat, I can see that he's being very gracious in his responses and is certainly doing his best to answer the questions without any overreach for his counterpart, the Commissioner of Canada Elections.

However, it seems to be, following upon the questioning of my colleague, the honourable member for Carleton, that it's necessary to go beyond the responses of the Chief Electoral Officer here. He has indeed indicated that if it is the will of the committee we certainly can ask these questions of the Commissioner of Canada Elections.

As such, Chair, I would like to move the following motion, which is now being table-dropped in both official languages.

I would like to move a motion that the Commissioner of Canada Elections appear before the procedure and House affairs committee on our study of the estimates.

I am moving this motion at this time, Chair, and would like to open it up to debate. Thank you.

**Mr. David de Burgh Graham:** We should be playing the *Jeopardy!* song in the background.

**Mr. Stéphane Perrault:** Mr. Chair, if I could just correct the number I gave, the reimbursement of \$76 million is the overall number, including candidates, and \$39 million is for parties.

**The Chair:** Okay.

The clerk and the researcher have pointed out to me that the commissioner's estimates are actually not before this committee. They're before the justice committee, so this motion would be out of order.

**Mrs. Stephanie Kusie:** One moment, Chair, please. I'd like to take a pause.

**The Chair:** Sure.

• (1210)

**Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC):** Mr. Chair, it sounds like you've made a ruling that this is out of order. Is that correct?

**The Chair:** Yes.

**Mr. Scott Reid:** In that case, I would like to introduce the following motion: that the Commissioner of Canada Elections appear before the procedure and House affairs committee to discuss the illegal contributions made by SNC-Lavalin to the Liberal Party of Canada and his decision to issue a deferred prosecution agreement or whatever it's called.

**A voice:** A compliance agreement.

**Mr. Scott Reid:** Yes, a compliance agreement.

**The Chair:** You're giving notice?

**Mr. Scott Reid:** I'm introducing that motion right now.

**The Chair:** For 48 hours' notice?

**Mr. Scott Reid:** No, right now.

**The Chair:** You have to give notice because it's not on the topic we're discussing.

**Mr. Scott Reid:** Ah. So tell me, what's happening next Tuesday?

**Voices:** Oh, oh!

**Mr. Scott Reid:** No, no, this is relevant, because this will be back next Tuesday.

**The Chair:** We haven't determined anything yet. It was basically committee business.

**Mr. Scott Reid:** Okay. Well, this will be our first item of committee business, then, Mr. Chair.

**Mrs. Stephanie Kusie:** One moment, Chair.

**The Chair:** You have about three minutes left.

**Mrs. Stephanie Kusie:** Yes.

**The Chair:** Okay, Stephanie. I think you have about two minutes left. Then we'll switch our panel of witnesses.

**Mrs. Stephanie Kusie:** Sure. Thank you, Chair.

Monsieur Perrault, you mentioned on Tuesday at the Senate finance committee that you estimate the number of Canadians voting

will go from 11,000 electors to 30,000...due to the new provisions set out in Bill C-76. How did you come up with these estimates, please?

**Mr. Stéphane Perrault:** There were two methods. The main method was looking at the increase in demand after the first Frank ruling, if I'm not mistaken, at the trial that struck down the five-year rule. We then saw an increase for several months, during a number of months, when the five-year rule was removed, so some projections were made based on that.

We also know that in the United States, Americans abroad can vote without restrictions as to the years they've been away, so we looked at the proportion of Americans abroad who vote as compared to the proportions of Americans in the States who vote. You have to take into account that many Americans abroad are in the military, and that's a bit of a skewing of the numbers, so it's not an exact science.

Our projections of 30,000 remain. I would call that a class D estimate, in the sense that it's not an exact science, but we maintain our position on those numbers at this point in time.

**Mrs. Stephanie Kusie:** Thank you.

If there end up being significantly more Canadian electors voting abroad than the estimated—let's just say 100,000—will Elections Canada have the necessary resources to deal with such a significant increase? Perhaps while you're addressing that you could also address the numbers at home as well, to avoid massive delays in voting. Perhaps you can start with the voting abroad.

**Mr. Stéphane Perrault:** We're not at all worried about the numbers of those voting abroad. We have excess capacity to triage large mail numbers. We are acquiring new machines to triage the mail. We will be prepared. I'm not worried about that.

In terms of the voting in Canada, what we are seeing is a trend in the last election, a trend that we've seen provincially and internationally: there is a tremendous increase in voting at advance polls. In New Zealand, they're at 50%. In Australia, they're at close to 50%, and I would suspect that they're going to get to 50% in this election. Federally, we could be well into 30% or 35% in the next election.

There are a few things that we've done. We've streamlined the paper process at the advance polls. We've increased by 20% the number of advance polls. That will also serve to reduce the travel distance in rural areas. It's not just the volume. It will get the polls closer to the people. There's an increase in the voting hours. They used to be only from noon until 8 p.m., and now it's from 9 a.m. to 9 p.m. There's a range of tools that we've done.

The other thing that we've seen in Ontario and Quebec provincial elections is a dramatic increase in voting at the returning office. It was 400% in Quebec and 200% in Ontario, so we have streamlined the special ballot process that is used for voting at the RO's office to make it more efficient. We're increasing the capacity as well.

• (1215)

**Mrs. Stephanie Kusie:** Thank you.

**The Chair:** Thank you, Ms. Kusie. Now we'll do the standard question for votes on estimates.

[*Translation*]

Shall vote 1 under Office of the Chief Electoral Officer carry?

[*English*]

OFFICE OF THE CHIEF ELECTORAL OFFICER  
Vote 1—Program expenditures.....\$39,217,905

(Vote 1 agreed to on division)

**The Chair:** Thank you very much for coming. We appreciate having you back. I'm sure we'll see you many times in the future.

We'll suspend while we change witness panels.

• (1215)

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

• (1215)

**The Chair:** Good afternoon. Welcome back to the 152nd meeting of the committee as we continue our study of the main estimates for 2019-20. We now turn our attention to vote 1 under the Leaders' Debate Commission.

We are pleased to be joined today by the Right Honourable David Johnston, the Debates Commissioner. He is accompanied by Bradley Eddison, Director of Policy and Management Services at the Commission.

Thanks to both of you for making yourselves available today. I'll now turn the floor over to you, Mr. Johnston, for your opening remarks. It's great to have you back.

**Right Hon. David Johnston (Debates Commissioner, Leaders' Debates Commission):**

Good afternoon, Mr. Chair and members of the committee. It's wonderful to be back.

[*Translation*]

Thank you for the opportunity to appear before the committee today.

[*English*]

Thank you inviting the Leaders' Debates Commission to review our main estimates. You've kindly introduced us, so let me jump right in.

As you know, the mandate of the commission is to put on two debates, one in each official language. Within that directive is also a commitment to important elements such as transparency, accessibility and reaching as many Canadians as possible. Since my appointment as debates commissioner in late 2018, the commission has been working to achieve these goals and help give Canadians the best debates possible.

Let me begin with a brief overview of the 2019-20 main estimates. The commission is seeking a total of \$4.63 million overall for its core responsibility, which is to organize two leaders debates for the 2019 federal general election, one in each official language.

[*Translation*]

Before I tell you how we plan to use the funding to carry out our mandate, I'd like to talk a bit about what we've accomplished thus far.

[*English*]

Since work began in December 2018, the commission has completed the first phase of our mandate, consulting with over 40 groups and individuals with a wide range of expertise and views. This includes accessibility, youth, indigenous, academic and journalistic groups. We've been pleased with the positive responses from these groups on the existence of a debates commission and our mandate. Our consultation process will continue throughout our mandate.

We have also met with the leaders of the Liberals, Conservatives, NDP, Bloc Québécois, People's Party and Green Party. Overall, there was a positive response to the commission and our mandate. Furthermore, we have set up our communications infrastructure; initiated the process for hiring a debates producer through a request for interest followed by a request for proposal; and, appointed an advisory board of seven members.

We are very proud of the board we have assembled. We're heartened by the enthusiasm from this group of great Canadians to join our cause. Also, I am especially delighted with the quality of the people on our small five-person secretariat.

We are now entering the second phase of our mandate, which will bring us well into the summer. It consists of initiating an outreach program through partnerships with different groups and enterprises; choosing a debates producer; engaging with the political parties and producers to ensure successful negotiations; and, developing a research strategy that will enable us to measure the impact and engagement of the debates.

The third phase, which will start with the election call, will consist of ongoing consultation on the production of the debates, raising public awareness of the debates and the national outreach initiatives that foster a wide understanding of the importance of debates. We will also be evaluating the interest in, engagement with and influence of the debates.

• (1220)

[*Translation*]

Lastly, the fourth phase of our mandate consists of developing recommendations and reporting to Parliament.

[English]

Let me return to the \$4.63 million that is being sought. As you know, this is the first time Canada has entrusted a debates commission with the tasks that we are now undertaking. The funds we are seeking represent an “up to” amount that will allow for our work to be guided by the independent pursuit of the public interest. However, as I emphasized previously, we intend to ensure that the commission operates cost-effectively in everything we do, in keeping with the direction provided to us in the order in council establishing our mandate.

I will cite a few examples. Our goal with our request for proposals for the production of the debates will be to focus commission expenditures on areas not generally provided by past debate organizers, such as accessibility initiatives. We are also working to identify and build relationships with existing entities in our work to both raise awareness about debates and assess their effectiveness. Additionally, it is our intention to provide a detailed report on our expenditures in our report to Parliament after the debates so that policy-makers can assess how to resource a future debates commission should that be the path chosen.

[Translation]

I hope that overview of the commission's main estimates for 2019-20 demonstrates how we plan to fulfill our mandate in order to deliver the debates Canadians deserve.

[English]

Once again, members of the committee, thank you for the opportunity to provide you with this context in which the Leaders' Debates Commission operates.

[Translation]

We would now be pleased to answer the committee's questions.

Thank you.

[English]

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

We'll go to Mr. Simms.

**Mr. Scott Simms:** Thank you.

Thank you very much, Your Excellency.

That's right, you have a “thing”; every time someone says “Your Excellency”, as you said last time, you come prepared. I believe you have a charity.

**Right Hon. David Johnston:** You have a very good memory and you offend frequently.

**Voices:** Oh, oh!

**Mr. Scott Simms:** Actually, it's Mr. Bittle who brought it up with me this morning. It's his memory that's the good one.

Just so you know, we're all in for your charity.

**Right Hon. David Johnston:** May the habit be contagious.

**Voices:** Oh, oh!

**Mr. Scott Simms:** That's good. Okay, I'll keep that in mind.

Thank you for coming here, and thank you for all the work you've done thus far. I say that because it's always difficult to start from scratch, isn't it? That's essentially what you're doing here. But it's not like a leaders debate is a new concept, obviously. It goes back to the advent of television and radio way back when. I forget when the first one was; it was in the seventies, I believe.

So this is somewhat from scratch, but there are two ways of looking at this—how we have done this in the past and how other countries, such as the United States, have done this. Can we talk about best practices? What would you say are some of the best practices you've discovered so far in your research?

• (1225)

**Right Hon. David Johnston:** We look also to the provinces and the leaders debates there so that we have some built in Canada examples. As we think about civic engagement, we look to the other occasions when debates, discussions and animated exchanges on political issues are encouraged, right through to an interesting series of experiments going on in the high schools. In several provinces they have local and regional competitions on staging what would be a leaders debate. That's fascinating for me as a teacher.

Two of our senior staff people were in Washington about three weeks ago for the international debates commission meeting. I was there briefly. In fact, I spent some time with the executive director of the U.S. presidential debates commission, which is entirely non-governmental. That has about a 35- or 40-year history. Typical of our American friends in institutions of that kind, they could not be more gracious, welcoming and enthusiastic in sharing their U.S. expertise, which is quite unique as a model. In fact, that non-governmental commission not only carries off the debates but also handles all of the production and dissemination of it. That is, they actually do the production studio, managing the format and so on.

I should just add that other international contacts have come through that. The United Kingdom has a very different experience. The European countries have a different experience. We'll try to capture that, particularly in our final report to Parliament.

**Mr. Scott Simms:** Yes, okay.

I think in the case of Great Britain a public broadcaster was involved or not involved. Of course we have the same sort of dynamic different from what the Americans have, obviously. Their public broadcaster is not as prominent as ours.

You say you have a production team.

Is that correct?

**Right Hon. David Johnston:** We do not, the U.S. does.

**Mr. Scott Simms:** Are you looking at creating this type of production team for our...?

**Right Hon. David Johnston:** No.

We will have a request for proposals. We would expect a consortium would emerge that would undertake the responsibility for the production and the distribution of the debate with high journalistic qualities to make the feed free of charge to a number of other entities. At that point we will also encourage that number of other entities to be as widespread as we possibly can, reaching out in different languages to different regions of the country. Then try to engage social media to be sure we are best taking advantage of that new phenomenon since the debates began 30 years or so ago in a way that's quite encouraging and stimulating.

**Mr. Scott Simms:** Yes, dissemination is not what it used to be, as someone once said. Dissemination can take all sorts of forms. I guess what you're doing is open access for any type of platform, whether it's a Facebook element or the CBC or what have you.

**Right Hon. David Johnston:** Yes. All of what you said plus more.

**Mr. Scott Simms:** When it comes to the journalistic standards—let's look at that one for a moment—how do you decide?

Obviously in the case of the format, who asks the questions? Who determines what is pertinent to a particular election? What are the main issues?

How do you get into that issue of deciding that journalistic principles are upheld?

**Right Hon. David Johnston:** Those are two very important questions.

First of all, in our terms of reference in the request for proposals we will establish the conditions that come from our mandate as to the kind and type of debate in the public interest that we want. We'll ask for commentary on the matters that you have just raised. Once a decision has been made to go to a particular consortium to carry off at least the two national debates in each official language and their dissemination, we will enter into further discussions with them as to how one can push the outreach, perhaps more enthusiastically than we've seen in the past, and continue in discussions with that consortium right up to the point of the debate.

The actual format, questions to be asked, etc., will be in the hands of the successful consortium, not our hands. But through the process of following that successful request for proposal and awarding the contract we expect to be in quite frequent discussions to have some sense of how those things are evolving, but not to have the ultimate responsibility.

With respect to journalistic standards, a condition of the feed that will be provided by the successful consortium will be anybody using that feed will have to respect appropriate journalistic standards and quality. That could present some questions down the road. There's nothing in our mandate that permits us to enforce that, nor I suppose in the hands of the consortium other than to seek an injunction or some remedy after the fact.

• (1230)

**Mr. Scott Simms:** If you felt they weren't handling it with journalistic principles in mind.

**Right Hon. David Johnston:** If we came to the conclusion that this was happening there would be a discussion with the successful consortium to seek what remedy was available. Within our mandate

we do not have enforcement powers to step in and say thou shall not do that.

In the U.S., the commission on debates, because it is the producer and disseminator of the debates, has a greater degree of control over all the things you mentioned, including the venue, the format, the moderator, the type of questions, the themes, etc.

**Mr. Scott Simms:** Control over the product itself, once the debate is held, who gets a copy of it and that sort of that thing?

Who gets to stream it?

**Right Hon. David Johnston:** In fairness, we haven't totally sorted out copyright. We're seeking legal advice on that. My own view offhand, without having considered it, is that the copyright would remain with the consortium that produces and disseminates the debate. Any breach of copyright infractions would be handled in that route. They're not totally satisfactory because usually you can't deal with breach of copyright until the breach has occurred and the horse is out of the barn so to speak.

**Mr. Scott Simms:** I realize that.

Just for the record, it's not you who would be enforcing the copyright or going after any copyright infringement. It would be the consortium itself.

**Right Hon. David Johnston:** That's correct.

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

**Mr. Scott Simms:** It was good to talk to you again, sir.

**Right Hon. David Johnston:** Thank you, and thank you once again for the contribution to the Rideau Hall Foundation, Scott.

**Mr. Scott Simms:** Not a problem—I'm on it.

Thank you, sir.

**The Chair:** Ms. Kusie.

**Mrs. Stephanie Kusie:** Thank you, Chair.

Sorry, I'm just trying to decide how to address you here. There are so many options.

I would like to turn, if I could, please, to the advisory board members. How are these individuals selected to be on the advisory board, please?

**Right Hon. David Johnston:** They were chosen by us, with my ultimate responsibility, taking advice from the secretariat, and we were guided by the references that are in our mandate. I can refer that to you, if you wish. It does indicate that one should select some members of the advisory board who have had active engagement in political matters.

We put together a very long list of candidates that, one, had had appropriate political experience and, two, had significant media experience with respect to the production and dissemination of debates, and then there was a broader area of people who had experience in things like public interest and citizen engagement, who would be very helpful in our mandate to extend the reach as far as possible and to see the debates as something that would be quite central in our election process and of high quality.

Three of our members are John Manley—

**Mrs. Stephanie Kusie:** I'm aware of the membership, sir. Thank you so much.

What you're saying is that it wasn't an open application process.

**Right Hon. David Johnston:** Correct.

**Mrs. Stephanie Kusie:** All right.

Was there any correspondence or discussion with you and the Office of the Prime Minister, the Privy Council Office or the Minister of Democratic Institutions regarding the selection of these advisory board members?

**Right Hon. David Johnston:** No, that was entirely handled by ourselves.

**Mrs. Stephanie Kusie:** Okay.

Can you remind us, please, who is on the secretariat that you refer to.

**Right Hon. David Johnston:** The secretariat, not the advisory board—is that your question? It's led by Michel Cormier who is a retired senior executive of Radio-Canada. Michel's experience, I think, is probably two decades or more of actually organizing the debate and negotiating the consortium.

He's supported by Jess Milton. Jess is a former CBC person whose responsibility, among other things, was being the producer and director of the *Vinyl Cafe* with Stuart McLean. My colleague, Jill Clark, just behind me, is our communication expert; she came to us from the Rideau Hall Foundation—a foundation I chair—to handle communications. On my left is Bradley Eddison, who's our research analyst and a person who has been involved in the debates for several years, one, within the Privy Council of Canada, two, within Elections Canada and, more generally, understanding the outreach, particularly social media. We have a coordinator and office manager —

•(1235)

**Mrs. Stephanie Kusie:** That's great. Thank you, sir.

What, then, is the principal role of the advisory board in relation to organizing the 2019 leaders debates, please?

**Right Hon. David Johnston:** Very simply, it's to provide advice to the commission with respect to the narrow mandate of carrying off two national debates, in official languages, and engaging with us and assisting in the appropriate awareness of the debates, the publicity in and around them, the citizen engagement that goes with that and preparing our final report and, of course, assisting us on appropriate issue discussion.

In fact, we had an hour and a half meeting this morning with the seven members of the advisory board by telephone. We intersperse those with face-to-face meeting and typically put before them three or four issues that we're working on in a particular month.

**Mrs. Stephanie Kusie:** When they come to decisions, do they use consensus or do they vote on the issues?

**Right Hon. David Johnston:** We haven't come to any fast rules on that. I would say consensus, but the seven-person advisory board is adviser to me, the commissioner, so I would take responsibility for how that advice is received and acted upon.

**Mrs. Stephanie Kusie:** Can any decisions that come out of the advisory board be overturned by anyone, including you, if deemed necessary?

**Right Hon. David Johnston:** I guess if they were to be overturned, they would be overturned by me, overturning myself. They are an advisory board. The input comes in. Of course, if you do that very often with an advisory board, it somewhat tarnishes the kind of advice you get, so we would work in a way to talk a particular difficult issue through and probably come to some kind of consensus, but ultimately the commissioner has the final responsibility to make a decision and take the heat for it.

**Mrs. Stephanie Kusie:** As for the decisions that come out of the advisory board, will they be advising the producer directly, or will these decisions go through you first?

**Right Hon. David Johnston:** I missed the question.

**Mrs. Stephanie Kusie:** I'm referring to the decisions that come out of the advisory board, their discussions and recommendations. Will these recommendations be directly to the producer, or will they go through you first?

**Right Hon. David Johnston:** The advisory board helps us with advice on the crafting of the request for proposals and the terms that we put into that. When we evaluate the responses to that, we'll use two steps. We'll use an expert procurement group from within the Government of Canada that has expertise in the technicality of production to determine whether any or some or all of these responses meet the technical requirements.

When that is finished—yes or no—then a small evaluation committee made up of three people will advise myself and the secretariat with respect to who the winning bidder should be. In the next step, they'll continue their work with that winning bidder to determine ways that we can disseminate the debate feed more effectively and, more broadly than that, engage a wider range of parties in taking advantage of that material and putting it into a public engagement process. That group will report to the commissioner.

**Mrs. Stephanie Kusie:** Will there be a separate producer for each debate, or will a single producer produce all of the debates?

**Right Hon. David Johnston:** We've left that open. We have said that a bid for the French debates and a separate bid for the English debates would be fine. We've also invited a consortium to consider putting the two together.

**Mrs. Stephanie Kusie:** When you accepted this role of debate commissioner, what motivated you to accept it? Why did you think that this was a good idea, as an alternative to how debates have traditionally been done in elections in Canada?

**Right Hon. David Johnston:** I suppose there are three or four reasons. The simplest reason sounds a little hokey, but it's simply because I was asked.

I've spent my life as a tenured university professor, one of the most delightful positions possible in our society, and have been asked frequently to chair different public interest things. I've almost always said yes to that over 40 years or so, subject to, "I don't think I have the qualifications," and sometimes that's been a debate. From time to time I don't have the time. Typically it's simply because I'm doing another one. I do believe that it's a citizen responsibility, especially when you're lucky enough to be a professor of law in one of Canada's fine universities.

Second, I think it's vitally important that we have timely, predictable, first-class debates where people can make decisions on what kind of leader they want to be leading our country and what kinds of policies that person and his party should be pursuing, and be broadly engaged in the spectrum of choices that good societies have to make about where they want to take their country.

I must say, I have been somewhat worried about erosion of trust in public institutions, which moved me to write a book called *Trust*. It came out about six months or so ago. I think that was another compelling reason to say, "I suppose I need this like another hole in my head, but it's something I should do."

● (1240)

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

Now we'll go to Mr. Christopherson.

**Mr. David Christopherson:** Thank you, Mr. Chair, and thank you, Excellency.

**Right Hon. David Johnston:** It's absolutely wonderful. Thank you.

With money changing hands in this House committee, I am a little worried.

**Voices:** Oh, oh!

**Mr. David Christopherson:** I really liked your last answer. We went through a bit of a process in terms of how we got here, but when it came to the who, my comments are on record. Hearing your answer to the last question just reaffirms that in terms of which Canadians should be there and why. There's no better choice, and I'm really glad that you accepted.

**Right Hon. David Johnston:** As I said last time, that is touching, and as I said last time, when I told my wife that evening, she didn't agree, but nevertheless, it was helpful.

**Mr. David Christopherson:** It's probably a big part of keeping you grounded.

If I may, I have a couple of questions. One of the things that Parliament mandated you to do was to deal with the issue of no-shows. I wonder if you have gotten that far in your thinking. If so, where is that leading you? What are your thoughts on that?

**Right Hon. David Johnston:** What an important question. In the mandate, we were not given any sanction with respect to no-shows, so it's an open book as to what one does.

I suppose one looks for the sanction of publicity and notoriety for no-shows. We will trigger that somewhat, which is a matter we discussed with our advisory board this morning, through a formal process of inviting all of the appropriate parties to participate in a debate at some point in advance of the debate itself. If the letter turns out to be negative, we would publish it so that, well in advance of the debate, it would be publicly known that a party has chosen not to participate or not to participate under certain conditions.

**Mr. David Christopherson:** I realize that there was no mandate to compel. There was a bit of a disconnect in terms of the process between this committee, the government and Parliament. All of that is history now, but certainly from the committee's point of view, there was a desire that you do something to show this, including things like empty seats. Are you not considering that right now? Have you ruled it out?

**Right Hon. David Johnston:** Certainly that suggestion has been presented to us on a number of occasions. We have not decided to put that into the terms of reference for the request for proposals. It will be interesting to see what the consortium says with respect to that.

At this stage, we would say that the focus would be on ensuring that there is appropriate publicity about a disinclination to participate and an opportunity for the reason to be stated by that person's being disinclined. I am not sure at this stage whether the commission will make further comments on that, but I think we want it to become a matter of public discussion sufficiently in advance of the debate. It couldn't be too last minute that we can't make a decision on it.

**Mr. David Christopherson:** Yes. We don't want to give anyone an out.

As you know, for a lot of us, the impetus for wanting this done was what happened the last time. Part of that was the all but refusal to find an agreement. If we don't get people there, we fail at the main objective. We can't have the kind of fulsome debate you were talking about if we don't have all the players.

I hope that you give that as much study as possible. What we want to do is create, in our democracy, a situation in which, politically, someone cannot afford not to go. The hit for not going should be greater than any concern a person has about participating. Your being here and continuing to amplify this by letting people know it's coming plays into that very well.

● (1245)

**Right Hon. David Johnston:** Thank you for emphasizing that, by the way. That discussion in itself is important. What we have done, of course, which I'd like to think was quite thorough, is considered discussions in the last three or four years about this matter, including some of the very important presentations to your committee that led to your very excellent report and others

It's also a matter that we have taken up and will continue to take up with our comparative experts as to how they deal with similar situations.

**Mr. David Christopherson:** It's funny you say that, because that was going to be my next question. Having just been down in the U. S., I wonder if you know off the top of your head how they handle those things?

**Right Hon. David Johnston:** I would be unwise to cite that now, because I have general information—

**Mr. David Christopherson:** You haven't studied it enough yet.

**Right Hon. David Johnston:** —based on our most recent discussion with the executive director of the U.S. debates commission. I would want to give you a better answer than the one I have in my head.

**Mr. David Christopherson:** That's fair enough. It's fine.

One of the other things that came up when we held our hearings in preparation for our report was social media. I'm very much in your category, probably, in terms of trying to stay on top of these things. It was a real eye-opener for me. It was good having Mr. Nater beside me, as he better reflected the younger generation's view of these things.

Wanting to address those social media platforms is so key now. What particular kinds of outreach have you done with them? Obviously there's the traditional kind, meeting with the networks and journalists in print and others. Then there are what we would call the other kinds, which are gaining in prominence.

In terms of your consultation, I'm curious as to your approach in allowing them to have input, both at the front end and the back end, in terms of how well they did.

**Right Hon. David Johnston:** I begin, personally, with my 14 grandchildren, who are very good at tutoring their grandpa. They call me “Grandpa Book”, but the booking goes both ways.

**Mr. David Christopherson:** You wear it with pride, I'll bet.

**Right Hon. David Johnston:** Our communication manager Jill Clark is right here. Jill frequently reminds us that she doesn't have a television set in her home and she doesn't need it, and she's more informed than any one of us on what she does. She and Jess Milton have been leading this exercise in reaching out and making contact.

One of the seven members of our advisory board is Craig Kielburger. If you haven't seen the WE headquarters near King East and Parliament in Toronto, do so. It's absolutely extraordinary. They have a digital media studio to figure out how to reach.... I guess they go from about 9- to 21-year-olds with these various programs.

Today we were discussing this very question: what was the number? We've had about 40 consultations, Jill, but how many groups did we have on our list. I think 120 or so, 140.

With more to come, to whom we will reach out and say that they are interested in election debates, in election politics, what can we do to assist you, to engage the audience to which you have a catchment area, in a very positive way and reinforce that? I dare say that of the 40 or so consultations, we probably had eight or ten that would be specifically focused on that kind of—

**A voice:** Twitter, Facebook, Google as well. We all met with them as a part of our initial consultations.

**Mr. David Christopherson:** Those are some of the folks who come in to see us too.

**Right Hon. David Johnston:** Your questions would be, what about this budget, and what does it cost to put on debates?

A good portion of it will be to explore exactly that, and to stimulate that broader new social media area, and then to do an evaluation of what worked and what didn't work out of that with the metrics and so on, and in our report, try to do a little future gazing to say here are the paths we're going down. We're trying to approach it very systematically, and I think I may be just smart enough to say, rely on people who have a whole lot less grey hair than I do.

**Mr. David Christopherson:** I hear you.

I have two quick things. I know the chair is about to close in on me.

I wanted to compliment you on the political choices—Megan Leslie, John Manley and Deb Grey. All of them would be seen as highly capable of being non-partisan, putting the interest of the election ahead of their own. They are all cross-party respected, so good choices there.

**Right Hon. David Johnston:** Thank you for saying that, because we were particularly anxious to have people who would be seen as statespeople, and people with the wisdom, and so on, as well as having the contact that was put in our mandate.

Thank you.

**Mr. David Christopherson:** I think you did an excellent job and succeeded.

My last question—

•(1250)

**The Chair:** It better be pretty short.

**Mr. David Christopherson:** It is.

When you're doing your review, will it go all the way to things like looking at whether your method of doing the production was the most effective?

**Right Hon. David Johnston:** Yes.

Very broadly, it will be to do a post-mortem on these two debates—what was good, what was bad and what metrics are we setting up to try to do that in some sensible way? Then more broadly, is this experiment of a debates commission good, bad or indifferent—something your committee will look at—ranging from nice, tried, good thing, one time, now put it aside, let life go on, continue along this mode or do something even more adventuresome? And then it's to try, without writing an encyclopedia on it, to look at some of the tough issues, the directions, and what we learn from other experiences, and to provide some thoughtful ideas on that. We will not write a lengthy report, but we hope it will be quite informative and that we'll learn from this experience.



**Mr. David Christopherson:** That's excellent, great.

Thank you so much, sir.

Now my payout.

**The Chair:** Thank you.

Mr. Scarpaleggia.

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Thank you, Mr. Chair.

I don't have a fiver on me, so I'll call you "Commissioner".

My question is essentially around your role. I understand that your independence gives you that moral authority to get reluctant participants to take part in the debate. I think that's one of the most important aspects of your role. It's quite a complex role, and you have quite a complex machine with an advisory council and a consortium and using the government to help choose the right producers and so on.

In a nutshell, how would you describe your role? What will you have a direct say in? What are those things where you're overseeing a process that will unfold—

**Right Hon. David Johnston:** We go to our mandate. It's an important question, and we debated this a lot, the degree to which you are standoffish and let the players in the field participate and the degree to which you are pre-emptive.

When we go to our mandate, it asks us to carry off at least two national debates in two official languages that are engaging, as accessible as possible and meet high journalistic standards. We don't say that we will be the people who create those specific rules.

In the response to the proposals, we will expect some detailed commentary on what the consortium winner will in fact do to meet the standards set out in our mandate and make some judgment on that. Having made that judgment, and to be sure that we're not just standing back and saying, "You won the bid, go ahead; we'll see you in late October," we'll engage first in biweekly discussions and then weekly discussions. Then, in the 10 days leading up to the debate, there will be daily discussions, all of which will provide us with information on what they're doing. Also, without becoming too much of a schoolmaster, we'll be in a position to say, "When one thinks about it, perhaps a somewhat different approach on this particular matter might be appropriate."

**Mr. Francis Scarpaleggia:** Thank you.

I do have a fiver, actually.

Your Excellency, thank you for your answer. I'll split my time with my colleague.

**Right Hon. David Johnston:** Mr. Chairman, would you be kind enough to invite me back monthly?

**Voices:** Oh, oh!

**Right Hon. David Johnston:** I have not given you a thorough answer to that question.

**Mr. Francis Scarpaleggia:** No, that's a very good answer. I appreciate it. It helps me understand better.

**Right Hon. David Johnston:** It's under continuous consideration.

**The Chair:** Mr. Graham.

**Mr. David de Burgh Graham:** Thank you, your Excellency.

You mentioned in your opening comments that you talked to the leaders of several parties. I do know that it was only parties that have seats in the House. Is that by design? Is that the intent?

**Right Hon. David Johnston:** Can you say that again?

**Mr. David de Burgh Graham:** In your opening comments, you listed a number of parties that you've been in consultation with. They reflected the parties that have seats in the House. Is that the intention and is that the approach?

**Right Hon. David Johnston:** Our consultations have not concluded as of yet. We, with the assistance of Elections Canada, have begun to reach out to an all-party advisory group that may, in fact, be appropriate for further consultation.

**Mr. David de Burgh Graham:** Have you been getting the, let's call them "smaller parties" that have never had seats in the House reaching out to you in any great way?

**Right Hon. David Johnston:** I don't think there are any others than the ones we've contacted. Should they do so, we would be quite prepared to meet with that party.

**Mr. David de Burgh Graham:** You said you have a request for proposals. What kind of reception are you getting from media organizations? Are they excited?

**Right Hon. David Johnston:** The party organizations?

**Mr. David de Burgh Graham:** The media. Social media and traditional media.

• (1255)

**Right Hon. David Johnston:** I would say in general that they are quite positive and quite interested. Much of it has been asking us to explain more about our mandate and what we're doing. The kind of question that Mr. Scarpaleggia just asked is frequently on their minds, and how they interact with us, etc. There's enthusiasm and ambition, I think. I've been generally very pleased, if I can give that general comment, and we've learned a lot through the process, I must say, and are continuing, because those consultations will continue.

**Mr. David de Burgh Graham:** How early can you or will you schedule the debates?

**Right Hon. David Johnston:** We have given some indication in the request for proposals as to what we think would be the largely appropriate time without insisting that it is the time. It's roughly two to three weeks before the actual debates. We will ask for a specific answer on that from the consortium bidders.

We won't necessarily accept that as written in stone but probably accept their best judgment, knowing that it will be informed by discussions with the parties. I think probably we'll have an override to try to be satisfied that whatever dates are chosen are appropriate. That's perhaps as far as I can go.

**Mr. David de Burgh Graham:** So there's no intent to announce the dates of the debates now? It would be way too early to do that.

**Right Hon. David Johnston:** If there's a chance of what?

**Mr. David de Burgh Graham:** There would be no intention of announcing the debate from now, as opposed to waiting until the election is called.

**Right Hon. David Johnston:** That's an interesting question of timing. I think we would like it as early as possible. That doesn't necessarily work in terms of parties' organizing their schedules and their appropriate activities.

What we will do though, in the discussions with the winning consortium, is try to pin that question down at least as early as possible so that everybody is on notice that it's happening. We will then, ourselves, undertake a kind of awareness campaign to try to ensure Canadians know when that is going to happen, and we can develop a bit of a buildup to it.

**Mr. David de Burgh Graham:** I have only a couple of seconds left. I have a slightly less important question to ask you. Was there any meaning to the binary sequence on your coat of arms?

**Right Hon. David Johnston:** Is there what on the coat of arms?

**Mr. David de Burgh Graham:** On your coat of arms, as governor general, you had a binary sequence. Was there a specific meaning to those numbers?

**Right Hon. David Johnston:** You know, I'd love to give a *The Da Vinci Code* answer that we planted something in there. Some have suggested it. I'm very interested in information technology. I chaired the information highway advisory, two councils, some years ago as it was coming. The suggestion is that there's something there in code; you have to look pretty hard to find it. I think it was put in because of, perhaps, my interest in the digital revolution and the new way of handling communication.

**Mr. David de Burgh Graham:** Thank you.

**The Chair:** It isn't the Knights Templar?

**Right Hon. David Johnston:** Please notice that there were five books on that coat of arms, as well. That's for my five daughters. As Grandpa Book, I believe a lot in learning.

**The Chair:** Thank you.

Ms. Kusie.

**Mrs. Stephanie Kusie:** Thank you, Chair.

Mr. Johnston, this is very hard for me to ask, one, because I like you; two, because you were previously appointed by a man I respect very much; and three, because I don't have five bucks.

I'm looking at the process by which you were selected. It was not an open application; you were selected by the Liberal government. I am listening to how the advisory board was selected. It was selected by you, appointed by the Liberal government, not through an open application process. I would also have to assume, then, that the

secretariat was appointed either by you, appointed by the Liberal government, or by the Liberal government as well through a process. Either way, you were put in place by the Liberal government.

You keep referring to your mandate: our mandate tells us to do this; our mandate drives us to do this. Who gave you your mandate, Mr. Johnston?

**Right Hon. David Johnston:** It came by an order in council.

**Mrs. Stephanie Kusie:** Ultimately, it was the Liberal government.

How can we possibly trust in this being an independent body and organization, and in the independence of these debates, when I have referred to two processes and a mandate that were directed by the Liberal government? We can talk around it, but these are the actions, the sequence of events that occurred, which brought us to these smaller details we are discussing today, such as the producer, etc. All of these things flow from the Liberal government. It's very hard, from where I sit here on the official opposition, to truly see this as independent.

Given all of that, do you believe you'll have enough time and resources necessary to accomplish all that was set out in your mandate, please?

● (1300)

**Right Hon. David Johnston:** To answer the last question, which is the easiest, we'll certainly do our best and will undertake to fulfill the mandate as well as possible.

With respect to your first question, I can't answer it, and you know that I can't. However, with respect to my independence, for me that's a question of integrity. I would ask you to look at a lifetime and make your own judgment.

**Mrs. Stephanie Kusie:** I can look at a lifetime and I can certainly make a judgment. I've said before I have nothing but respect for you and the individual who did your previous appointment. I am not questioning you; I am questioning the process that was used to place you there by the Liberal government, Mr. Johnston. There is no disrespect for you. I'm questioning the process of the Liberal government.

Thank you.

**The Chair:** Thank you, Ms. Kusie.

Thank you very much for coming again. I'm sure we'll see you again. It's great to have you here and meet some of your staff.

**Right Hon. David Johnston:** Thank you for what do every day and for your public service. It's a great delight to be here.

**The Chair:** Before the committee goes, I have to let you know that the minister, who was scheduled for next Thursday, cannot make that. We're trying to get her for Tuesday, but we don't know if she's available. We'll get her as soon as she is available.

Mr. Reid.

**Mr. Scott Reid:** Our first item of business on Tuesday should be the motion I put forward.

**The Chair:** The first item will be committee business. There's a bunch of motions; we have a backlog. However, we'll try to get the

minister. I'm sure people want the minister, if we can get her, for Ms. Kusie's motion.

The meeting is adjourned.

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