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Chair

Mr. Joe Preston

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• (1905)

[English]

The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)): Okay team, let's get started. We got a lot done yesterday and we have a lot to do before we finish tonight.

(On clause 19)

The Chair: When we were last here, we were about to go on to amendment NDP-18.

Mr. Scott, would you like to move it and then tell us a little about why you love it so much? Or maybe you have another way to get around the spot we are currently in. I know we are in a weird spot.

Mr. Craig Scott (Toronto—Danforth, NDP): Before moving it, I would seek the guidance of maybe the legislative clerk. This actually relates to the later section 124 changes. It makes no sense until you deal with it in relation to section 124. It could be stood until we come to amendment NDP-26.

If I'm allowed to move it, I will, but I want to make sure that I'm allowed to move it and that it shouldn't be—

The Chair: Well, you are; at this moment, it's perfectly fine. I think we had a conversation last night about what the government's thought was on the poll supervisors and on where they were going. I was hoping we could get by a bunch of these by doing something different.

Mr. Craig Scott: Yes.

The bottom line is that amendment NDP-26 and this one would together be proposing to continue what we started proposing by way of getting parties out of the appointment system for election day. It would be to ensure that the returning officer appoints central poll supervisors “on the basis of merit, following a process that is fair and transparent”, the same test that we used for the deputy returning officers.

The fact of the matter is that we have already voted against the deputy returning officers. Is that correct?

The Chair: In one spot we have, but apparently there are other spots in here at which we're going to have to vote again.

Mr. Craig Scott: Okay.

What I maybe would suggest is to wait until we get to the clauses that the government understands are the two that have to be deleted to achieve their purposes and see where this fits at that time. I would suggest that amendment NDP-18 should wait until amendment NDP-26.

The Chair: Do you understand where we are, Mr. Lukiwski?

What we're trying to do here is not debate five things that are possibly going to be negated, or debate them at the same time.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Yes, I do understand. Craig and I had a brief conversation. I understand this. I'm not purporting that we should do anything except try to move through this as efficiently as possible. If we can find ways to gain some efficiencies here so that we don't have to, frankly, waste our time and our breath talking about something that's going to be relatively irrelevant, based on some of the proposals that the government is bringing forward, I'm all for it.

I would beg guidance from the chair and his officials on this, but if we can make it as efficient as possible so that we can spend time on other clauses coming forward rather than waste time on this, I think we would be best served.

• (1910)

The Chair: Is there any comment from you, Mr. Simms?

Mr. Scott Simms (Bonaville—Gander—Grand Falls—Windsor, Lib.): No, I'm good.

The Chair: Can anybody give the chair some guidance on what to do first, here?

Mr. Craig Scott: What I would suggest is to determine whether this can be stood until amendment NDP-26, and then we would go to amendment NDP-19 and would just vote through them and get to the point where we're—

The Chair: —back to poll supervisors?

Mr. Craig Scott: —back to central poll supervisors.

The Chair: I need unanimous consent to stand this for that period of time.

Mr. Tom Lukiwski: The government is agreeable to that.

The Chair: Great. We are going to set that one aside for a minute and go to amendment NDP-19.

Please move it, and describe it.

Mr. Craig Scott: I will move this, just so that we are consistent with what we have been moving.

I recognize that the committee as a whole voted against getting parties out of the business of appointing deputy returning officers. This is dealing with poll clerks, and the portion of the clause in question would be replaced with words that basically give to Elections Canada, to the returning officer, the power to appoint poll clerks “on the basis of merit, following a process that is fair and transparent”.

I think this is absolutely ideal in providing a system that would have Elections Canada doing the appointing in the way that this suggests.

We will still move and vote for this. At the same time, I'm going to say right now that I realize it would potentially create an imbalance, because we have already voted down treating the deputy returning officers in this sense.

I'll leave it at that. It should be voted on, but as part of a package.

The Chair: Okay.

Also, amendments NDP-19, which was just discussed, LIB-10, and PV-21 are identical. All say the same thing. Each of you will know that those would be included. There would be one vote for the three.

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Is it on all three?

The Chair: It's on amendments NDP-19, LIB-10, and PV-21.

Is there further comment on what Mr...on what Scott has said? I've already forgotten his name. It's incredible.

Mr. Simms, did you want to speak?

Mr. Scott Simms: Yes, I believe in lumping these together to the best extent we can, because it does create an imbalance, as was pointed out.

The Chair: Right.

Ms. Alexandrine Latendresse: I would ask for another recorded vote.

The Chair: It's a recorded vote on amendments NDP-19, LIB-10, PV-21.

(Amendment negatived: nays 5; yeas 4 [See *Minutes of Proceedings*])

The Chair: That finishes debate on clause 19.

(Clause 19 agreed to on division)

(On clause 20)

The Chair: Now we'll move to amendment LIB-11. It conflicts with amendment PV-22, which has a line conflict, so again there will be the same piece.

On LIB-11, we'll hear Mr. Simms.

Mr. Scott Simms: I think this carries on the same general theme: returning officers appoint deputy returning officers and poll clerks 24 days before....

I think you'll note that they're slightly different, obviously. This is a technical fix:

Within 24 hours after appointing the deputy returning officers and poll clerks, the returning officer shall send a written notice of the appointments to the candidates

Obviously, as you can read, I think this is pretty self-explanatory, so I think we should just get to the vote.

The Chair: Ms. May, amendment PV-22 is part of this, and it's slightly different. Do you have a few words to say on it?

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Yes. Thank you, Mr. Chair.

Our attempt here, of course, is to ensure that, as in previous defeated amendments, poll clerks are appointed and deputy returning officers and poll clerks will be appointed solely on the basis of merit and that the process should be fair and transparent.

There are some proposed paragraphs and a proposed new section, but they all go to the effect of appointing poll clerks and returning officers on the basis of merit and then giving timely notification to registered parties and registered candidates.

So, yes, it's largely to the same effect, but with slightly different wording.

Thank you, Mr. Chair.

•(1915)

The Chair: We will vote on LIB-11.

Mr. Scott Simms: I call for a recorded vote, please.

The Chair: We will have a recorded vote on amendments LIB-11 and PV-22.

(Amendment negatived: yeas 4; nays 5 [See *Minutes of Proceedings*])

(Clause 20 agreed to on division)

(On clause 21)

The Chair: We move on to amendment NDP-20.

Mr. Craig Scott: I will move amendment NDP-20. This concerns the registration offices.

The system in question within the Canada Elections Act and tweaked by Bill C-23 again involves a system of appointing after nomination lists from parties; those lists can be closed, so that becomes, de facto, pure nominations. Again, to be consistent, this is a whole package, which this would have been if we'd been succeeding on each vote, and it states, “Each registration officer shall be appointed by the returning officer on the basis of merit, following a process that is fair and transparent.”

I should also say that if the government MPs had been onside with this, towards the end of these amendments this would have been NDP-22, closing out the package. Having listened a bit to what the government was saying on their own concerns, we would have proposed the following: that the Chief Electoral Officer shall publish guidelines on the criteria and procedures associated with appointing electoral workers on the basis of merit, following a process that's fair and transparent.

We would have put in a “for greater certainty” clause showing that persons associated with political parties and persons nominated by candidates of parties in any election are fully entitled to be appointed on the same basis as any other person. Also, we would have created a mechanism, not a cumbersome one, but a basic way in which parties could direct people to Elections Canada or the returning officer to make sure they are considered under this process.

If we had succeeded with deputy returning officers, poll clerks, and now the registration officer—I’ve realized that we’re not going to succeed—we would have been trying to assuage some of the concerns of the governing side, in that this process nonetheless would have produced appointments of election day officials that are, in our view, let’s just say, fit for the 21st century.

We do think that elections commissions around the world generally are responsible for the appointment of election day workers. Scrutineers are the party’s business. Election day workers should be Elections Canada’s. That is why this is the third of the three amendments, and I hereby move it.

The Chair: Thank you very much.

This will also affect or include amendments LIB-12 and PV-23, as the similarity is there.

We’ll vote on NDP-20.

An hon. member: A recorded vote.

The Chair: I’m sorry. I did not give either of you an opportunity to speak to your pieces.

Mr. Scott Simms: On a point of order, Mr. Chair, could I ask for clarification? Did you lump LIB-12 in with that?

The Chair: Yes, I did.

Mr. Scott Simms: I’m finding that it’s a little different.

The Chair: It is different, but it’s changing the same lines.

Mr. Scott Simms: True, but we’re also talking about some matters in here that may be of concern, such as “at least 24 days before polling day” and also paragraph (4). With your direction, how do we proceed with this if I feel that I don’t necessarily agree with lumping that in or linking them?

• (1920)

The Chair: First, you know that your chair makes so few mistakes, but I’ll ask for advice.

Voices: Oh, oh!

Mr. Scott Simms: Oh, that’s understood; that’s why I’m as shocked as you are.

The Chair: I’m told that we can do the three separately. When one’s defeated, you can propose the next one, but I think you’re probably going to know by then how it’s going to turn out. Do we want to do it that way, or do we want the fact that they’re trying to change the same line three times, to do it at one—

Mr. Scott Simms: Of course. We spent time doing this.

The Chair: Okay, then let’s do it.

We’ll vote on amendment NDP-20 by itself.

An hon. member: A recorded vote, Chair.

The Chair: We’ll have a recorded vote.

(Amendment negated [See *Minutes of Proceedings*])

The Chair: That is defeated. Amendments LIB-12 and PV-23 are exactly the same, so we will deal with them in the same way at the same time.

Mr. Scott Simms: My guys are hoping for a vote on amendment LIB-12 as well.

The Chair: You’ll get it, and it will include amendment PV-23.

Ms. May, because it is yours, would you like to comment?

Ms. Elizabeth May: Yes. Thank you, Mr. Chair.

I understand your recognition that these are substantially similar, but they are only slightly differently worded. I think it’s important to recognize that we have the opportunity before committee not to make this a pro forma exercise but to really look at each amendment. We have the opportunity here to remove partisanship from the selection of poll workers and registration officers.

The current draft of Bill C-23 solicits the names of candidates for these positions from those parties who have finished first and second in that riding. In that, we have created the perception of partisanship in poll workers. I think that’s an important thing to emphasize. That’s why all the opposition amendments at this point are trying to put in place the principle that was so well expressed by the evidence of Mr. Neufeld, that choosing poll workers, registration officers, and poll supervisors solely on the basis of merit will increase public confidence in our voting system.

We’re running through the amendments relatively quickly at this point, and I understand that, but I want to emphasize the point of principle here, that it will enhance the fairness, and the perception of fairness, in the entire voting process if no partisan operatives are involved in recommending registration officers.

With that, I’ll close.

The Chair: Thank you.

Contrary to what certain high school math teachers might say about my ability, I had the ability to do math, and after the last vote I have an idea how this is going to go, which is why, with this stack here, I’d like to move as reasonably sensibly quickly as we can.

We’ll vote on amendment LIB-12.

Mr. Scott Simms: A recorded vote.

(Amendment negated: nays 5; yeas 4 [See *Minutes of Proceedings*])

The Chair: It’s defeated, so I carry with it amendment PV-23.

Shall clause 21 carry?

An hon. member: On division.

(Clause 21 agreed to on division)

(On clause 22)

The Chair: Mr. Simms, on amendment LIB-13.

A voice: Are you sure we don’t want amendment NDP-21 first?

The Chair: Well, it's not the order it's in here.

Amendment NDP-21 is first.

Sorry, Mr. Simms.

Mr. David Christopherson (Hamilton Centre, NDP): That's not the way we have it either.

A voice: How come?

The Chair: I don't know how come.

Mr. Craig Scott: If I can make it easier, I decline to move amendment NDP-21. Can I withdraw it, please?

The Chair: Okay. Then that leaves me with amendment LIB-13?

A voice: No, it would be NDP-22.

The Chair: Amendment NDP-22.

• (1925)

Mr. Craig Scott: Will we be getting to amendments LIB-13 and PV-24?

The Chair: Yes, they are right after these, apparently.

Mr. Craig Scott: Amendment NDP-22, I also will decline to move because, given the way the votes have been going, I explained this would have been the section—

The Chair: To where we were going to go?

Mr. Craig Scott: —setting out guidelines, but it's a little bit redundant, or something else.

The Chair: All right.

On amendment LIB-13, Mr. Simms.

Mr. Scott Simms: Yes, I'm going to quickly say we're deleting part of the clause, removing partisan activity from administration of elections. That's it.

The Chair: All right.

Did you move it?

Mr. Scott Simms: I so move.

The Chair: Thanks.

On amendment LIB-13. It affects something doesn't it? Amendment PV-24, to be exact.

Mr. Scott.

Mr. Craig Scott: I have a point of information, which might be for the legislative clerk or maybe the people from PCO.

If I understand this, now that we have passed everything else, the current wording of section 41 in clause 22 is quite consequential on what we've already adopted, and that to vote against this would create almost textual confusion in the act.

Mr. Marc Chénier (Senior Officer and Counsel, Privy Council Office): Amendment LIB-13 would remove the changes to the transposition of results process. That's the process after there's a redistribution, to determine which parties finished first and second in the electoral district.

Mr. Craig Scott: Exactly, but at the moment the Bill C-23 amendment adds “registered associations or registered parties” to the

existing section 41. So here, having lost all along, I'm just worried that if we vote with Mr. Simms on this one, we'll leave in place a provision that doesn't reference registered associations or parties, which we have already voted to include.

Mr. Marc Chénier: That's correct.

The Chair: Does that make this out of order? No?

Then I guess we're voting on it.

Would you like a recorded vote?

Mr. Scott Simms: No, that's fine.

The Chair: We'll vote on amendment LIB-13.

Mr. David Christopherson: On division.

(Amendment negatived on division [See *Minutes of Proceedings*])

The Chair: That would then do the same thing with amendment PV-24.

We're now at amendments LIB-14 and PV-25. The vote on one applies to the other, the same as just a minute ago.

Ms. May, would you like to do the honours on this one?

Ms. Elizabeth May: Thank you, Mr. Chair.

Amendment PV-25 goes back to clause 22. Our intention here is to...and again, the likelihood here is that, as in the previous commentary, in trying to make the act work in relation to the redistribution of ridings, if we were going to have adopted the previous motions, this would have been an important consequential amendment. Since we haven't accepted the previous amendments, I'm not sure.

Mr. Chair, if I were moving this, I might not move it, but since it is deemed to have been moved by this strange process in which I am now operating, I don't know how to approach it other than to say that the previous votes have made this one rather problematic.

The Chair: Let's just go to the vote, and maybe—

Ms. Elizabeth May: Whoever deemed this to be put forward could deem it to be removed. I am not sure how the deeming process works; I'm not a member of the committee.

The Chair: I think the easiest way is to just try the vote on it and see what happens.

Ms. Elizabeth May: Okay.

The Chair: The question is on amendments LIB-14 and PV-25.

• (1930)

Mr. Scott Simms: Could we have a recorded vote?

The Chair: Certainly, it will be a recorded vote.

(Amendment negatived [See *Minutes of Proceedings*])

The Chair: Mr. Scott, you'll tell me when we're supposed to get to amendment NDP-18. Are we there yet?

Mr. Craig Scott: No.

The Chair: Not yet? Okay.

Shall clause 22 carry?

An hon. member: On division.

(Clause 22 agreed to on division)

(On clause 23)

The Chair: We're now at amendment NDP-23.

Mr. Craig Scott: Mr. Chair, I'm going to explain what I'm doing just so there's no confusion.

Mr. Tom Lukiwski: There will be anyway.

Voices: Oh, oh!

The Chair: I have a ruling on your amendment.

Mr. Craig Scott: As long as it's inadmissible; I wasn't going to move it.

The Chair: Well, if you're not going to move it, then it takes it out of play anyway.

An amendment to a bill that was referred to committee after second reading is out of order as beyond the scope and principle of the bill.

We'll now go to amendment NDP-24.

Mr. Craig Scott: I'll give the legislative clerk notice that I am not going to move amendments NDP-24 and NDP-25 in order for us to get to a vote on clause 23, which we will be voting to delete and expecting the government to as well, and in order for everybody to know that this is part of the process, which Tom might want to speak to as well, of, when we get to that point of deleting, returning the Canada Elections Act back to its existing provisions on central poll supervisors.

The last thing is that I will be moving to add a new subsection 42(1), which is the same in substance as this. But that's after we get rid of....

The Chair: Right now we're on clause 23.

Mr. Lukiwski, were you about to speak?

Mr. Tom Lukiwski: I was just about to say the same thing, that the government will be voting.... To confirm what I said yesterday, the government will be voting down clause 23 so that we revert to the status quo.

The Chair: Okay, so clause 23 has been voted against.

An hon. member: A recorded vote.

The Chair: Do you want that? Here I was basking in the unanimity.

(Clause 23 negatived: nays 9; yeas 0)

The Chair: I'm going to go to Mr. Scott because he has a new thing.

Mr. Craig Scott: Everybody has NDP-24 in front of them. I basically would like to move this in the following way: "That Bill C-23, in Clause 23, be amended by adding, after line 34"—although it has been deleted—the following.... Then, where it says section 42, that would read 42(1). Then the text would be the same as you see in front of you: "In making appointments of electoral workers, returning officers shall give special consideration to recruiting

youths"—I guess that's English—"who are 16 years of age and older".

Proposed subsection (2) would read:

The Chief Electoral Officer may develop programs designed to assist in the recruiting and training of youths as electoral workers, which programs may be part of, or otherwise connected to, public education and information programs, including civic education in schools, colleges and universities.

I'm going to hand this over in writing because I've written the "that" part here.

The Chair: I think that makes it official.

You've moved it.

Mr. Craig Scott: I've moved it, and I think it's obvious that this can stand with everything in the Canada Elections Act that has been kept in place or slightly modified by Bill C-23 to this point. It's still the case that returning officers do appoint people, for example, when parties have not used their right to nominate people who end up getting appointed.

In that context, one of the recommendations that has appeared in at least one Chief Electoral Officer report is that one of the best opportunities to inculcate a sense of civic engagement in youth is to realize that they're a source of election day workers. The ones who are in their late teens, in the last two to three years of high school, for example, might potentially be available in by-elections, etc., and for more than one election. As part of this, they may be more likely to be engaged by the democratic process.

That's the thinking behind the amendment, and I'll leave it at that.

•(1935)

The Chair: Thank you, Mr. Scott.

Is there further comment on the amendment of Mr. Scott? I see none.

It's a recorded vote.

(Amendment negatived: nays 5; yeas 4 [See *Minutes of Proceedings*])

The Chair: It is defeated.

(Clause 24 agreed to on division)

The Chair: Next is PV-26.

Ms. May.

Ms. Elizabeth May: Mr. Chair, PV-26 moves us into a really important area of substantial amendments to the bill. It was one of the problems with the current way political parties operate, which was identified by numerous commentators, both by Chief Electoral Officer Mayrand and by Democracy Watch, and by a number of people who testified before the committee. It certainly has troubled me ever since I left the NGO world at Sierra Club, where we had to abide by the Privacy Act in the treatment of the names of our members, to find that Canada's privacy laws don't apply to registered political parties.

We have a lot of examples of fairly invasive practices by political parties, in maintaining databases of huge amounts of information on Canadians, without their knowledge and without their permission. Of course, if political parties were not exempted from the Privacy Act, such behaviour would be outrageous. Somehow, political parties are outside the normal rules of privacy protection of every other body and agency that operates in Canada.

My amendment would create a new clause, 24.1, to be inserted on page 18:

24.1 The Act is amended by adding the following after section 54:

54.1 (1) In order to ensure that the collection, use, disclosure and retention of Canadians' personal information by political parties is subject to commonly accepted principles of privacy protection, transparency and accountability, political parties shall develop and make available upon request policies and practices necessary to ensure compliance with Schedule 1 to the Personal Information Protection and Electronic Documents Act.

The rest of it is consequential to that.

Obviously, there's a paragraph 3: (3) If a political party fails to comply with subsection (1), the Chief Electoral Officer may withhold from that political party any information contained in the lists of electors....

I find it very troubling that in the world of big brother, nobody has bigger databases on Canadians than the larger political parties. No offence to my colleagues across the way, but I think the CIMS database has them all beat. We have information on what people buy, what they own, where they shop, where they worship, and I really think that all of us, as members of political parties, should be troubled by this exemption.

I don't have a lot of hope that you're about to pass it, but I really want to make the case that I bet your constituents would be really proud of your voting to ensure that political parties are not above the laws of privacy in this country.

The Chair: Thank you.

Mr. Lukiwski, sorry, I have to catch your—

Mr. Tom Lukiwski: No, that's fine. I'll speak out if I want to be heard.

For the benefit of Ms. May and anybody else who may be watching and listening to the discussion, I just want to inform the committee why the government will be voting against this clause. It is simply because the CEO Mr. Mayrand indicated in his last report that he would be consulting a newly appointed advisory committee of political parties on this very issue. That is probably the best way to proceed, rather than arbitrarily making a decision with a new clause inserted in the fair elections act. I think the consultation process with the committee of political parties would be the best way to go. I know that discussion will be held, this issue will be dealt with, hopefully, at that time, and I think that's appropriate.

That's why we will be voting against Ms. May's endeavour.

● (1940)

The Chair: Mr. Scott.

Mr. Craig Scott: I would like a point of clarification from Tom, then.

When did the Chief Electoral Officer announce that?

Mr. Tom Lukiwski: It was in his last report.

Mr. Craig Scott: In his last report? I missed that. That's interesting. Thank you.

The Chair: The vote is on PV-26.

(Amendment negated)

(On clause 25)

The Chair: Mr. Simms.

Mr. Scott Simms: My apologies for the lack of notice and the second language notice as well, but I want to do this orally. This is something we decided to do this evening, so I'm going to give people some time to look it up.

This is on page 18, clause 25. Now you can go to line 11, but proposed paragraph (a) is where I'll read from:

(a) the name and political affiliation, if any, of each candidate, as stated in the nomination papers, in the order in which their names are to be placed on the ballots;

(b) the name of the official agent for each candidate....

I am proposing that the wording be:

the name, postal code, community, and political affiliation, if any....

Basically, I'm including the community in which they reside and the postal code of that community.

The Chair: This is on a ballot. Am I right?

Mr. Scott Simms: That's correct.

The Chair: Okay.

Next is Mr. Lukiwski, and I'll go to Mr. Scott after that.

Mr. Tom Lukiwski: I wanted to ask why that is, Scott.

Mr. Scott Simms: The way I look at it is this. I think whether someone resides within a community, and where they reside if they are to become the direct representative, is important within the minds of voters. It has become a very important issue, and I think that should be stated as clearly as political affiliation is.

The Chair: Mr. Scott, and then I'll go to Mr. Reid.

Mr. Craig Scott: Mine was just a point of verification.

What other identifiers have you asked to add?

It was community and...?

The Chair: It was name, postal code, community, and political—

Mr. Scott Simms: Political affiliation stays the same. It's postal code and community.

My assistant brought up a good point. Prior to this, it was address. We're talking now about the registration when you go into the polling booth, right? Before this it was your specific address. That has been taken out.

The Chair: That happened a few elections ago.

Mr. Scott Simms: I wanted to say that they've chosen their political affiliation, which is what it says, as well as community and postal code.

The Chair: Right.

Mr. Scott, you still have the floor.

Mr. Craig Scott: Forgive me, Scott. This is new and we haven't had a chance to think about it, but I think the address reference is not in the current act, right? There's nothing here that's changed that?

Mr. Scott Simms: No, I'm sorry. We're talking about the list of candidates when you go into the polling booth itself, and that the address should be added. That's my understanding of it.

Mr. Craig Scott: But this is for the ballots.

Mr. Marc Chénier: In paragraphs 64(2)(a) and 64(2)(b) there is the notice of grant of polls after—

Mr. Scott Simms: Sorry, could you start that again?

Mr. Marc Chénier: Sure. Paragraphs 64(2)(a) and 64(2)(b), the provisions you're modifying, are about the notice of grant of polls that's posted in the returning office after the confirmation of nomination processes, and that just lists the candidates that were confirmed as well as their official agents. Currently, it requires their addresses to be posted. The bill proposes removing the requirements to post candidates' and official agents' addresses.

• (1945)

Mr. Scott Simms: The addresses are removed?

Mr. Marc Chénier: That's right.

Mr. Scott Simms: Okay, that's what I'm looking for. I'm sorry if this causes any more confusion, but this is what I'm going for here. Instead of removing that address, I would like to return their community—not specific address—and postal code.

The Chair: Super. I'm okay with that.

At the moment, I'd like you to finish your discussion.

Mr. Craig Scott: Which line was that inserted on? Was it in paragraph 64(2)(b) or 64(2)(a)?

The Chair: It's in paragraph 64(2)(a). After name and political affiliation, are you adding postal code and community?

Mr. Scott Simms: Yes, it's just those two, no address.

The Chair: Right, so name and political affiliation are staying in paragraph 64(2)(a)—

Mr. Scott Simms: Those remain.

The Chair: So that's clear. It's not on the ballot. Your chair said that, and he was incorrect.

Mr. Craig Scott: It's replacing address with.... But what does community mean?

The Chair: Mr. Scott, you still have the floor. Did you want to finish?

Mr. Craig Scott: Yes, and it doesn't have to be answered right away. I'm just wondering if there's a definition of "community" for this purpose. If I'm in Toronto, is Toronto my community, or is it... whatever?

The Chair: It's North York.

Mr. Scott Simms: It could be Toronto. It's whatever it normally was on your address. If you have an address, you have to say where it is.

The Chair: Okay.

Mr. Lukiwski.

Mr. Tom Lukiwski: I could make some observations. I find it interesting that the Liberals particularly would be advocating this, but I won't get into that political consideration. I will say, however, the government will be voting against this, only because we've had really little time to consult with our own people on this. I think the current situation is more than sufficient. I know there are a number of members of the Liberal Party who tend not to live in the ridings they are representing. I find that passing strange, but nonetheless we will be voting against the proposal.

The Chair: I still have Mr. Scott, and then I'll go to you, Mr. Reid.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): I had put my hand up earlier.

The Chair: Oh, sorry, I did say you, Mr. Reid, and then I forgot you were there.

I'm going to you, Mr. Reid, because I'm just going to be as fair as I can be.

Mr. Scott Reid: First of all, I just want to say how unloved I feel. I feel like Casper the ghost or something. I don't know.

Voices: Oh, oh!

The Chair: Your chair accused you of making me invisible the other night, and I've gone and done the same thing with you. I do apologize.

Mr. Scott Reid: All right.

The Canada Elections Act as it stands now says in paragraph 64(2) (a) that the returning officer posts in the returning office a notice of grant of poll with the name, address, and political affiliation of the candidates. Bill C-23 takes out the address. You're adding back in just the postal code but no further information.

Am I correct?

Mr. Scott Simms: It adds the community associated with your address and the postal code.

Mr. Scott Reid: I'm assuming this is a more or less universal practice. If I think of the road on which I live, there are three or four houses that have the same postal code; I don't think it's more than that. So once you've put the community back in, you've put the address back in, effectively. It seems to me I could figure out where a person lives from that.

I'm just wondering why you don't just put the address back in. Why don't you just get rid of the...?

I assume that's your objective, right?

• (1950)

Mr. Scott Simms: Am I on the speakers list, Mr. Chair?

The Chair: Go ahead and answer it, because it will just make my life a bit easier.

Mr. Scott Simms: I want people to know where you reside if you are a candidate in this particular election. Now, for reasons of privacy in the past, I realize you didn't want the exact address. I take your point that in some cases you can deduce where they live, but I think if you're going to give someone a general idea of where that person resides, you use the community and you use the postal code.

To Mr. Lukiwski's point, all parties have what we call parachute candidates. I appreciate that. I just think people should know. That's fine if it happens, if you feel that you can do the job here and you can still represent a riding that you don't live in, but I think people should know that.

The Chair: I think we have the gist now of where we are on this.

Mr. Scott.

Mr. Craig Scott: It's turned out to be more interesting than I'd realized. This is an example of something that I hadn't noticed had been taken out.

I'm kind of neutral on it, but I'm just wondering if on the government side anyone has the rationale for why it was taken out. Is it privacy reasons in terms of the address?

The Chair: Mr. Lukiwski.

Mr. Tom Lukiwski: A portion of that certainly would be for privacy reasons, but Scott's point...and we can agree to disagree, but the more relevant point is the name and the party you represent.

Mr. Craig Scott: They're the most fundamental things.

Mr. Tom Lukiwski: Yes.

Mr. Craig Scott: Okay.

The Chair: I'll call the question.

Mr. Scott Simms: I'd like a recorded vote.

The Chair: We'll have a recorded vote on Simms 1.

(Amendment negatived: nays 5; yeas 4 [See *Minutes of Proceedings*])

(Clause 25 agreed to on division)

(Clauses 26 to 38 inclusive agreed to on division)

Mr. Dave MacKenzie (Oxford, CPC): Mr. Chair, on a point of order, IND-2—

The Chair: That was defeated early yesterday afternoon, along with something else, apparently.

Mr. Dave MacKenzie: Okay.

(Clauses 39 to 43 inclusive agreed to on division)

(On clause 44)

The Chair: I'd like you all to remember how that felt.

Keep that feeling in your head.

We're on to amendment NDP-26. Mr. Scott, I take it you're moving it.

Mr. Craig Scott: I'm moving it.

Again, just for the sake of completeness, we've been moving amendments until this point to make the returning officer, therefore Elections Canada, responsible for all appointments of elections officers, the central poll supervisor. In effect, although with different wording, that is the case in the current act.

Bill C-23 changed that and made central poll supervisors effectively subject to the de facto appointment of the candidates or the parties—this is the provision we have now—who placed first in the last election. Therefore, the whole point was that unbalanced the system that existed. The theory of neutrality was that there'd be a deputy returning officer of the first party, and a poll clerk from the second. This squeezed out any other parties, so it was a problematic system, but nonetheless this would have unbalanced it.

There have been a lot of comments from informed observers from the NDP, from the opposition, to say that was a mistake to include. I won't belabour the point, other than to note that the minister did say it was among the changes that he would support.

I understand that by virtue of voting against clause 44, the government will return us to where the act currently is on central poll supervisors. However, before we get there, I'd like to have a vote on this and get to returning the Canada Elections Act to a situation where the central poll supervisors would not be appointed by the first-place party.

Could we vote on this, and then go to clause 44?

• (1955)

The Chair: There are others, LIB-15 and PV-27, that we'll have to deal with also.

Mr. Craig Scott: That's my end goal, then, but let's just get through ours.

The Chair: Okay.

Is there anything else on NDP-26?

Mr. Lukiwski.

Mr. Tom Lukiwski: Just to reconfirm so everyone is aware of what's happening, the entire clause 44 is the main clause that originally had proposed to amend the central poll supervisors. The government will be voting against it. We can't just delete it because that's inadmissible.

We can go through the various clauses that Craig, and perhaps others, oppose, but I want to assure the members of the opposition that the government will be voting against clause 44, which will in effect go back to the status quo.

The Chair: Great.

We will vote on NDP-26.

Mr. Craig Scott: A recorded vote.

(Amendment negatived: nays 5; yeas 4 [See *Minutes of Proceedings*])

Mr. Craig Scott: Mr. Chair, in case it slipped, amendment NDP-26 was stood, and I'll just not move it.

The Chair: What about amendment NDP-18? Are we going to come back to that?

Mr. Craig Scott: I'm sorry, that's the one I meant.

The Chair: That's the one you meant. It can go in the other pile now.

Mr. Scott Simms: On a point of order, Mr. Chair, did you mention amendment LIB-15?

The Chair: I'm about to.

We're at LIB-15, which is similar to PV-27.

Mr. Scott Simms: It's similar, but I think we should—

The Chair: It looks identical.

Ms. Elizabeth May: They're not identical at all.

Mr. Scott Simms: No, they're not.

It was the same thing before, actually. It's—

The Chair: Okay, so amendment NDP-18 was not moved.

We'll get back to these in just a second, Mr. Simms.

That means we should now be moving what.

A voice: LIB-15.

Okay, we're going to move LIB-15 first.

Mr. Scott Simms: I so move, including what was said before plus subclauses 44(4) and 44(5), which, as you can see, lay out the intention of this.

The Chair: Right. Is there any further discussion?

Seeing none, I'll call the question on amendment LIB-15.

• (2000)

Mr. Scott Simms: Could we have a recorded vote, please?

(Amendment negatived: nays 5; yeas 4 [See *Minutes of Proceedings*])

The Chair: We'll move to amendment PV-27.

Ms. May.

Ms. Elizabeth May: Mr. Chair, I'm sorry for jumping in to point out that this wasn't identical. It was in the sense that the representative shall be appointed based on merit.

The significant difference from previous amendments that is found in this particular amendment, PV-27, is based on recommendations from the Chief Electoral Officer, as well as from Democracy Watch, as well as from Mr. Neufeld particularly.

There's no question there has been controversy throughout the period since the first reading of Bill C-23 over the content of the Neufeld report. There's no question the review of the 2011 election by Mr. Neufeld commissioned by Elections Canada reflected that there were a number of errors. The errors were not, as you will recall from testimony, related to attempts at fraud, apparent fraud, or even suspicion of fraud. What they did relate to is that our electoral

system depends on a lot of people who are hired at the last minute and who do not necessarily receive adequate training.

The key difference between this amendment and previous ones is to allow the returning officer to appoint the central poll supervisors 180 days before the writ. You will recall from Mr. Neufeld's testimony how significant he feels it is that we stick to fixed election dates. Then you know when the writ's going to be dropped and then you can start bringing in the chief election day workers well enough ahead that they get the training they need to reduce error rates.

If you stepped back and were inventing our electoral system from scratch, you wouldn't invent the system we have. We've eliminated the enumeration. We don't have a voters list that's reliable. We're now relying on multiple pieces of identification. We have a bunch of people picked by political parties who are appointed at the last minute and not given adequate training.

This is an attempt to say that in the case of those central poll supervisors who play such an important role, let's hire them early and make sure that they're the bulwark of the system with adequate, in fact excellent, training.

The Chair: Is there further comment on amendment PV-27?

Seeing none—

Ms. Alexandrine Latendresse: Hello.

The Chair: Sorry, Madam Latendresse. I even have your name written down.

Ms. Alexandrine Latendresse: Thank you.

I have a question, and maybe Madam May or the folks here can answer me.

In English, the amendment says:

The returning officer may appoint the central poll supervisors as of 180 days before the issue of the writ.

In French it says, “*dès la date de délivrance du bref*”.

I just want clarification.

[*Translation*]

Ms. Elizabeth May: It says “Le directeur du scrutin peut nommer les superviseurs de centre de scrutin dès la date de délivrance du bref.”

[*English*]

Ms. Alexandrine Latendresse: So it means...?

[*Translation*]

Ms. Elizabeth May: I'm sure it means the same thing in French, but I'm not quite sure why it doesn't say “180 days”.

[*English*]

Ms. Alexandrine Latendresse: But is it 180 days before the issuance of the writ or is it on the day of the issuance of the writ?

Ms. Elizabeth May: It's supposed to be 180 days before the writ. It's the same in English as in French. I'm afraid I'm also confused as to whether they've made a mistake in the drafting.

They told me when I asked that question

[*Translation*]

about the wording of “de centre de scrutin dès la date de délivrance du bref”.

[*English*]

it may be that there's a drafting error. I thought that, but I was assured it was the same.

The Chair: If indeed it was, it would be corrected. Am I right?

We'll have to ask the people from the Privy Council.

Mr. Marc Chénier: There's a difference between the two language versions. The English-language version allows the returning officer to appoint as of 180 days before the issuance of the writ.

Ms. Elizabeth May: Yes.

Mr. Marc Chénier: The French version allows them to do it as soon as the writs are issued.

Ms. Elizabeth May: I was afraid of that, Alexandrine, because the drafters we worked with said that it would come out to mean the same thing, but I didn't see it either. I'm afraid there is a difference between the English and French versions.

The Chair: But you do mean it to be 180 days.

Ms. Elizabeth May: I mean it to be 180 days ahead.

The Chair: All right.

Shall we go ahead with that since we all know that now?

•(2005)

Mr. David Christopherson: We can change that by unanimous consent.

Ms. Elizabeth May: That's very kind of you, because there is a difference between the English and the French.

Thank you.

The Chair: All right.

We're voting on amendment PV-27, with us all knowing it means 180 days.

(Amendment negated [See *Minutes of Proceedings*])

The Chair: Shall clause 44 carry?

An hon. member: On division.

An hon. member: I just like to be cooperative.

Mr. David Christopherson: You let me down.

Mr. Scott Simms: A recorded vote, Mr. Chair.

(Clause 44 negated [See *Minutes of Proceedings*])

The Chair: Now, where were we? There was another clause that we had to go back to.

I'm being told that we have to do amendment NDP-18.

He wanted to withdraw it.

Do we have to vote on clause 18?

Mr. Craig Scott: Now I have to find a mover. That's what I said before.

The Chair: Right. But we haven't finished the clause.

Shall clause 18 carry?

An hon. member: On division.

(Clause 18 agreed to on division)

The Chair: Is that correct? Clause 18 is carried on division?

A voice: *Oui*.

The Chair: All right. Now we're caught up to clause 45.

(Clause 45 agreed to on division)

(On clause 46)

The Chair: We're at amendment LIB-16.

Mr. Scott Simms: Mr. Chair, I so move. Very simply, this allows not just the leader of a party to be subject to a barrage of photographs or the media, but also each and every other candidate. I think this goes to the freedom of the press. Please do not mistake that as my being so particularly vain as to want my picture taken.

It's as simple as that. All candidates can be exposed to—

The Chair: In a polling station?

Mr. Scott Simms: Yes.

The Chair: Okay.

Mr. Scott, on that issue.

Mr. Craig Scott: I should know this, but I don't. I don't have the act in front of me. Because this is a sidebarred provision, is what's in there now a change from the previous act? Are we changing it back to what it was or to something entirely different?

Mr. Marc Chénier: Currently there's nothing in the act allowing for media representatives to be at the polls. This was a recommendation of the Chief Electoral Officer, that for ridings where there's a party leader, media be allowed. The bill provides that in ridings where a party leader is the candidate the media can have access to the polling station to film the leader and the other candidates voting.

The Chair: In that polling division.

Are you asking for it to be at all polls, or for all candidates?

Mr. Scott Simms: Yes, all candidates.

The Chair: Is there any further discussion?

Mr. David Christopherson: Yes. It's not really a philosophical issue; it's more a matter of practicality. I think we're all in agreement that when the leaders go in, those photo ops are needed. The only thing we were wondering is, are we setting ourselves.... That does throw people a little. That's why we have a prohibition against it happening.

This makes an exception for the leader plus the candidates. The leader we accept, but if we get into the candidates, though, some ridings end up with eight to ten candidates, and that could be fairly disruptive. If you're just thinking about the incumbent or one or two, it may not be that big a deal, but if you extend the right, it has to be for everybody on that ballot. That means you could have, theoretically, eight to a dozen sort of bits of circus happening during that time. What are your thoughts on that?

We're wondering whether that's really in the best interests of the stability of the office. We'll make the one exception, but should we maybe just hold it there?

● (2010)

Mr. Scott Simms: I see your point, clearly. The practicality of it may throw some challenges into this, there is no doubt. My assumption is that the poll supervisors are able to manage it in such a way that they do not interfere with people voting or lining up to register or whatever it may be. I think if you are going to move ahead and allow media access to the leader, it should be extended to anyone who puts themselves on the ballot.

The practicality of it, as you point out, I take that, clearly, but I think that the poll clerks and the supervisors have enough experience such that they can manage it.

Mr. David Christopherson: If I may, Chair—

The Chair: You can have the floor.

Mr. David Christopherson: Thank you. I appreciate that.

I've been a candidate 11 times, and every time I've done anything like that, when there was interest, we would just do it outside the polling station. They'd get the shot they wanted, a quick little clip of me walking down the street, and I never at any time thought "Gee, I wish I had gotten a clip of me inside" because it really didn't matter.

I'm not against it, personally. I'm not yet convinced that's an improvement, given that candidates—I've been very successful when the media wants to do that with me. I meet them outside; they talk to me before or after I go in, and we do a little cutaway of me walking down the street. I don't know. It seems to work.

Mr. Scott Simms: Mr. Christopherson, my problem is that it would be your call to do that outside. If a particular member of the media would rather have you captured voting as opposed to talking, I think that's their call and they should have the freedom to do that.

The Chair: We'll go to Mr. MacKenzie.

Mr. Simms, go ahead.

Mr. Scott Simms: I have one final point. If you're going to extend it to the leader, I understand. That person is the leader, but he or she is also just a name on the ballot like everybody else. It shows a bias.

The Chair: Mr. MacKenzie.

Mr. Dave MacKenzie: Mr. Chair, I would be opposed to it, and I recognize that Ms. May will likely vote on election day and she will get her picture there. For perhaps 1,000 candidates across Canada, they may very well vote in the advance poll, and I can't think of a better opportunity to get advance publicity than by calling the press and saying that the candidate is going to be at the advance poll two weeks before election day.

I don't think it's a good idea, Scott.

The Chair: I might add something else, Mr. Simms, that may help you with your thought here before we go on.

The chair doesn't do this very often, but as Mr. Christopherson said, it may involve eight to ten people, depending on the riding, but that would be eight to ten different polling stations across a riding. They don't all vote at the same one. You're suggesting that poll supervisors could do it, but now we'd have to train 12 of them if they're all at different—

If I'm in the same riding as the leader, he and I may not share the same polling station.

Mr. David Christopherson: I have one last point. This is an enjoyable discussion. Too bad we didn't do the whole bill this way. When I've done international election observing missions, one of the key things to look for is the atmosphere in the voting station. Is it stable? Are outside interferences creating distractions? One of the things to look for from beginning to close is as much stability as possible.

I remain unconvinced that this is necessarily an improvement, given that as a candidate, I have found my ability...my media has never said, "Gee, Dave, this really sucks because we couldn't do it inside."

With respect, I'm going to be voting against it.

The Chair: Madam Latendresse.

[*Translation*]

Ms. Alexandrine Latendresse: I'd like to address my colleagues who have been on the Standing Committee on Procedure and House Affairs for at least three years: Mr. Chair, Mr. Reid, Mr. Lukiwski and Mr. Christopherson. I know we discussed a similar proposal when we studied the Chief Electoral Officer's report.

Personally, I have some problems with this amendment, one in particular. Having cameras all over the polling station might deter some people from voting. If I'm someone who wants to vote in relative privacy to keep my vote confidential, I might be intimidated by tons of cameras there to film a party leader or candidate.

I think the measure is reasonable when you're talking about party leaders but shouldn't be extended to every riding in the country. I have some trouble allowing media all over the place as it could put some voters off.

So I won't be supporting this amendment either.

● (2015)

[*English*]

The Chair: That is super.

We're at the voting stage for amendment LIB-16. I have a feeling where it's going.

Mr. Simms.

Mr. Scott Simms: I see your point. I wasn't going to say anything, but she does bring up a good point, it's valid. But what I'm saying is that you've extended this to several candidates, and not them all, and I think that's probably the problem here.

The Chair: Okay.

We're voting on LIB-16.

(Amendment negatived [See *Minutes of Proceedings*])

(Clause 46 agreed to on division)

(Clause 47 agreed to on division)

(On clause 48)

The Chair: We have amendment BQ-3.

Mr. Bellavance, you get a few minutes to tell us why you think this is the greatest clause on earth.

[*Translation*]

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Chair, can we discuss amendments BQ-3 and BQ-4 together? I know they pertain to two different clauses, but they both talk about exactly the same thing, prohibiting people from voting with their face covered. Amendment BQ-4 applies to clause 53.

I'm not sure whether that's standard practice here, but if we considered both amendments at the same time, it would save the committee having to listen to the same arguments over again.

[*English*]

The Chair: Okay. We'll remember how you presented it when we get to it, all right?

[*Translation*]

Mr. André Bellavance: I have to be there.

[*English*]

The Chair: All right, let's vote on BQ-3—

[*Translation*]

Mr. André Bellavance: No, no, Mr. Chair.

[*English*]

The Chair: Oh, you want to speak further on it. I thought that was your short time.

[*Translation*]

Mr. André Bellavance: No, Mr. Chair. I was just asking one question. I want to make sure you understand what I mean.

[*English*]

The Chair: Go ahead.

[*Translation*]

Mr. André Bellavance: I asked you whether we could deal with amendments BQ-3 and BQ-4 now.

[*English*]

The Chair: We can't do them both together, but we'll remember how you presented this so when we get to BQ-4, we can make the vote apply to both. Okay?

[*Translation*]

Mr. André Bellavance: Yes, we could vote on both at the same time, since they're about the same thing. It would shorten the process.

[*English*]

The Chair: Would anyone like to apply this vote to all the rest? No, I'm just kidding you.

[*Translation*]

Mr. André Bellavance: Just mine. Thank you, Mr. Chair.

I'll keep it brief, as everyone's familiar with the topic.

In 2007, the CEO decided to change certain rules to allow people to vote with their faces covered. At the time, the Prime Minister said he seriously disagreed with the CEO's decision. Bills to amend the Elections Canada Act were later introduced, one by the Bloc Québécois and one by the Conservative Party. The Conservatives also mentioned it in the Speech from the Throne. In 2011, the current minister, Steven Blaney, put forward a private member's bill requiring electors to show their face when voting.

The Bloc Québécois just wanted to bring the federal legislation in line with Quebec's: anyone who goes to a polling station must show their face when voting. It's a bit like passports, where the photo shows the person's face. The same applies to driver's licences.

Since the Conservative government has always supported the measure, I would ask its members to vote in favour of my amendment, because I already know the other parties are against it. Of course, if we could bring them around this evening, that'd be ideal. Voting with your face uncovered is simply a matter of fairness to all voters.

Thank you, Mr. Chair.

[*English*]

The Chair: Thank you.

Madam Latendresse.

[*Translation*]

Ms. Alexandrine Latendresse: I'll make it quick.

I won't be supporting this amendment because of how it's worded. It doesn't include any exceptions or possible accommodations. As it currently stands, someone who's been badly burned and whose face is all bandaged up wouldn't be allowed to vote.

I won't be supporting this amendment.

[*English*]

The Chair: I see no other speakers on BQ-3. This also covers BQ-4. We'll have a recorded vote.

(Amendment negatived: nays 9; yeas 0 [See *Minutes of Proceedings*])

The Chair: It is defeated, and that would also defeat BQ-4.

We will move on to G-5.

G-5 has a line conflict with NDP-30, LIB-18, PV-29, NDP-31, and NDP-32.

Mr. Lukiwski.

● (2020)

Mr. Tom Lukiwski: Chair, I'll move this amendment.

This is getting down to the section of the act where we talk about ID requirements when voting.

We've heard the argument that it's not so much ID, who you are, but the residency requirement as to where you live that seems to be the major problem. We've heard that time and time again from people who made interventions. In fact, it seemed that the vast majority of people did not seem to have a problem with producing identification to prove who they were. It was only the residency that seemed to be the sticking point.

Therefore, we're suggesting that to overcome that problem of not being able to prove residency, rather than vouching, someone who has a proper piece of identification showing who they are can have another voter from the same polling station, who has both proper identification as to who they are and where they live, sign a written oath of residency. The voter himself, who doesn't have the proper residency requirements, will be required to co-sign the oath attesting to the voter's address. In other words, we would have a situation similar to what currently occurs in Manitoba.

Just to be clear, everyone will have to prove who they are. They will have to have a proper form of identification. But through the signing of an oath, or attestation as some people would call it, we can allow those people without proper identification of residency to still vote.

That's what this amendment is about. I'll leave it at that, because I'm sure there are members from the opposition side who have questions on this amendment.

The Chair: Mr. Scott.

Mr. Craig Scott: I'm just double-checking. Am I right in hearing that because of the line conflict NDP-30, NDP-31, and NDP-32 cannot be dealt with as a result?

The Chair: That's correct.

Mr. Craig Scott: Okay. Just for the record, NDP-30 and NDP-31 would have been the NDP's amendments to restore the Canada Elections Act to the vouching provisions that are there, that we've lived with in this country until Bill C-23, but by virtue of the line conflict, we won't be able to move them so we'll discuss vouching in the context of this amendment. I wanted to be on record that those two amendments can't be put forward.

This is welcome, although it also has problems in scope. It's welcome in the sense that the committee did indeed hear among its 71 witnesses a lot of groups and representatives of groups who very articulately set out why it was that removing vouching from the Canada Elections Act could impact them, large numbers of different sectors of society. We already knew about 120,000 people had vouched in the 2011 election, and a face was put on that in committee, I would say, for a good chunk of the folks who would have needed to vouch.

At that level the outcry across Canada about the removal of vouching appears to have had an effect. I can only say I welcome and am glad the government is putting forward an amendment to

their withdrawing of vouching that institutes a vouching by address system whereby one piece of ID plus vouching is going to allow people to vote.

I have a couple of concerns I want to flag and see if we can talk through them and get to the point of a possible very small amendment.

I'm not sure if people following the committee remember we had testimony from a Professor Abe Oudshoorn, who works with the homeless in London, Ontario. He described an organized process of vouching in London. Social workers and community workers on the day of the election will take clients who show up at their agency to polling stations and vouch for them. He later explained this meant they would obviously have to pair them up for their specific polling divisions because you can only vouch within your polling division.

This was made easier for a number of elections in one of our biggest agencies. The London InterCommunity Health Centre was a polling station, for example. Staff there were kept busy vouching. He predicted by the end of the day it was very hard to find a London social worker who hadn't vouched for somebody.

He explained it as follows. This was part of our testimony:

When a person experiencing homelessness but without identification enters an agency and expresses an interest in voting—often the agencies have a sign that says, “Ask us how you can vote”—they are connected with someone who can vouch for them, whether it's someone who works in the agency or another person who's homeless who's also said that they would like to vote. They will be accompanied by someone who can vouch for them at the polling station. This is made simpler in our community because one or more of the serving agencies use our polling stations and it makes it a little easier for everyone in terms of the walking.

● (2025)

The reason I've taken the time to set this out is that one of the provisions in amendment G-5 that sets out the conditions for vouching adds a threshold that doesn't currently exist in either the law or the practice of vouching under the Canada Elections Act.

I'm referring to new proposed subparagraph 143(3)(b)(ii). It basically says that one of the conditions of being able to vouch for somebody.... Actually, there are two paired together on the second page of the amendment:

- (ii) they know the elector personally,
- (iii) they know that the elector resides in the polling division,

At the moment, the law effectively is only the second one, (iii). They know that the elector resides in the polling division because it's taken as a given that when you know that, you actually know the person sufficiently to know that. There's no test for how well or how much better you know the person other than knowing that.

By introducing “they know the elector personally”—

● (2030)

The Chair: Mr. Reid.

Mr. Scott Reid: No, no, I'm just....

The Chair: I'm just making a point of letting you know that I've put you on the list.

Mr. Scott Reid: Thank you.

The Chair: Mr. Simms, also.

Mr. Craig Scott: Adding the language “they know the elector personally” is new and it seems they want it to be a little bit additional to the idea they know that the elector resides in the polling division.

To me this is a problem, because it opens up the ability of whatever officer on election day to be able to start asking, “Do you know this person personally?” and make judgment calls. What does “personally” mean? For how long, and in what context?

I can see absolute chaos, as well as potential unfairness. Inconsistency of application is one form of unfairness and then there's the unfairness of turning somebody away because an elections officer says, “You haven't known them for a year. You haven't known them for a week. You just met them an hour ago.” But you reliably know they live at that address because the social agency that has paired you up with them has indicated that they use your services. I think the openness, the generality of this, is going to produce a real problem of application.

I have a second concern. Mr. Richards may remember we had a bit of a discussion on this. Under the current Canada Elections Act, the sections on vouching, there is basically the idea that what I was calling citizen-to-citizen vouching is completely acceptable. The idea is you know the person, where they live, you've come to know them enough that this is the person who lives where you're vouching for them and that's all that has ever been required.

I'm hoping it's not an intention, and I can't imagine it's an intention, but this is by result potentially an anti-homeless clause, because if you use a system like the one described for London or anything that's similar to it, there's a danger that the threshold of knowing the person personally won't be met. The citizen-to-citizen vouching has literally been written out of the possibility by using the word “personally”, and whether that means you live in the same division and it's family, you live in the same division and it's a neighbour, you live in the same polling division and it's somebody else who somehow you know personally, whatever that might mean, I just think it goes far too far for what is otherwise an openness of spirit to everything else that was heard in the days of testimony.

I'm hoping that through some further discussion we can find a way. I will be wanting to amend this to excise it because I think it's completely unnecessary to start with, and then I do believe it can create barriers. I'm hoping that the other side will look at my concerns and say that's not what they intended and therefore we can work with this, and let's see what we can do.

I wanted to flag one last thing about this. Let me take a step back. In the 2011 election, roughly 900,000 or a million people were able to vote, legally able to vote by authorization of the Chief Electoral Officer, by using the voter information card as proof of address alongside a piece of valid ID. Some figures suggested over 400,000 actually did it that way.

We know that one of the government's amendments to the Canada Elections Act in Bill C-23 is to get rid of the use of voter information cards. So we have, let's say, 400,000 people who use these and we don't know what percentage of them can easily find that piece of ID with an address to replace the voter information card, but we do

know that this new system will allow them to come out with their ID and if they can find somebody voting at the same time or somebody they know, they can have them vouch.

What percentage of those 400,000, along with the 120,000 who vouched the last time who could find a piece of ID, are going to need vouching?

● (2035)

I actually think there's a big potential for additional red tape here because—and I'll explain this later when we get to voter information cards—a decent percentage of those 400,000 who use the VICs will remember that they did so. A decent percentage of them probably couldn't find a piece of address ID, and the only choice for those people now will be vouching. This will create potential logjams and all kinds of pressures on some polls if that turns out to be the case.

What's the solution? That we happily embrace the government's amendment, hopefully getting rid of this knowing personally business and we keep voter information cards, because then, what will that do? That will accomplish exactly what Mr. Neufeld recommended in his report.

Let's diminish the amount of vouching that's needed. One way to do that is to increase the use of voter information cards and make them generally available.

If the voter information card is available, you don't get to the vouching fallback here for many people because they will actually be listed and will be able to use the voter information card. Some of them will be able to find other pieces of ID with their address; I recognize that.

There's a danger, however, that this well-intentioned amendment, the government's version of vouching, address vouching, will potentially add to the numbers of overall vouching because the VICs are gone. If the government is content with that, then I just hope Elections Canada can find a way to make sure that they're ready for the pile-up that might occur at some polling stations. I think the easiest way, again, is to replace it to make sure the VICs stay, as well as this amendment.

However, there will be people who will not be able to vote because we heard good testimony that made sense just as a matter of logic, that there are some people in society who, by the time an election is called, can't lay their hands even on the one piece of identity that would then allow for vouching, plus they would have to find somebody to vouch. There will be cases, and it may not be nearly as many as otherwise would be the case if this weren't brought in, but because the right to vote is a constitutional right, every possible effort should be made to allow anybody entitled to vote, to vote.

We have to be aware that, as Mr. Lukiwski said, the vast majority would be able to vote using this, and the rest of the provisions, the showing of ID. But he accepted, by using that expression, that some people won't, and that, ultimately, is what the current vouching provisions in the Canada Elections Act are intended to be there for, as the final safety net.

That's also why there are scholars who have begun to write about why not having that kind of final—let's call it—full vouching ability could lead to.... The absence of that may be declared unconstitutional.

I'm delighted to see this. I really do think that the government's bringing vouching back into the Canada Elections Act is a positive. I actually thank the government for doing that, for having bent to pressure, frankly, but hopefully members of this committee also conveyed all the testimony they heard, and that played a role.

After having set out the context, I'm hoping we can have some discussion on this “they know the elector personally” business.

The Chair: Mr. Reid.

Mr. Scott Reid: Mr. Chair, the purpose as I understand it of the section of the amendment that would become the new proposed subparagraph 143(3)(b)(ii) containing the words “they know the elector personally”, is to make sure that some of the basic qualifications one must have in order to vote are fulfilled.

Knowing that someone resides in a polling division is also required, and this is of course a good start. We need to know as well that the individual who is being vouched for is eligible to vote based on their criteria. You have to be 18 years old to vote. You have to be a Canadian citizen to vote. Now I will grant that there are many people who are obviously over the age of 18. I might submit myself as a case study in this regard. I do want to say for the record that I was carded once after I reached the age of 40—true story—but I have a suspicion that I looked not like a youth but rather like a liquor inspector. Anyway, that's my guess.

Be that as it may, there are people, and students are an excellent example of this, who may or may not be of voting age. Often they will look younger than the voting age when in fact they're over, and the reverse. This is a reasonable thing. You have to know the person personally in order to determine that. A person can easily establish their identity through a piece of identification without being able to establish their age. Likewise, considering the large list of types of identification that are acceptable, including everything down to utility bills, most of these things do not include date of birth, nor do they include citizenship. Indeed I am hard pressed to think of anything other than a passport that actually serves as identification as to your identity that also indicates whether you are a citizen of Canada.

These are two things that are accomplished in this particular case. I, too, kept careful records of the witnesses who came before this committee raising concerns about individuals who would not be able to vote if vouching were removed and not replaced with something. I am hard pressed to think of a plausible example that qualifies. The example that had the greatest resonance with me was the example offered by one of the witnesses who asked what happens to a woman who has left a violent and abusive husband and is now residing

outside her home. Initially, I thought she was making reference to somebody residing in a shelter for battered women, but she said later on that what she meant was someone who's living with her sister.

Using either of those two examples, the individual is unlikely to have literally no identification at all. In the event that she's at the shelter for battered women, she is very likely to have or to be capable of getting an attestation from the administrator of that home. In the event she's with her sister, there are any number of pieces of identification that don't attest to her address but do attest to her identity that she would either have or would be capable of getting in fairly short order. Remember, the CEO has the ability to create new identification that would allow her to establish this. I'm not actually saying he will do this, but he could do this if he wanted to. For example, he could allow that famous prescription bottle that is used in British Columbia to be used. I'm not recommending that necessarily, but it was suggested to us as a possibility.

Establishing some form of identity is fairly reasonably established. Remember that her sister, using this example, can vouch that she is indeed someone she knows personally. The only people I can imagine falling into the category of where no one knows them personally.... It doesn't say intimately, you'll notice. It says personally. The person is not just introduced to you that day.

I'm struggling. You have to be literally outside your community and outside your community in a way where you have not established any knowledge because you are an extraordinarily recent arrival, as in within the last few days or less than a week, I would think.

• (2040)

I'm struggling here. I guess one could argue that a homeless person who has just arrived in a municipality has this problem. But don't forget that for all people, including homeless people, there's the option of voting at the returning office, at the advance poll, and on polling day, to say nothing of a number of special balloting options.

I am not suggesting that these are easy options to access. Nothing is easy for you when you're a homeless person, but the point about them is that they're spread out over time chronologically, meaning that you're not likely to be someone who is not known personally to anybody at all, even if you're a homeless person.

I suppose if we conjured up an example of somebody who lives in the woods, unknown to other human beings, and who emerges on voting day, we would indeed have hit somebody who would not qualify to vote under this.

Now I want to go back and point out what is fundamentally wrong with Professor Scott's argument and indeed with the entire argument that the opposition has been making from the start. Their argument is that the right to vote under section 3 of the charter is sacrosanct, and I'm willing to concede that is true. It is so sacrosanct that if we can find one example, no matter how preposterous, anywhere in the country, we should therefore expect the Supreme Court to overturn every single measure required to ensure that people who are not eligible won't be voting. We have to strip away all security, all potential to avoid fraudulent voting.

I know their argument, their additional argument, that there is no electoral fraud in Canada—none, zero, nothing, *nada, rien*, ever. They point, I suppose, to the 2011 election from which there were no prosecutions, and the 2008 election from which there were no prosecutions.

But I make the humble suggestion that in a country where many millions of people vote across the country, with inadequately trained personnel—we all concede that occurs—with inadequate voters lists—we all concede that, including the CEO, who points out that the voter information card has a 14% error rate with regard to identity.... The voter information card is issued on the basis of the preliminary voters list, not the final voters list, which admittedly is improved. The rate is over 20% in ridings he has chosen not to identify for us. I would argue that there is indeed, in some situations, fraudulent voting. We just can't track it.

Numerous members of Parliament, from literally all parties—Liberal, NDP, Conservative, and Bloc Québécois—when we were dealing with the piece of legislation that came prior to some amendments to the Elections Act that came in 2006, all stated that fraudulent voting was a concern. All of them did.

This is the goal: to strike a reasonable balance. I think we have gone an extraordinary distance to ensuring that no plausible scenario can exist, as opposed to the implausible, and we can always invent something. Another example that occurred to me was that of someone who was kidnapped by aliens and returned to Earth just on election day, and their ID was out of date or was kept by the aliens. Who knows? But no plausible scenario exists in which an individual will be unable to cast a ballot during the writ period given all of these safeguards that are in place, including the ones that are here, including the numerous safeguards that have been in existence for some time, such as the existence of advance polls, voting at returning offices, and so on.

● (2045)

The Chair: I'll go to Mr. Lukiwski and ask for some expedience. I know we're talking about a very important piece.

Mr. Tom Lukiwski: This will be completely expedient, because anything I would have to say after the comparison about aliens coming to vote in Canada would pale by comparison.

The Chair: That's repetition, Mr. Lukiwski.

Mr. Tom Lukiwski: I can't say anything that would top that, Chair.

The Chair: Well, I don't know.

Mr. Simms. I'll ask for some brevity.

Mr. Scott Simms: Pardon me?

The Chair: I've asked for some brevity. Your chair can ask. You don't have to follow.

Mr. Scott Simms: That's a tall order for a short man.

I'll try to get away from repetition because a lot of stuff I wanted to say has already been said by Mr. Scott.

I want to talk about the amendments following this that obviously will not go through, but the idea about vouching, to me, was something that was fundamental to any great democracy, in order for

people to vote. I always found it a bit disingenuous when people—well, when the government primarily—would say, “You don't need to show this type of ID just for this”, whether it was cross-border shopping or whatever it is you wanted to do. None of that would prove to be an inalienable right. This is an inalienable right, however, as stated in section 3 of the charter. For that reason I thought the testimony, and I won't rehash all that was said in testimony, was such compelling evidence. Not only was it compelling, it was so overwhelmingly of the same opinion. In my 10 years of being here, I have never seen stronger coalescence of opinion around one direction since coming here.

Again for the sake of brevity and repetition, I want to stress how I think that in the next election we will face some serious problems and complaints, especially from one segment of the population that I know exists as a majority in my riding, seniors. This voter information card has been relegated by the government as something of a tool that was used to circumvent rules—whether it was irregularity or fraud, I'll let them decide—but I simply found it so egregious to turn their backs on something that was a fundamental piece, a pathway, to exercising a democratic right.

I remember going to many seniors' homes and asking people to vote for me. They would talk about voting and all that, and that card was prominent in their rooms, in their houses. It was somewhere where they saw it every day. This was a ticket to their own democracy that they exercised, and I think in the next election it will continue to be that. I genuinely hope that by changing this there will be some program, quite literally. Maybe Elections Canada should do this. I don't know if the government has thought of this. You should write on this voter information card in bold letters, “You cannot use this piece of identification for voting”. It needs to be in bold letters, because we will have problems if that's not done.

I want to reiterate what was said earlier by Professor Scott about the importance of these voter information cards. I know that's repetitive, but I honestly believe it is very, very important that these VICs remain as important as they used to be, and if anything, make them stronger. Again I reiterate, you had best tell the Canadian public that his thing is no longer a piece of ID for that third pillar, which is to prove your residence.

I don't understand why they decided to push ahead, eliminate the element of the population that they have some suspicion of, and try now to reverse engineer mistakes they think they have made.

Thank you for your time.

● (2050)

The Chair: Thank you very much.

Madam Latendresse.

[Translation]

Ms. Alexandrine Latendresse: I have a question for my colleagues across the table. I hope someone has an answer for me. It has to do with Mr. Reid's response to what Mr. Scott said. This is about having to know the elector personally, but do we have a definition of what it means to "know the elector personally"? I have a bit of trouble with that. At what point do you know someone personally? Obviously, it can't apply to someone you see every day but never speak to. But there aren't any real guidelines on that, so it could be open to interpretation.

Furthermore, will it cause delays at the polling station? Are people going to be asked how they know one another and what the nature of their relationship is? I'd really like to know how people at the polling station are going to determine whether the two individuals really know one another or not.

[English]

Mr. Tom Lukiwski: That's why you sign and attest an oath.

The Chair: The oath says whether you do or don't.

Mr. Tom Lukiwski: I have to sign an oath saying I know you and I know that you live in this polling station, and if I'm lying I am subject to a fairly significant fine. That will be explained to me by the polling official before either the voter or the attester signs and consigns the oath.

•(2055)

[Translation]

Ms. Alexandrine Latendresse: I'll repeat my question. At what point will the attestor be deemed to have lied if it turns out they don't know the elector personally enough?

[English]

Mr. Tom Lukiwski: I either know you or I don't. I don't know you well, perhaps, but I know who you are.

[Translation]

Ms. Alexandrine Latendresse: The question isn't whether you know the elector or not, but whether you know them personally. At what point do you know someone personally?

[English]

Mr. Tom Lukiwski: I know you personally.

I don't think it's as big a problem, or any problem, frankly, as you're trying to suggest it is.

[Translation]

Ms. Alexandrine Latendresse: I am not suggesting anything, I just want to know. My linguistic background may be to blame; I was a linguist before becoming a member of Parliament. To me, the definition of "personally" is somewhat abstract.

[English]

The Chair: Mr. Christopherson.

Mr. David Christopherson: Chair, certainly, first off, I would concur in my colleague's remarks. She's absolutely right. Make no mistake that there are going to be problems with this.

However, the first thing I want to say is that this not just an ordinary flip-flop. This is a flip-flop of historic proportions. This is a double backflip somersault with a twist in terms of flip-flops.

Before I get to my argument, the first thing I want to say very clearly is that had there been proper consultations in the beginning with all the people who we ultimately heard from, who convinced the government through public pressure to change their position, we could have avoided all this.

If they had simply knocked on the door of the Chief Electoral Officer, the elections commissioner, and a few other experts, we could have avoided all of this. This is what happens when governments bring in legislation that significantly changes important things and they don't consult with anyone. This is the kind of thing that happens.

Let's start at the beginning. If everyone recalls, the government started talking about this because there was so much fraud, because there was so much potential for fraud. In fact, the minister was reading out Mr. Neufeld's report, holding it up and saying, "There's the proof right here. It's in the report. Mr. Neufeld did this study, this expert study, and here's what it said."

What did Mr. Neufeld say when the minister used his report to say that there was either widespread fraud or the potential for widespread fraud? Mr. Neufeld said, "I think any fair-minded person who reads that report would come to the conclusion that he"—meaning the minister—"has not been fair in his assessment of my findings." He also went on to say, "there was no evidence of fraud whatsoever". He also said that he had "only been privy to a handful of cases of voter fraud" in his career.

That was the argument. That was the foundation the government laid out for denying vouching. Then, of course, we all heard the minister's talking points. They were repeated here for a while, but anybody who has followed this closely saw those talking points soften up just a little. Line by line they sort of disappeared, and as time went on, they stopped defending....

Then they went back, and now we're here with this amendment, and it needs to be said, the Prime Minister in particular.... I don't normally mention the Prime Minister at the committee level, but I have to tell you, I sit right across from him and he's been getting up every day when he has the chance and saying that the NDP has this extreme position that people can vote with no ID.

Meanwhile, the vouching available in the last election meant exactly that. People could walk up with no ID and they could get someone to vouch for them, and Mr. Neufeld's report said, "there was no evidence of fraud whatsoever". So there's nothing extreme about saying that maybe we should use the same vouching system that let the current Prime Minister be elected Prime Minister.

Now, it's cute, if you'll notice.... I'll be shocked if they utter the word "vouching". They won't use the word "vouching", but that's what this is. They've brought it back because they knew they had to. It was not going to stand, so they tried to find a clever little way to make it look like it's not really vouching while at the same time they spin out a political message that the NDP has this extreme position about people voting without ID. Of course, they don't mention the fact that this is exactly how he became Prime Minister, and that this system was in place, and that the experts who reviewed that election said, "there was no evidence of fraud whatsoever".

So why was this even brought in? Get ready for your tin hat throw-out comment, because this is exactly the sort of the thing that the Republicans in the U.S. are doing, and it's about voter suppression. Make no mistake about it. These little things they're throwing in here, like "personally" and a couple of little factors are all meant to hang on to as much of the voter suppression technique as possible, because it works, unfortunately.

● (2100)

Rather than just being up front, because they have no idea how to be up front; that's just a foreign concept to them, as evidenced by Bill C-23 landing here without even asking the Chief Electoral Officer what he thought.... Rather than being up front and saying, "You know, we got the vouching thing wrong. We really did. We're going to go back to what we had because clearly there's no problem."

That's not what's happening. Instead, they refuse to use the word "vouching". They say "attestation". Fine, call it whatever you want, but it's vouching. Somebody is saying, "I know them personally and I know they live there", and under any definition, that's vouching.

They're trying to be too clever by half. Nobody is going to be fooled. Is this better? Yes. But make no mistake. It's the bare minimum they could do facing the avalanche of public criticism they received not just in Canada but internationally.

Again, it would have been a lot easier in the beginning, or even now, if you'd come in and said, "You know, we got it wrong". You'd have taken some heat for the flip-flop, but it's the flip-flop with the double twist and the double somersaults and still trying to come out on top, that you didn't go to vouching but you've still got a bit of your voter suppression technique in there. There will be Canadians who otherwise could have voted in the last election, who can't this time because the vouching has been limited.

I have no doubt that tomorrow we'll see the Prime Minister get back up again and talk about the NDP's extreme position. I want to emphasize again that the extreme position the Prime Minister is saying the official opposition has is exactly the system that was in place in the last election. That was fair enough to let Prime Minister Stephen Harper get elected, but somehow that's not supposed to be a fair basis to have for the next election. Nonsense. It's voter suppression.

Thank goodness for the integrity and honesty of our officers of Parliament, current and former, including Madam Fraser, who came forward and said that this bill is an attack on our democracy. And there were all those Canadians who came in here knowing how vicious this government is. People are frightened of this government, but they still came down here and they said this is wrong.

Thank you to all of those Canadians who did that. Every Canadian who attended a rally, signed a petition, sent an e-mail, all contributed to getting back some of our democracy that this government was trying to take away in this bill.

We will be up front. Our intent is to vote for this section because it is an improvement. It does reintroduce vouching as an important and positive tool in our electoral system, but we will vote against the clause. At the end of the day, the government is still taking away democratic rights and access to voting that Canadians had in the last election. They will not have that in the coming election. We're going to continue to do everything we can do to get this fully changed.

We're not at the end yet, Chair, although I am getting close.

With regard to the process, we're not at the end yet. We still have to go through these amendments. It has to go back to the House for report stage and third reading, so there's still time. There's still time to push them to do all of the right things. If we can get half a loaf of democracy, which is a shame in Canada that we get half a loaf of democracy, we'll take it.

We will continue to persevere so Canadians can have their full loaf of democracy, which they not only deserve but they had in the last election, and this government is going to take it away in the election coming up.

Thank you, Chair.

● (2105)

The Chair: Thank you, Mr. Christopherson.

Ms. May, a short comment.

Ms. Elizabeth May: I appreciate that, Mr. Chair. As you know, I have a number of amendments on the same point regarding vouching.

My short comment is really in response to some of the argumentation from my friend Scott Reid. In the balancing between the citizen's right to vote and the perfection of the process, in other words, excluding someone who had no right to vote versus the importance of someone who has the right to vote voting, the Supreme Court of Canada was quite clear in the Etobicoke Centre case.

I'm not going to make a long point, I'm just going to quote from page 100 of the majority decision of Rothstein and Moldaver, "The current system of election administration in Canada is not designed to achieve perfection, but to come as close to the ideal of enfranchising all entitled voters as possible."

Scott was referring to balancing. It isn't a level balance. It isn't a spirit level. The balance is that the overwhelming priority, the ideal, is to ensure that everyone who is entitled to vote can vote, and that if in the process of achieving that ideal a few people vote in the wrong place, or vote where they weren't entitled to, that's not an issue to the Supreme Court. The issue under the charter is that every entitled person be allowed to vote.

I will just remind Scott Reid how large a part of the Green Party voting base is people who just wandered out of the woods or were abducted by aliens, and I hope he'll be sympathetic in future.

Voices: Oh, oh!

The Chair: Thank you, Ms. May.

Mr. Scott, please.

I'd like to finish this section, and then we'll take a small break when we get there.

Mr. Craig Scott: I appreciate that, Mr. Chair.

I have two amendments I'd like to propose.

As I started out by saying I would, I would hope to persuade the government, but I'm not sure we have. I think it's important before I table the amendments to realize that hanging over people's heads when vouching, of course, is the potential of being prosecuted. That's what the oral advice that's referred to in the provision is intended to signal, that the person knows when they vouch for somebody there is the potential to be prosecuted.

That's as it should be, because the system does require that kind of enforcement piece. I understand why the government has that. But if somebody is then told, "Here's one of the criteria. You have to know the elector personally; otherwise, do you know the oral advice I just gave you? You could be prosecuted," my worry is not just the outside alien examples of my friend Scott, it's whether the average person will take a step back and say, "Okay, well, I can attest to the fact that the elector resides here, but what do you mean by, that I know the person personally?" They're going to ask the poll clerk or the deputy returning officer or the central poll supervisor, and they're not going to be able to tell them.

Mr. Lukiwski, in his answer to Madam Latendresse, at one point said "I know who you are," and then said "I know you." Those are two very different things.

I'm not sure how anybody in the election day worker system will know how to answer that question. Do you know what the result will likely be? People will say, "I'm not signing this. Do you mean you could prosecute me because somebody determines that I don't know them well enough? I've known them for the last two weeks. I just moved in next door. Is that enough?"

I just think that the disincentive potential, when people know that this is a criterion and they can be prosecuted for it is where we have to see the issue.

Now, I think Tom may have laid his hands on a possible solution because he answered the question by saying it's an attestation. If we could somehow find a way for this to be rewritten or amended to say you still have to swear this, so it relies on your own sense of good

faith and honour, whether you know this person personally, what does that mean? You swear to that, but this is not part of what you can be prosecuted for. You could be prosecuted if, by chance, somebody was able to prove that you did not know that the elector resided in the polling division, it turns out the person did not and you knew that. That's a much easier thing to prove than whether you knew them personally.

What I would like to do is move an amendment that would say, "That Bill C-23 be amended in clause 48 by adding after item 143(3)(b)(v)"—so that means by adding there subsection 143(3.1)—“(3.1) No one may be prosecuted for any offence under this act on the sole basis of not having complied with item 143(3)(b)(ii).” That is the provision that says they know the elector personally.

•(2110)

It stays as a standard. It taps into the sense that Scott's been talking about, the sense of honour that we prefer to bring. What we prefer to think of is what voters bring to our system. Just as when a person swears in court to tell the truth, the average person would take it seriously enough, but they would also have the protection of knowing that for that one thing, they can't be prosecuted.

If what I've just suggested isn't accepted or a wording that's technically better, then I think you're going to have this huge dissuasive effect for anybody willing to step up and vouch. It will cast a fairly wide penumbra, not just in an aliens landing with tinfoil hats scenario. People are going to say, "I don't know that this satisfies knowing a person personally and I'm not willing to put myself on the line by vouching. Nobody in this polling station can tell me what it means." And no wonder; it's quite subjective and abstract.

That's the amendment I would like to move. I don't know if I've properly worded it in a way that anybody else can improve on.

The Chair: A great idea was given to me by a fantastic clerk. We will suspend for five minutes. It gives the clerks a chance to look at this, and it gives us all a little break at about the halfway point for this evening.

The meeting is suspended for five minutes. Please come back at that time.

•(2110)

_____ (Pause) _____

•(2120)

The Chair: I'm going back to Mr. Scott. He's going to tell us where we are.

Mr. Craig Scott: On the amendment, for the benefit of everybody, I wonder if the clerk would do me the favour of reading it out because I don't have a copy.

Mr. Philippe Méla (Procedural Clerk): That Bill C-23 be amended in clause 48 by adding after section 143.3(b) the following: “3.1 No one may be prosecuted for any offence under this Act on the sole basis of not having complied with section 143.3 (b)(ii).”

Mr. Craig Scott: Obviously, that provision is the “knowing the elector personally” provision. The effect of this would be that the official opposition would be satisfied to leave that in if it were a normative standard that can't be enforced through prosecution.

It's important for everybody to know that this is not a barren legal beast. The law has lots of examples where norms are enforced in different ways. It doesn't make them less legal and legally binding.

In fact, any oath system tends to be like that. It relies ultimately on the honour of the person swearing because it is so rare that somebody actually is prosecuted for breaching oaths.

This one is just making it super clear so as to prevent this disincentive for people to even vouch because they worry that they leave themselves open to jeopardy because of how subjective and abstract the idea is of knowing the elector personally. I probably don't have to explain any more. That's what it's trying to do.

• (2125)

The Chair: Did you say you had more than one?

Mr. Craig Scott: I do, but if this doesn't pass, then I'm simply going to move to delete the line.

The Chair: Let's have a recorded vote on the amendment.

(Amendment negated: nays 5; yeas 4)

The Chair: We're back to G-5.

Mr. Lukiwski.

Mr. Tom Lukiwski: I'll be very brief as opposed to my colleague Mr. Christopherson. I won't play up to the cameras, but I will point out a couple of things that he tries to continuously—

The Chair: Not helpful, gentlemen.

Mr. Tom Lukiwski: One is that the NDP position, let's be quiet clear, is that they are in favour of people with absolutely no identification being able to vote. That is simply not the intent of this bill, nor will it ever be.

In fact, even though he tries to characterize the government's amendment G-5 as being a monumental climb down, I would point out to him that 87% of Canadians polled agree with us, that you should have some form of identification before you're able to vote.

This continued discussion and the continued mischaracterization that all Canadians agree with the NDP and the opposition's position on vouching is absolutely inaccurate. They disagree and they disagree greatly. So let's get that out on the table, Mr. Chair.

Also, what we are attempting to achieve with this amendment is not a form of vouching, because vouching merely means you can vote without identification. You have to have ID. Everybody who votes in an election, once the fair elections act is adopted, will have to show some sort of identification, pure and simple, as opposed to the NDP's position, where no ID is needed.

Now David, I know you want to try to get camera time again, but it's my turn to speak. I ask you for your consideration.

Mr. David Christopherson: All right then, I'll give you free rein. I didn't take shots at you personally.

Mr. Tom Lukiwski: Again, David, I know you want the camera time. You had 12 minutes before. Now it's my turn.

Mr. David Christopherson: Come on, you can come up with better lines than that.

The Chair: Gentlemen.

Mr. David Christopherson: Is that the best you've got, school-yard stuff?

Mr. Tom Lukiwski: Mr. Chair, the NDP was absolutely, absolutely thrown off their game when they saw that Ipsos Reid poll that shows 87% of the people believe in our position. They do not believe that Canadians should be allowed to vote without producing any identification. That is what Canadians feel. This reflects that, because now to be able to vote, even if you can't prove residency or you don't have identification for residency, you can do it by signing a note and having a co-signer sign a note that testifies they know this person, they know where this person lives. That is what Canadians want to see, and that's what's reflected in Bill C-23.

Thank you, Chair.

• (2130)

The Chair: Mr. Richards.

Let's try to bring this to somewhere near the end sometime in our lifetimes.

Mr. Blake Richards (Wild Rose, CPC): Mr. Chair, I'll try to be brief as well. Mr. Lukiwski made some of the comments I wanted to make.

Certainly there's no question, despite the claims of the opposition, this is not something that is simply held by the Prime Minister or even his caucus, but this is something that 87% of Canadians believe is very reasonable, that someone show identification to prove who they are in order to vote. They claim to have concerns about some of the points in this particular amendment when we talk about knowing the elector personally. I want to be clear that what we're talking about here is the ability for someone to prove who they are, and then for various reasons—it may be that a box number is what's on their ID, or other reasons—be able to attest to their residence. What we're doing here is obviously an amendment that would allow for a sort of double oath, a co-sign of an oath, where they're signing an oath attesting that they are in fact qualified to vote and that they do live at the residence that they say they do. They would find, of course, another qualified elector who has voted with the proper identification to co-sign that oath with them.—of course, the penalties are made quite clear and are significant—so that Canadians can be confident that the person is actually residing where they are claiming to reside and the co-signer of their oath confirms that.

The one concern that was brought forward by the opposition was the idea that somehow an oath...the fact that one of the conditions was knowing the elector personally. They seem to have some concerns about that.

I might turn to our experts and ask them some questions. I'll sort of ask a series and they can respond at the end.

Obviously, the taking of an oath is a fairly well-known and common practice within our society. This is something that's done quite commonly when signing legal documents, when someone is served a legal document, for example. I know I've personally witnessed this practice. It's very common. One of the things you're attesting to when you sign an oath is that you do in fact know the person personally. That's a fairly commonly known thing within society. Usually, when we talk about legal documents where you're signing an oath, one of the things is that the person is of the full age of 18 so they are qualified to sign a document. That's one of the things here. Of course, that would apply in the case of an election as well. Obviously, to be qualified to be an elector, they would have to be of the full age of 18 or older.

In this amendment there are a couple of things that are quite germane to co-signing the oath of the person. One is obviously knowing them personally. The other one is knowing that they reside in the polling division, because that's obviously what they're signing the oath to attest to, that they know the person, that they know they are a resident in the poll.

In terms of dealing with the oath itself, I would ask first if you could confirm for me that it is a fairly common practice and is fairly well known within law what an oath entails and what it means, and that the provision of knowing the person personally is something that is quite clearly understood in law. Could you confirm to me what the penalties are for falsely signing that oath?

I would point out as well that government amendment G-6, which talks about the new subsection 143.1(1) and talks about the fact that the oath itself would be in this provision, indicates, much like the current section 143.1 in the act—

The Chair: You said government amendment G-6. Do you mean G-5?

Mr. Blake Richards: No, I'm actually skipping ahead for the purposes of—

The Chair: You're talking about the next one. Okay, I just wanted to make sure.

Mr. Blake Richards: Yes. Thank you, Mr. Chair, for clarifying that, but I am skipping ahead to that simply because it would obviously indicate that if it was passed, what it says is that when the person is signing the oath, the person working at the polling station would orally advise the oath taker of the qualifications for electors, and then it goes on to talk about the penalties. Obviously, when it talks about knowing someone personally—although it is quite clearly known in law what that means—it would obviously also indicate that the person, because they're saying that they're aware of the qualifications in order to vote, is going to be indicating that they know the person well enough in order to know that they are qualified to be an elector, so they would obviously know that they're of the age of 18, that they're a citizen, that they meet all the qualifications in order to vote.

I've asked a series of questions with some explanation, but what I really wanted to know in regard to the signing of an oath—something that is quite common in society, and the idea of knowing

someone personally when you're signing that oath is something that's fairly well established and commonly known—is what the penalties are for falsely signing an oath.

Third, when we look at government amendment G-6, talking about the fact that they're explaining what the qualifications for electors are, it would obviously indicate that when they're signing it they're of the full knowledge that this person is in fact qualified to be an elector. That would be what they would essentially mean to know them personally. Would that be accurate?

• (2135)

Ms. Natasha Kim (Director, Democratic Reform, Privy Council Office): We'll try to answer some of those questions in order.

If you look at government amendment G-5, subparagraph (b) that's being proposed, it essentially says that they are attesting to the elector's residence on oath in writing in the prescribed form and then sets out some elements that have to be part of that prescribed form, so essentially, part of what you're swearing an oath to. Then it sets out those elements, one of which is that they know the elector personally. Essentially, it's saying that they're swearing that they know the elector personally, as well as where they live, which is essentially the purpose of what that attestation is for.

Then the offence for a false oath is set out later in the act. In terms of the taking of oaths, while I wouldn't say it's quite common in the act you do see it multiple times in terms of how it's used to prove something. That offence already exists in the Canada Elections Act as it is now and the punishments that fall for it are being increased under the fair elections act.

The maximum punishments would be, it can be proceeded with on either a summary conviction or indictment. For a summary conviction the maximum punishment would be \$20,000 in fines as well as imprisonment of not more than one year. If there's conviction on indictment, which is a very serious criminal offence, it would be a fine of not more than \$50,000 and imprisonment of a term of not more than five years or both.

In terms of a false oath, in order to prosecute something like that, the person would have to have knowingly signed that false oath. They would have knowingly felt that they did not know that elector personally. They would have known that elector did not reside where they were attesting to that they resided. It's a threshold that would have to be met.

Mr. Blake Richards: Thank you.

Yes, I think it's quite clear that knowing someone in this case would be obviously knowing that they're in fact qualified to be an elector. You know them well enough to know that they're 18 years of age, know them well enough to know they're in fact a citizen and they're qualified to vote.

Obviously, it also indicates that they're qualified to vote because they do reside in the polling division that you're saying they reside in. They've also signed to attest to that themselves, so it's a co-signing thing.

With this amendment, essentially what we're doing is we're ensuring the principle, which the vast majority of Canadians obviously quite strongly believe in, that you must prove who you are. This is where the NDP is completely out of step with the vast majority of Canadians without question in taking the position that they do, that you shouldn't have to prove who you are in order to vote. Of Canadians, 87% have been quite clear they expect that. That's still expected under this act with this amendment.

What is allowed, of course, is for you to co-sign. It's quite clear that someone would know the person personally and know they reside in the polling station or division and that they're qualified to vote. That is, in fact, what would be happening here.

I think this is something that obviously has the full support of Canadians. I would ask the NDP to come along with what Canadians expect and support those Canadians who expect that. It's a very reasonable expectation.

The Chair: Thank you, Mr. Richards.

I had no one on my speaking list. I now have Mr. Scott.

• (2140)

Mr. Craig Scott: Mr. Chair, I'd like to move the follow-up amendment, but I also think it's important, for clarity, to know that when Mr. Lukiwski refers to the Ipsos Reid poll that said that 86% of the people believe that you—

Mr. Tom Lukiwski: It's 87%.

Mr. Craig Scott: Well, the one I have says 86%, but I'll give it to you. Eighty-seven per cent say that you must have ID to vote. In fact, the question asked—and 86% agreed—was whether “requiring voters to personally prove who they are and where they live is essential”. That was the concept they were asked about. It's a very different thing from ID. Vouching is one method of proving who you are.

The same poll said that 52% agree that the elimination of vouching will “unfairly take the vote away from people like students and the poor”. So it's absolutely impossible for the people—

An hon. member: Well, well, well.

Mr. Craig Scott: —in the 87% to believe that the question they were asked is about whether you have ID. The question was on proving who you are. No wonder 87% reasonably thought that proving who they are and where they live is essential.

I think that's a fairly important correction.

The subamendment that I'd like to move, Mr. Chair, to amendment G-5 is a short one. It's that Bill C-23, in clause 48, in proposed subparagraph 143(3)(b)(ii), be amended by replacing “they know the elector personally” with “they know the elector”. This would eliminate the word “personally”.

Since we've lost on the other amendment, I'd like again to give the government a chance. This is much closer to the examples that even Mr. Richards was just giving. I hope the government would come halfway by understanding our argument about why the word “personally” is superfluous, especially when the examples given by Mr. Richards included the question, “Do you know the person well

enough to know where they live?” which is already there as a criterion.

If we eliminate the word “personally”, I honestly think we have something resembling a fair meeting of minds. I don't think the concerns we've been presenting have been unreasonable. In a context in which the government has yet to vote in favour of a single opposition motion, I would really welcome some support on this one.

I hereby move that subamendment.

The Chair: Thank you, Mr. Scott.

On that subamendment, Mr. Simms.

Mr. Scott Simms: Equally short on the issue, I think Mr. Scott brings up a very good point, and I congratulate him for doing that. I think including that word does create an onus on the individual, and they may feel it's just not attainable, when in fact, it is pure disenfranchisement. I think what he's done here is he's made a pretty reasonable amendment.

I think we should all vote for this.

The Chair: Mr. Scott.

Mr. Craig Scott: I'd like to attribute the suggestion to my colleague, Alexandrine Latendresse—

Some hon. members: Hear, hear!

Mr. Craig Scott: —because I might have skipped to something more desperate. I think this is a much better solution.

Mr. Scott Simms: Well, there you have it. It's a birthday gift to all Canadians.

Some hon. members: Oh, oh!

Mr. David Christopherson: Never mind the cake, give us some legislation. Give us some democracy.

The Chair: Whenever you mention cake, we get in trouble.

Let's vote on that one, then. It will be a recorded vote on the subamendment to amendment G-5.

(Subamendment negatived: nays 5; yeas 4)

The Chair: We're now at amendment G-5, with a final subamendment.

Mr. Craig Scott: There's no preface. We know where we've ended up. It's that Bill C-23 be amended in clause 48 by deleting proposed subparagraph 143(3)(b)(ii) as set out in amendment G-5.

I'd like a recorded vote, please.

• (2145)

The Chair: Seeing no speakers to it, let's do the vote.

(Subamendment negatived [See *Minutes of Proceedings*])

The Chair: Now we're voting on G-5.

(Amendment agreed to [See *Minutes of Proceedings*])

The Chair: If G-5 is adopted, NDP-30, LIB-18, PV-29, NDP-31, and NDP-32 cannot be proceeded with.

We're on NDP-27.

Mr. Craig Scott: Mr. Chair, I'd like to move NDP-27.

We're on page 25 of the bill. We've moved on to the voter information cards now that we've restored a form of vouching, vouching by address. The voter information card is what this clause seeks to re-establish in a limited sense, because it seeks to give the Chief Electoral Officer back the very power he already has by saying as follows:

For greater certainty, the Chief Electoral Officer may authorize as a piece of identification for the purpose of establishing the elector's address a notice of confirmation of registration that is sent under section 95 or 102.

That's the act's way of talking about the voter information card. Let's not talk about the technicalities; that's what it intends to do.

Voter information cards, as everybody is well aware, are cards that are produced through the intersection of multiple databases that Elections Canada has access to, including driver's licences in every province, so they automatically include whatever level of accuracy exists in those databases—tax records, citizenship records, and the list goes on. It's no wonder the Chief Electoral Officer testified that in his view it is likely that the voter information card is more accurate than the driver's licence.

One of the reasons we should think about the problem with driver's licences is that Elections Canada has an active, proactive approach to updating its list. It's not an enumeration approach anymore; it's doing what it can to keep lists current. Whatever gaps do occur in a mobile world will occur as people move.

For a lot of driver's licences these days, at least in Ontario, the time period on them is a minimum of five years, if not longer. People move around, and I can tell you that from experience.

This is my time for anecdotes. We've heard a lot of anecdotes in the last two months from colleagues on the other side. This is my anecdote. I won't name them, but I have quite a few friends who will confess to having a driver's licence and driving on it even after they've moved and they may not have gotten around to notifying the authorities.

I think that's not an uncommon thing. With driver's licences there will be lags. This is not on purpose. These people were not planning to break the law. They were just taking a little extra time. It's an example of why the driver's licence...although it's the gold standard in the system, if you have one. It has your address. It's listed as the kind of photo ID plus address plus name where you can vote with it alone. The voter information card list already builds in driver's licences.

The second point I need to make very clear is that in the last election, a major pilot project, which we heard about—"pilot" is the wrong word—a major authorization was given by the Chief Electoral Officer for somewhere around 900,000 people to be able to use the VICs in three or four situations—aboriginal reserves, college and university campuses, long-term convalescence homes, and seniors residences. Indeed this is what happened, and in different contexts, a large percentage of those authorized to use the VICs did indeed use them. The report was that it sped up and simplified the process greatly. The report's back. What it allows you to do is not to

vote just with the VIC; you're supposed to be bringing another piece of ID that's on this list, this famous list.

Mr. Chair, do you remember how many are on this list?

• (2150)

The Chair: I can only guess: 39.

Mr. Craig Scott: I think you might be right, Mr. Chair.

Mr. Scott Reid: That's really good.

An hon. member: The memory of an elephant.

The Chair: One of us has to pay attention to all the witnesses.

Voices: Oh, oh!

Mr. Craig Scott: As long as you have one of the authorized 39 pieces and the VIC, which was primarily authorized to show address, then you could vote.

One of the reasons for the project was that in fact the requirements for the new ID requirements only entered into force after amendments in 2006 and 2007 to the Canada Elections Act, before which there actually was pretty much a trust-based system of voting in this country in terms of ID not being necessary.

What it did is it produced enough evidence that people were not voting, not even going to the voting stations, because they were either confused or couldn't find the pieces of ID to put together, and it was decided that the VIC, which already existed as a notification of registration, could be used and authorized as a form of identification for this purpose. It worked as a major initiative. It led to—now didn't lead directly to, but in Mr. Neufeld's report, he had two corresponding recommendations. He had a bunch of recommendations about how to deal with irregularities, including better training and recruiting, but he ultimately said that one of the other goals should be to reduce the amount of vouching needed, not to get rid of vouching but to reduce the need, and one way to do that was to increase the availability of the VIC as a second piece of ID to show address, and that led to the Chief Electoral Officer saying It is indeed his intention to authorize the use of voter information cards in the next general election.

Perhaps completely unrelated to that, Bill C-23 was tabled in the House of Commons and eliminated the ability of the Chief Electoral Officer to authorize VICs, not just in the case of the 900,000 who were able to in 2011, but every Canadian who would have been able to use it in 2015.

The last point is that one of the kind of anecdotal scenarios in the last two months has been the multiplying VIC, the VIC that ends up in somebody's hands with the name in more than one way, with the formal possibility being suggested that the person could thereby try to vote multiple times. Another scenario has been the VIC that travels in groups, in lobbies of residences, and is picked up and somehow or other, in the fictional imagination of one Conservative MP, is then distributed to others who can then vote with them.

The problem with these scenarios, apart from there being no evidence it ever occurs along those lines, is that you need a second piece of ID to vote. You need to produce the ID that shows your name, your identity, that then gets used with the VIC. You would have to be motivated not just to say, "Ah, I can vote with this VIC, and I'm not going to vote in my own name." You'd have to be that kind of person too, because you're not going to show up at the same polling station and vote twice under different names. The VIC would have to have been sent or get in the hands of somebody who otherwise can't vote, or doesn't want to vote in their own name, and then you'd have to be motivated to forge the second piece of ID.

Not likely, and so therefore it's not that surprising that the minister in the House, I believe it was Monday, giving all the examples to back up his claim that people receiving multiple VICs voting multiple times could not be backed up by virtue of the fact that the only two examples he continues to be able to give is of a satire show, *Infoman*, charting two people who ostensibly tried to vote with two VICs, but—you know what?—could not, and I won't go into the details about why they could not. So there are, in fact, no examples available to the minister of people using VICs fraudulently.

• (2155)

Yet, we have a proposal by the government to get rid of, certainly, the most accurate piece of federal ID as one piece of ID that can be used in tandem with another. It cannot be used on its own, according to the current system.

All this is, really, is an attempt to return the law to where it was and also, I hope, to avoid huge chaos in 2015, when all the people who were first introduced to the fact they could formally use VICs as part of their voting will now have to be reprogrammed to make sure they do not try to vote in that way this time and instead look for other pieces of ID. Many of them will be able to find these, with different degrees of effort, but certainly, let's say, at least in the thousands will not.

I'd like to move this amendment NDP-27, to achieve the return of voter information cards as something the Chief Electoral Officer may authorize.

The Chair: Mr. Reid.

Mr. Scott Reid: Mr. Chair, I'd like to speak against this amendment.

As I've pointed out on a number of occasions in the past, notwithstanding the strange claim that this is the most accurate piece of identification in the Canadian arsenal of identification, the reality is that the Chief Electoral Officer, in his own report following the last election, observed that there was a 14% error rate as to addresses in the voter information card. He indicated that there was about a 10% error rate as to identity, so for one in ten persons, the system has the wrong person.

He also indicated that there was over a 20% error rate in 10 constituencies across the country. He did not specify which those constituencies were, but in the past we've seen that in Trinity—Spadina, just to take one example, where there was a special investigation subsequent to the 2006 election, there were literally thousands of people who had to be dealt with and signed up on election day because they weren't on the voters list.

Remember that the voter information card is, by definition, only as good as the voters list. What the CEO seems reluctant to state, but it's a fact, is that the voter information card comes from the preliminary voters list, not the final voters list, which actually is more accurate. But the voter information card, if it's used as information.... You know, something that tells me I should go and vote at this poll and that has an 80% chance of being right is.... In fact, I don't think it's that good, but it has an 80% chance of being right as to where I should go to vote. That's the information function.

As an identification function, what if your driver's licence in certain parts of the country had a 20% chance of identifying you not as Joe Preston, but as some other person, and some other person as Joe Preston, not you? You might be upset when you learn that you have had your driver's licence and your ability to drive revoked because somebody else was caught driving under the influence one time and was fined. That's pretty significant.

The voter information card was never intended to serve this purpose. The CEO conducted a series of experiments in its use as a kind of identification in a number of locations, as he said, on aboriginal reserves—not all aboriginal reserves in Canada, but some of them, quite a large number—in some seniors residences, in long-term care residence facilities, and finally, on campus. He reported considerable success in two of the three locations.

The success rate was very low for students, but it was interesting to see how he calculated his results to give the illusion that they achieved greater success than they actually did. He said, "Here's the number of people who turned up to vote, among these groups that we were testing, who carried the voter card with them." That does not mean that $x\%$ of these people, of potential voters, were identified using this card. What it means is that of those who actually turned up to vote, $x\%$ brought it with them. I can't remember the exact numbers. It was in the 70% to 80% range, I believe, for the first two named groups. It was much lower for students.

Now, if you take another survey instrument that was done by the CEO, the study of youth voters and why youth do not participate, lack of a voter information card was cited as a reason that they don't vote by three of the five subgroups of young people who were not voting.

The voter information card is useful only for those who get it. There's a high error rate, where those who are getting it are not actually getting a correct card. Others are not getting it at all. They don't seem to be included at all in the CEO's statistics. It's yet another frustration for us, as the de facto board of directors trying to watch the professional management of Elections Canada, when we get these statistics that are denying us information that seems to be designed as much to hide that agency's incompetence as to reveal what it's doing.

In short, Mr. Chair, I was alarmed to learn that the CEO was intending to expand this experiment to the entire country. I am relieved that the option no longer exists.

• (2200)

On that basis, I'll be voting against this proposed change.

The Chair: Thank you, Mr. Reid.

Mr. Christopherson.

Mr. David Christopherson: Chair, first off, again, had we had proper consultations and done this in a fair and open way, I think one of the key recommendations we would be looking at in a new bill would be to go back to enumeration. That would eliminate a whole lot of the problems that we have. It worked. It was cumbersome. It cost a bit. I don't know how much more it cost than the cost of maintaining the list that we do now, but it worked. It worked, and in many ways it worked better.

However, we're nowhere near that. Again, we're just defending the best things that we can and trying to amend the most damaging parts of all of this. We missed another opportunity to really improve our system by asking Canadians and experts about the idea of going back to enumeration. I would think that would have been in front of us.

Having said that, I'm also disappointed to hear the government again showing such disrespect to an officer of Parliament. To make the statement that an officer of Parliament did something to give the illusion of some kind of false conclusion.... Can you imagine what would happen if anybody came in here and said something like that about the Prime Minister, or even a minister? People would have gone crazy, if they had—

An hon. member: You do it all the time.

The Chair: Gentlemen, let's just give your thoughts, and not to each other.

Mr. David Christopherson: It's more fun.

The Chair: I understand that for some of you it may be more fun, but for one person in this room, it is not.

• (2205)

Mr. David Christopherson: Doesn't majority rule?

The Chair: No.

Mr. David Christopherson: All right. The fact is that I considered it totally disrespectful, and I don't think they would have done that to anybody in a uniform or anybody with a fancy title unless it was somebody they didn't like. Then all their saluting, respect, and honour, and “that's who we are” goes by the wayside as they treat someone like the Chief Electoral Officer with such disrespect.

Now, I expect the government to tune out, because they don't care what the Chief Electoral Officer has to say. Otherwise they would have asked him what he thought before they wrote the bill. But here's what he said when we brought him in and forced the government to inject some democracy into this process:

In fact, with an accuracy rate of 90%, the VIC is likely the most accurate and widely available government document. The VIC is based on regular updates from driver's licence bureaus, the Canada Revenue Agency, Citizenship and Immigration Canada, and various other authoritative sources. During the election period, revision activities at the local level also increase the accuracy of the VIC.

—contrary to what the government suggests—

This likely makes it a more current document than even the driver's licence, which is authorized by law and used by the vast majority of voters.

He also said, “The legislation...”.

Actually, before I do that, I want to pause for a moment. I'll come back to that quote. It's short, Chair.

The government went nuts all through this whole process whenever we called it a voter identity card. They insisted it had to be a voter information card, and yet, all the evidence we had, Chair, all the evidence, including the quote I just gave from someone who is an officer of Parliament....

Unless one of the government members wants to say he's lying, I'm prepared to accept as a fact that it has 90% accuracy. It's more accurate than any individual government document. Why is that? Because the voter information card is derived from all the databases. Any one of your precious 39 pieces of ID is not as good as the voter information card, which has access to all those government databases; hence the position of the Chief Electoral Officer that the voter information card is 90% accurate and likely the most accurate and widely available government document.

Again, if the government were really interested in having more people vote to increase the number of voters, then they would make it easier by accepting the voter information card—and this is not one, but I just made this up to hold something. It's already mailed out. It has the address. People know they should get the change made if they want to vote, and they do. That's why Mr. Mayrand said that the revised list is even more accurate.

I'll continue with Mr. Mayrand's quotation. It is short, Chair:

The legislation authorizes Elections Canada to establish the list of acceptable forms of identification. Following the first election where the new identification rules were in place, we did a test and we used the voter information card in some very specific places, such as reserves, shelters, long-term care facilities and student residences.

Interestingly, that sentence was some of the most compelling testimony we heard from individuals and organizations representing Canadians in terms of where they live.

To continue quoting the Chief Electoral Officer of Canada:

Evaluations showed that almost 68% of those people used the voter information cards. We found no indication of fraud or other offences, and people told us—including the administrators of shelters and long-term care facilities—that the cards made voting easier.

That's the last thing this government wants to hear, because their whole goal is to suppress that vote, to have as few Canadians as possible go out and vote so that their targeted system will give them another majority.

• (2210)

The last sentence in the quote is, “Voters and administrators appreciated it.” I'm not aware...well we had one, I'll give you that, but I think that was on vouching, not the voter information card per se, but I give the government one. There was no one else who came in and supported the government's position on voter information cards.

Make no mistake. Having the voter information card become a voter identification card is one, the most accurate, two, the easiest to use, and three, would likely lead to more Canadians voting. So why doesn't this bill do that? The answer is that they want fewer Canadians to vote. They have such a highly technical laser beam system that they know that if they can just keep everybody...they can ram this through. It's not unlike what they're doing in the United States, the Republicans and their ID laws that are being challenged all the way to their Supreme Court. That's where all this is coming from. That's why, if anybody wonders why the government's defying political gravity doing something that nobody supports, it's because it does meet their partisan objective.

My last point is this, Chair. People are going to walk in on election day. They're going to walk into their home and they're going to make sure that they grab their voter identification card. There's going to be a whole lot of people, especially if it's a nice day and voting is within a couple of blocks. They're going to grab the card and they're going to head out, and they're going to go and vote. They're going to show up at the voting station and they're going to say, "Here's my voter information card, and oh yes, there's my name on the list right there so I'm all set to vote", and they're not going to be allowed to vote unless they have ID. The government is going to say, "Well, all they have to do is go back home, which is two blocks away, and come back." True, but we all know human nature. We know how hard it is to get people to go out and vote once, never mind go back to the polling station again if they've been refused. They're going to be so frustrated standing there saying, "Wait a minute. I have a card from Elections Canada that has my name and it's accurate. It has my address and it's accurate, and I'm standing here in the voting station where I should be. I can see my name on the list and you're telling me I can't vote."

Make no mistake. Voter suppression...is any one of these going to tip the election and hand them a frauded election? No, but every one of these changes incrementally has the effect of having just a little bit less turnout across the country, and that's what they want. That's what the American Republicans want, and that's what the Canadian Conservative Party wants. That's why this is here, notwithstanding every expert saying that the best thing to do to improve our election system, and to increase the opportunity and the likelihood that people will vote is to turn the voter information card into a voter identification card and let people vote with that.

The Chair: Thank you very much.

I have Mr. Richards next and then Mr. Reid, but I would like to vote on this during my lifetime.

Mr. Blake Richards: I will try to keep it very brief, Mr. Chair.

I wanted to make a few points. I don't think I need to go over... Mr. Reid covered it quite well. When we talk about the accuracy of the voter information card to be used as identification, there are errors with one in six or more of the cards. We don't have to go over that ground again. That's quite clear, despite whatever the opposition wants to try to claim about its accuracy. That certainly is a troublesome rate of error, and one which I think does create some concern.

The other point I'd like to go over...I won't conjure up the spectre of alien abductions again, as my colleague Mr. Reid did, but it

certainly was a good, entertaining example. When he was discussing that, he was alluding to the fact that he was finding it difficult, much as I was, to imagine as we went through the hearings, someone who would not be able to provide the identification required. I noted that throughout the hearings we never heard from a single witness who had indicated that they or anyone they knew would not have been able to vote under the provisions in this bill.

A lot of hypothetical examples were given, but never any concrete examples. The opposition likes to talk a lot about concrete examples. We never heard a single concrete example of a voter who would not have been able to vote, who could not have the ID required. I find it hard to imagine. Having said that, obviously we have just made an amendment here to allow someone to co-sign an oath as to their residence. That I could see as quite a reasonable amendment.

In terms of this card, I have just stated that outside of hypothetical examples, we did not hear from anyone who would have had trouble to produce the ID required, especially now that they can co-sign an oath to attest to their residence.

Furthermore, all the hypothetical examples that were given wouldn't apply to the voter information card because it's mailed to their last known address. We heard an example of a homeless person who obviously wouldn't have any mail. Certainly voter information cards wouldn't apply in that case. The student who is at an educational institution away from their parents' home, yet receives all their mail at their parents' home, but is choosing to vote at the poll where they're going to school, their voter information card would go there. I don't see how it would solve the issue, if one existed, which we certainly didn't establish. I've already identified the accuracy rate concerns.

As to some of the other claims of the opposition that indicated we should be prepared for all these people to show up at the polls next election with nothing but their voter information card, I would also point out that one of the other provisions in Bill C-23 requires Elections Canada to better advertise the logistics of voting. That obviously includes things like what identification to bring. Many witnesses came before this committee who indicated they were not aware of what they needed to bring in order to vote. They were quite surprised to learn about some of the possibilities available to them. That obviously indicates a better job needs to be done. That is something this bill requires, something we would expect Elections Canada to undertake, and therefore people would be aware of exactly what would be required to vote. I think that indicates the voter information card need not be used as a piece of identification, and Bill C-23, including the amendment we've just made, would facilitate every voter who wishes to vote to be able to vote in our elections.

● (2215)

The Chair: Mr. Reid.

Mr. Scott Reid: In addition to pointing out the statistical problems with the voter information card as a form of identification, I'll just point out again two stories from my own personal experience.

The first was when I received three voter information cards when I was living in a house on my own. One was to Scott Reid, one to Jeffrey Reid, and one to Scott Jeffrey Reid. That indicates a problem with the voters list.

As a second example, when my ex-wife and I were married—that's a while ago because we split up a year ago—we received two voter cards, one for her and one for me, telling us to vote in two different constituencies. That happened because of the way Elections Canada treated our address as the way she had written it down as being at R.R. 1, Carleton Place, in one riding. The way I had written the address down was the street address of Mississippi Mills, Ontario, which is in a different riding. It just happens that the house is close to the riding boundary.

The example Mr. Christopherson offers is the person taking the card and going to vote as they are legally permitted. One of us would have been voting illegally by following the advice on the card. The card was just wrong.

This is all encapsulated in that 14% error rate I mentioned as to people's addresses. This is a pretty significant point.

I also mentioned the example of an assistant I have who received a voter information card addressed to somebody else in his house. He took it down to the polling station simply as a way of finding his way to the polling station. Presumably, the person living at that address ought to go to this place, but the card was issued on the assumption that the previous resident still lived there, etc., etc.

These examples are so widespread that the claim that is made that this is somehow Canada's most accurate piece of ID is either wrong or we have no ID in this country that's actually accurate. It's either one or the other.

• (2220)

The Chair: Mr. Simms.

Mr. Scott Simms: I have a quick question, if I may, for Mr. Richards.

He talked about advertising and who, what, when, and that business. If Elections Canada were to advertise to Canadians that they are no longer allowed to use a VIC, is that okay?

Mr. Blake Richards: The provision obviously indicates that they are to indicate to them what they should bring in order to vote, so I would think that what they should probably do is try to focus their efforts on ensuring that people know the information they need in order to vote, which would be, "Here is what you should bring".

I think that's what they should try to focus on. That's the best I can answer that question. I think they should focus on the positives of what they should bring.

The Chair: Thank you, Mr. Richards.

I am calling the question on NDP-27.

Mr. Craig Scott: A recorded vote.

(Amendment negated: nays 5; yeas 4 [See *Minutes of Proceedings*])

The Chair: We now move to NDP-28.

Mr. Craig Scott: I'll move this, Mr. Chair.

I will be as brief as I can. This is a bit of an offer...well, no, it's a request to the government.

We now have the current provision in the act where you can vote with a single piece of government issued ID that has a photo, name, and address. You can vote with two pieces of ID that collectively show your name and address. You can now vote with this new vouching ID plus vouching of address. That would have been the sort of trilogy we had before with the new form of vouching different from before.

This is a suggestion to add a fourth possibility. I'll tell you why I'm suggesting it, but I'll read it first. That would be:

a written declaration made and signed by the elector as to his or her address and one piece of identification of a type authorized by the Chief Electoral Officer—other than a notice of confirmation of registration sent under section 95 or 102, which establishes the elector's name.

In English, a written declaration would be in place of, or an option ahead of—I'm going to think of it as ahead of—vouching of address and the piece of ID would be as it existed in the government's G-5 or whatever that was—

• (2225)

The Chair: Government 5.

Mr. Craig Scott: Government 5, G-5, but I have of course excluded the voter information card as being one of the pieces of ID for two reasons. One, it's primarily valuable for address anyway and even if we had won the earlier vote, this exclusion would still have made sense. At the same time it now is necessary, because we're not restoring the voter information card.

The reason I would ask the government to consider this is that it still involves.... This will link up with the same punitive provision as the government's oath. It's the same in that swearing an oath can still be punished, but it's much cleaner than vouching and it almost certainly will enfranchise a lot more people and, boy, will it help at the polling stations because you're not having double, two people having each to sign things. You're not having all of the more cumbersome side of that, and people who cannot find another person to vouch in their polling division—and keep in mind it has to be in your polling division which narrows the range a bit—can simply swear the declaration. It goes into the record and it can be tracked down and if in any sense you misrepresent yourself, you're subject to the same penalties as would be the case under the partial vouching or vouching by address that the government just added.

Frankly, I don't want to say anything more. I just think that this is very similar to what exists in some other jurisdictions. Again, it goes back to a degree of trust in the voter who has to swear to their address, subject to penalties, and if it turns out that an audit is done and it's found that they mis-swore an oath, they could be prosecuted.

I'd be open to any amendments that would add anything along the lines of the person must be told that audits are done on these declarations and that they do risk actually being prosecuted. I'll leave it at that.

The Chair: NDP-28 is so moved. Seeing no speakers I'll—

Mr. Craig Scott: I request a recorded vote.

The Chair: We'll have a recorded vote.

(Amendment negatived: nays 5; yeas 4)

The Chair: We'll move on to NDP-29.

Mr. Craig Scott: I will move this, Mr. Chair, and ask for it to be voted on.

This is another method of returning the VIC, and given that we know what the outcome is, and we've had a strong debate on that, I don't see any further point other than I'd like a formal vote on this, a recorded vote please.

The Chair: Seeing no other speakers, we will have a recorded vote on NDP-29.

(Amendment negatived: nays 5; yeas 4)

The Chair: We will consider LIB-17.

Mr. Simms.

Mr. Scott Simms: LIB-17 has the same thrust, obviously, to restore what I feel is a fundamental piece of identification that has been used for well on 50 years. I didn't speak to the NDP amendments earlier, because I wanted to speak to my own here, which we're trying to do.

Honestly, I feel that, as I've said before, the voter information card—and I think it bears repeating—is such a dependable piece that I'm willing to bet when the government says the vast majority of people out there have no problems with what they perceive to be going on, identification of a particular person, to vouch for that person's ID.... They want people to show ID. I don't think a lot of people out there are exactly aware of what is being proposed here.

What bothers me is the end goal seems to be to get people in mind who they do not want to see at the polls, and reverse, engineer back to how they're going to set up legislation to do this in a very subtle way. I do believe this will come home to roost when you see voting day, and when people show up en masse with their voter information cards, using them as ID and being told they can't.

As I've said earlier, I considered proposing an amendment so that on the voter information card it has to contain the wording, "This piece of paper will not allow you to vote at the polls. You cannot use this as a valid piece of ID", in bold letters,

• (2230)

[Translation]

both in English and French.

[English]

I didn't do that. I didn't propose it, because earlier I said we're being far too prescriptive when it comes to allowing Elections Canada to do their job. I say this here in committee so that Elections Canada will take this advice and do that. I think the government would agree with me. They're going to have to do this, because it is such a vital piece.

You go to a seniors residence or a senior's home, and you will see it taped to their fridge or on the table. During the writ period, that VIC is a prominent piece of mail because they know they've been using it for over 50 years to walk in and say, "This is my direct connection. This is my ticket." It's like you can't get on the plane without a boarding pass. You cannot vote without this VIC.

They can pretend that's not going to take place. This is why I asked Mr. Richards earlier about the fact that when you do your advertising, you have to state unequivocally that you cannot use this, and here's why.

In my riding, I have 193 communities with over 200 polling stations. If you look at a map, it's just a massive spread of polling divisions across 30,000 square kilometres. A lot of people commute to work for a half-hour or an hour, that sort of thing. I'm not saying my riding is exclusive to this. A lot of people have long commutes. But when they come home from work and they go to the polling division, their community does not have a polling division. Their polling division is 20 kilometres down the road. I would say—I don't know exactly—that would affect somewhere between 30 or 40 communities that do not have that polling division in their community. They're going to return home after work, or wherever they come from—perhaps they're visiting someone—and go to a polling division. They are going to have their VIC, which they picked up in the mail. They are going to try to use it and be told they cannot. They have to prove their residence. Many people realize that doesn't suffice, so now they have to go back home and find a utility bill. Then, all of a sudden, they say to themselves that if they can't vote now, they're not coming back. They're just not going to do it.

Many people have a post office box. There has been some contention as to whether that is going to allow them to vote or not, but no matter. If somebody can prove that only having a post office box will still allow you to vote, there's always that hesitation from the people working in the polls. That hesitation is going to cause them to go away and not come back.

We have seen it. We all have anecdotal evidence, most of which is true. We all know this to be....

Do the people in the government who keep saying that this is not a big deal...? They must agree with me that when they campaign, and they go door to door and inside that door, that voter information card is handy. Even the member for Mississauga—Streetsville said he'd witnessed many of them. I'm assuming that part is correct, that he did see a lot of those VICs.

Make no mistake that this is going to be a problem realized on that day. I suspect that after the next election day the government, whoever it is, is going to have to reverse engineer this back to get the VICs back into the business of being a part of the democratic exercise. As my colleague points out, it is something that is updated even better than driver's licences. Federal ID that has an address on it....

I don't want to overstate it, and perhaps it's a little late and maybe I have, but I'd like to think, and it's late, and pardon me, Chair, if this is being repetitive, but this is a fundamental piece of information that puts us towards democracy that people fought and died for, and don't accuse me of being over-dramatic on this because that VIC is a prominent piece. I can tell you, when I tell people, they say, "Well, there's nothing wrong with having to prove who you are in order to vote." I say, "Do you know that card you use?" They say, "I use it all the time." I say, "You can't use it anymore." They're bewildered on why that would be, because it is such a fundamental part.

This leads us to think, if the government feels it's such a detriment and if there's so much fraud and irregularities taking place with this VIC, why would they just get rid of it? Did they not explore the idea of why? All we get is one example of a television program in Quebec that did something. As my colleague also pointed out, think about what you have to go through to take the VIC and use that second piece of ID to produce some fake ID with a signature. Is it really worth that? If you're going to do that, you might as well do something ludicrous like call some random person and tell them that their voting place has changed location.

Mr. David Christopherson: Who would do that?

Mr. Scott Simms: Who would do that?

Mr. Tom Lukiwski: Apparently nobody according to the—

Mr. Scott Simms: I'm sorry, Mr. Wallace. If my speech interrupts your heckling, I apologize.

● (2235)

Mr. Mike Wallace (Burlington, CPC): Blame him for interrupting. He interrupted you, Mr. Simms. You should be asking him not to be heckling while you're speaking.

Mr. Scott Simms: I will say that if you take the VIC, I don't understand what evidence was handed to them that showed them that the only way around this situation was to eliminate that vital card that linked one individual and the right enshrined under section 3 of the charter to vote.

Thank you.

The Chair: Thank you, Mr. Simms.

We'll vote on LIB-17, which will, of course, also cover PV-28.

An hon. member: A recorded vote.

The Chair: Folks, when I get halfway into the vote, you probably are too late to do it, but I'll be nice.

(Amendment negated: nays 5; yeas 4)

The Chair: NDP-30 went away. I think PV-29 went away, as did NDP-31 and NDP-32.

We're on NDP-33.

Mr. Scott.

Mr. Craig Scott: I would like to move NDP-33.

The amendment would delete proposed subsection 143(3.3) in Bill C-23. The proposed subsection in the bill reads as follows:

A candidate or their representative may examine but not handle any piece of identification presented under this section.

Now, "a candidate or their representative" is effectively shorthand for scrutineers. It's very rare you'll have a candidate bouncing around at every polling station, so it's a representative. What this authorizes is that those who are not actually the desk officers but the people making sure that the process, for your party's sake, for your candidate's sake, is working well can simply say, "Can I see that piece of ID?" They can examine it but not handle it.

I'm not going to say it's a matter of handling; it's just that somebody has to hold it up to them and they can see it. The Chief Electoral Officer brought our attention to this. It was part of his amendments. He suggested that this be deleted, so this is what this amendment does. It would delete those lines, and therefore this new provision wouldn't exist.

I won't give you the number of reasons, just in case I forget what number I gave, but one reason this is a problem is privacy. For average voters there are pieces of ID on the lists, and on maybe expanded lists, that might have information that a person is content that a person at the table could look at but not a random person.

The second thing is it has the potential, and this was actually the Chief Electoral Officer's point, to produce the perception, or the feeling, on the part of the voter of harassment. It doesn't actually have to be harassment for that to occur and for that to produce some kind of a disincentive to voting the next time, or just an unpleasant experience during voting, which has to be avoided at all costs.

The third thing is that it could actually be harassment or intimidation. Let's just say that's unlikely, by and large; I don't assume that average scrutineers will act any more dishonourably than the average voter. We don't believe the average voter is inclined to commit fraud. I don't believe the average scrutineer would intentionally harass or intimidate, but that would be perhaps the result and the feeling.

There's a last thing that's tied to these: lineups. Really, the idea that you have an enthusiastic scrutineer, who does not have to have any bad faith, or simply a scrutineer under instructions to carefully check ID.... It produces lineups. It produces frustration. It could even produce, among people at the end of the line, their deciding not to wait anymore.

Canadians, by the way, however much we are maybe one people who will line up better than others, are not exactly patient when it comes to this kind of thing. People are used to fairly quick voting in this country. This could contribute to a very different experience. There are reports south of the border of the use of asking for ID as a way to create lineups. I would hope we wouldn't get into that kind of scenario, but it's possible.

I would end by saying, Mr. Chair, that I move to delete this new examination of identification documents provision, and leave it in your capable hands.

• (2240)

The Chair: Thank you.

Madam Latendresse.

[Translation]

Ms. Alexandrine Latendresse: I'll be brief. I just have one thing to add, one of the reasons this amendment is so significant.

One of the documents you can use for identification purposes is a credit card or bank statement. I can easily picture a scenario where, without the elector's consent, their credit card statement could be seen by anyone, by any polling official who asks to see it. I don't think that's a very good way to protect people's privacy. This isn't an important provision, and I think it should be removed.

Therefore I will be supporting my colleague's amendment.

[English]

The Chair: Thank you.

I'll call the question on NDP-33.

Mr. Craig Scott: With a recorded vote, please.

(Amendment negatived: nays 5; yeas 4 [See *Minutes of Proceedings*])

The Chair: We'll now go to LIB-19. It has some conflicts with PV-30. They're all about the same issue, but written in different ways.

It's yours, go.

• (2245)

Mr. Scott Simms: Did you say they were linked or no?

The Chair: Yes, it's linked with PV-30.

Mr. Scott Simms: All right.

The Chair: So whatever happens on this, will happen on it.

Mr. Scott Simms: I got it.

Ms. Elizabeth May: Do a good job.

Mr. Scott Simms: You want to talk, too? I'll share my time, how's that?

Ms. Elizabeth May: My amendment is riding on you.

The Chair: If you don't start talking soon, I'm going to—

Mr. Scott Simms: I understand.

An elector has every right to deny authorization to a candidate's representative to examine their ID. In this particular case, I think it's fundamental in what we're hoping to do here. All we've talked about

thus far up until this point leads me to believe that everything we want to do when it comes to allowing the individual to vote has been absolutely suppressed. I'm sorry if I used that word again, but actually this is the first time I used that word this evening, quite frankly. That's what it's coming down to.

Maybe it's a point of order, but not once yet have I seen any accommodation for anything that we've tried to earnestly put forward as a decent amendment or a decent way of looking at something which we feel is logistical. We keep doing this end run around each and every provision. This is one of those things. I hope they will consider this as being a legitimate way to restore some faith back into a system that's going to be severely damaged after this vote takes place.

Perhaps Ms. May would like to add to it.

Ms. Elizabeth May: May I?

The Chair: Quickly.

Ms. Elizabeth May: Very quickly, this is just to say that the fundamental point as expressed by the Chief Electoral Officer is that no voter should be denied the right to vote because they did not feel comfortable having their private information reviewed by a candidate or a candidate's representative. My amendment is to the same effect as the Liberal amendment to ensure that does not present a barrier to voting.

The Chair: Thank you.

LIB-19 and PV-30 are connected.

Mr. Scott Simms: A recorded vote, please.

(Amendment negatived: nays 5; yeas 4 [See *Minutes of Proceedings*])

The Chair: We go on to NDP-34.

Mr. Craig Scott: Very quickly, this is an insertion after the clause which we just failed to have deleted. Again, it follows the recommendation of the Chief Electoral Officer where he said that if this provision allowing the candidate or the representative to scrutinize a piece of identification is kept, there needs to be some safeguard in the form of what I'm about to read. I'm moving this amendment:

When a candidate or their representative wishes to examine a piece of identification, the deputy returning officer shall advise the voter that they are not required to present it and that any refusal by the voter shall not affect their right to vote.

This is taken directly from the recommendation of the CEO. I don't have to emphasize why this is there as a safeguard now that we failed to get rid of the provision. I'd like to call a vote, except that you can call it.

The Chair: Great.

Mr. Reid.

Mr. Scott Reid: The secret ballot is the right to vote and not have anyone know who you voted for. The idea that you have the right to come in and not show who you are just seems preposterous to me. I'm not sure if the fear is that the scrutineers are going to become stalkers or what the objection is.

The idea that when you participate in something, public duty that you can say, “No, I insist on maintaining my anonymity”.... The whole point of asking to examine the ID is to see whether there is some problem with it. What can I say? I oppose this amendment.

The Chair: Madam Latendresse.

[*Translation*]

Ms. Alexandrine Latendresse: I want to make sure I am perfectly clear on what you said, Mr. Reid.

Let's assume an elector uses their credit card statement as a piece of identification when they vote. How comfortable will they be sharing that information with a stranger who might want to see it, besides the person at the table verifying their identity? Are you saying an elector who refused to show their credit card statement to such a person would be denied the right to vote?

• (2250)

[*English*]

Mr. Scott Reid: What we're saying here is that the identification is a public document. If I understand correctly, you're talking about credit cards. Credit cards are not among the documents that are used here. But look, you are willing to actually present it to somebody. You're saying, or Mr. Scott is saying, “Well, only certain people in this poll can see it”. I think the whole point of having the scrutineers there is to make sure everything is being conducted on the up and up.

Am I missing something?

The Chair: You still have the floor, Madam Latendresse.

[*Translation*]

Ms. Alexandrine Latendresse: No, it's fine.

[*English*]

The Chair: I call the question on NDP-34. It's a recorded vote.

(Amendment negated: nays 5; yeas 4)

The Chair: It's defeated.

I guess LIB-20 is not exactly the same, but it is identical to PV-31. They're the same.

Ms. May, would you like to lead this one?

Ms. Elizabeth May: Are we on PV-31?

The Chair: We are. It matches LIB-20, so a vote on one would be for either or all.

Ms. Elizabeth May: Thank you very much.

This amendment is to stipulate—and it's very similar to the last one—that no electors should be prevented from voting based on their reluctance or refusal to have their ID shown to the candidate or candidate's representative, not to any of the actual poll workers.

It's a privacy issue. We want to make sure that people can vote, and it's based on a recommendation from the Chief Electoral Officer.

The Chair: Thank you.

On PV-31 and LIB-20.

Mr. Scott Simms: I would like a recorded vote.

(Amendment negated: nays 5; yeas 4 [See *Minutes of Proceedings*])

The Chair: We're now into clause 48 as amended.

An hon. member: Could we have a recorded vote?

(Clause 48 as amended agreed to: yeas 5; nays 4 [See *Minutes of Proceedings*])

(On clause 49)

The Chair: We go now to G-6.

Most of this was talked about when we were on G-5.

Mr. Craig Scott: I have a brief amendment for 49.1.

The Chair: When this passes, or doesn't, whichever it does.

Mr. Craig Scott: I'll wager with you on this.

The Chair: All right.

Mr. Lukiwski, on G-6. We've covered this, but—

Mr. Tom Lukiwski: Yes, we have, so I won't spend much time on it.

I do move it. It's basically saying that anyone who cannot produce identification to prove residence and wants to take an oath, and the attester who also co-signs that oath on the residency question, must be informed by election and poll workers as to the penalties that could be imposed in case these people try to falsify information or lie. It's giving them the information up front, saying what will happen if they're trying to screw around.

Thank you.

The Chair: We're voting on G-6.

An hon. member: On division.

The Chair: It will pass, then?

An hon. member: Yes.

(Amendment agreed to on division [See *Minutes of Proceedings*])

The Chair: Mr. Scott, you have something to fit in here, do you? Is that the next piece?

• (2255)

Mr. Craig Scott: Do we have to actually vote for clause 49 first?

The Chair: We'll vote on clause 49 first.

An hon. member: On division.

(Clause 49 as amended agreed to on division)

The Chair: Mr. Scott.

Mr. Craig Scott: Mr. Chair, I would like to move the following amendment that I've written out, that Bill C-23 be amended by adding on page 26, after line 1, “49.1” meaning a new clause. The following section is added, section 143.1, which has just been repealed, so it's available as a number:

The Chief Electoral Officer shall ensure that the notice of confirmation of registration that is sent under section 95 or 102 is marked with a prominent message informing the elector that this notice of confirmation of registration may not be used as a piece of identification for the purposes of voting.

I think I have found an amendment that the government will vote for.

Thank you.

The Chair: We can only dream.

An hon. member: You're right.

The Chair: On the amendment, go ahead.

Mr. David Christopherson: It's a long speech or a short speech depending on the government answer. If they're going to vote for this, I can save them a lot of pain.

Mr. Tom Lukiwski: Yes, and I was just going to say, could you please read it into the record again?

Mr. Craig Scott: It reads that Bill C-23 be amended by adding on page 26 after line 1, the following—49.1 becomes the new clause and section 143.1 becomes the new section:

The Chief Electoral Officer shall ensure that the notice of confirmation of registration that is sent under section 95 or 102—

—the VIC—

— is marked with a prominent message informing the elector that this notice of confirmation of registration may not be used as a piece of identification for purposes of voting.

The Chair: Mr. Reid.

Mr. Scott Reid: Mr. Chair, I can't help but notice that it is three minutes to our proposed closing time. Given that this is a new subject, one for which we don't have the text, and that there might be time to deal with this in the interim between now and the next meeting, or the next iteration of this meeting, may I suggest that we suspend at this point and come back tomorrow, and that this be our first order of business?

The Chair: Well, there's been discussion of another first order of business, but I'm okay if you want to talk about it overnight on this one. We're going to stop someplace.

Mr. Craig Scott: I guess all I would say regarding the first order of business is that I would prefer this being the one that we discuss—

The Chair: Right, so this will be the first amendment that we get to.

Mr. Scott Reid: I'm sorry. That's what I should have said.

The Chair: I'll go along with that.

I thank all of you for your cooperation tonight. Many issues were done. Many brain cells were killed.

Voices: Oh, oh!

The Chair: We are adjourned.

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