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Chair: Chris Bittle



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• (1100)

[English]

The Chair (Chris Bittle (St. Catharines, Lib.)): I call this meeting to order.

Welcome to meeting number five of the House of Commons Standing Committee on Procedure and House Affairs. Pursuant to Standing Order 108(3), the committee is meeting in public on the actions of the longest ballot committee in recent Canadian elections.

Today's meeting is taking place in a hybrid format, pursuant to the Standing Orders. Members are attending in person in the room and remotely using the Zoom application.

Before we continue, I would ask all in-person participants to consult the guidelines written on the cards on the table. These measures are in place to help prevent audio and feedback incidents and to protect the health and safety of all participants, including the interpreters. You will also notice a QR code on the card, which links to a short awareness video.

I would like to make a few comments for the benefit of the members. All comments should be addressed through the chair. For members in the room, if you wish to speak, please raise your hand. For members on Zoom, please use the "raise hand" function. The clerk and I will manage the speaking order as best we can. We appreciate your patience and understanding in this regard.

Just as a housekeeping note, the Subcommittee on Private Members' Business is meeting in the room at 1:15, so I will be fairly strict on our ending this meeting at one o'clock.

I would like to welcome our witnesses for today's first panel. As an individual, we have Peter Loewen, Harold Tanner Dean of the College of Arts and Sciences at Cornell University, by video conference; and Mr. Tomas Szuchewycz, an official agent for the longest ballot committee.

Each witness will have five minutes to deliver opening remarks. Then we'll proceed to questions and answers.

Mr. Loewen, you have five minutes, please.

Peter Loewen (Harold Tanner Dean of the College of Arts and Sciences, Cornell University, As an Individual): Thank you very much to the committee for this invitation. I've appeared before this committee half a dozen times now, I believe, over a 20-year period. It has always been an honour to do so.

I am pleased today to share with you my thoughts on the question of long ballots. I understand the issue in the following way. It's relatively easy to get one's name on the ballot in Canada. Because of this, a group of Canadians who object to our electoral system decided they would demonstrate their dissatisfaction with our form of electoral democracy by adding as many people as possible to ballots in high-profile races.

In the submission by that group today, they appeal to a slightly more general and unobjectionable point—that MPs should not write their own rules of election. That point has merits, and I will return to it. But their larger point is that Canada's electoral system should be reformed, and they'll keep making ballots longer until Canadians get the message.

Our electoral system has not changed, but voters in a small number of constituencies have been forced to search for competitive, sincere candidates among dozens or hundreds of names of insincere candidates.

Should members of Parliament be changing the Canada Elections Act to respond to this? Let me make two arguments on why you should and two on why you should not, and then say something quickly about the history of monkey business on our ballots.

Why should you make it harder for names to enter our ballot? First, these long ballot efforts clearly, in practice, violate the spirit of our competitive elections. Elections should be contested between people with real intentions of entering Parliament, who have mustered some minimum level of local support through signatures—unique signatures—and who are ready to actively compete against others. The ballot is much more than a petition, so it should require more than shenanigans to get on it.

Second, the management of our elections is highly localized. It depends on volunteers and minimally paid part-time workers to carry out manning polling stations, assisting voters in understanding the ballot and then counting votes. The smooth conduct of elections and the rapid counting of constituency races is what Canadians expect. Excessively long ballots, however funny they might be, make it harder for voters to cast a vote and harder for local servants of our democracy to count ballots. Canada's reputation of well-run elections is hard-earned and well deserved. It's not funny to monkey with this. For these reasons, making it harder for unserious candidates to get on a ballot is a good idea.

What are the arguments against changing these rules? First, you are in an interesting conflict of interest, in that you can all benefit as incumbents from certain rule changes. Thus, changes to electoral rules should be done carefully and transparently, and with as much consensus and outside validation as possible. Second, the effects of these long ballots are probably quite small, so this may not be a high-priority issue. If you have chosen to deal with it, so be it. Just do so transparently, respecting the public's concerns about a conflict of interest.

One final point is that Canada has a history of monkey business on ballots—some funny, some not. In its heyday, the Rhinoceros Party, you might recall, used to field a lot of candidates and do funny things. They had a platform plank of an angled bike path across the country so that one could coast from coast to coast—very good. It was very funny. There are less funny examples. As Louis Massicotte once told me, in Quebec, before the introduction of party names on ballots, troublemakers would occasionally run a candidate who shared a name with a serious candidate. This was meant to confuse voters. That was less funny.

This long ballot business is less funny. It's the handiwork of self-proclaimed democratic reformers who have lost referendum after referendum, sometimes after citizens' assemblies and sometimes not, and who recently lost another court case affirming the constitutionality of our electoral system. Time and again, Canadians have indicated that they don't want what they're selling, so you might find it less than funny that they want free rein to gum up election ballots.

Thank you very much.

• (1105)

The Chair: Thank you so much.

We'll turn to Mr. Szuchewycz for five minutes.

Tomas Szuchewycz (Official Agent, Longest Ballot Committee): Members of PROC, given your mandate of reviewing both election law and conflicts of interest, it is extremely wise of you to take the time to investigate what the longest ballot committee is all about.

If there is one thing I want you to take away from my appearance today, it's that democracy is best managed with strict, non-partisan impartiality.

While you consider that, Mr. Chair, I'd like to give a huge thank you to all the candidates who put their names forward to run in long ballots, and I want to give a huge thank you to all the voters who

signed their names hundreds of times in support of those candidates and in support of electoral reform. Because of them, this protest has been successful beyond anything I honestly could ever have imagined. Now clearly we have the attention of politicians. I have been invited to Parliament today because they hear our message, our shared desire for improving democracy.

I want to start with praise for two Canadian institutions. Elections Canada is admired for its professionalism and independence. We voters know that we are able to cast our votes, that everyone running the polling station is impartial and that our votes will be counted fairly. Elections Canada is one of the most trusted government institutions in our nation, and that trust is deserved. Elections Canada is trusted precisely because it is non-partisan and independent.

The same is true of our electoral boundaries commissions. In many places around the world, politicians decide their own districts, and what do they do? They gerrymander maps to try to lock in their own power. Canada, wisely, does not tolerate that. Instead, boundary drawing is the responsibility of independent commissions operating at arm's length from Parliament.

Here is the problem. While ballot counting and boundary drawing are correctly protected from political interference, the rules of our elections are not. The laws that govern how parties are regulated, how ballots are designed, who is even allowed to put their name forward as a candidate and how votes get translated into seats are laws that are still written and modified by you, MPs, with your partisan interests and your careers depending on the outcome of each election. This is a textbook conflict of interest, obviously.

The longest ballot committee advocates that you, MPs, recuse yourselves from writing the rules of your own elections. We already know that the model of non-partisan independence works. Canadians would be well served by a permanent, independent, non-partisan body to oversee the full framework of election law.

This reform would also protect you as MPs. When you propose changes to election law, you are often met with suspicion, and rightly so. Even good reforms can be dismissed as self-serving when they are written by people who are perceived to benefit from the changes. By handing responsibility to an independent, non-partisan body, voters could finally trust that the laws were written to serve the best interests of Canadians, rather than to serve the best interests of the ruling parties.

The longest ballot committee is urging MPs to do the right thing, recuse themselves from this blatant conflict of interest and establish a permanent, independent, non-partisan body to oversee the full framework of election law.

Thanks.

The Chair: Thank you so much.

Thank you to both witnesses for being under the five-minute allotment.

Mr. Cooper, I'll turn to you for six minutes, please.

Michael Cooper (St. Albert—Sturgeon River, CPC): Thank you, Mr. Chair.

Mr. Szuchewycz, you have operated as a key organizer for the longest ballot committee and served as the official agent for many of the candidates affiliated with the longest ballot committee. Is that correct?

Tomas Szuchewycz: That is correct.

• (1110)

Michael Cooper: Your brother, Kieran Szuchewycz, is also an organizer with the longest ballot committee. Is that correct?

Tomas Szuchewycz: That's correct.

Michael Cooper: I want to ask you some questions about the recruitment of candidates and the collection of nomination signatures for the longest ballot committee.

When you and other organizers from the longest ballot committee were collecting signatures, at times electors would have been presented with multiple nomination forms to sign simultaneously.

Tomas Szuchewycz: That's correct.

Michael Cooper: Okay.

As you went about collecting signatures and recruiting candidates, the longest ballot committee told prospective candidates that they didn't have to worry about collecting signatures, because the longest ballot committee had already collected the 100 or more signatures needed for them to get onto the ballot.

Isn't that true?

Tomas Szuchewycz: No, that's not true. You have that a little bit backwards. We recruit candidates, we get all their names and then we collect signatures for them. We're not just collecting signatures for people who said they don't want to run.

Michael Cooper: I have a video that you posted on YouTube to the longest ballot committee on August 18, 2024, in respect of the LaSalle—Émard—Verdun by-election, in which you state, "If we're going to break the record for the longest ballot, we need everyone to sign up as soon as possible. We've already collected a hundred nomination signatures for you. All you have to do is follow the instructions".

In fact, you and other organizers for the longest ballot committee were going around with nomination forms that didn't have candidates' names on them. Isn't that correct?

Tomas Szuchewycz: That is not correct. There are a few—

Michael Cooper: I'm going to stop you there, Mr. Szuchewycz, because I have a tweet that was posted by the longest ballot committee on January 22, 2024, of you, Kieran and, I believe, a Glen MacDonald. When we look more closely—this is you—we see where the candidate's name is on the nomination form with signatures. The candidate's name is blank.

That's precisely what you were doing: going out and collecting signatures, getting electors to sign blank nomination forms, not candidate nomination forms.

Tomas Szuchewycz: That is not accurate—

Michael Cooper: I just presented you with evidence, documentary evidence—

Tomas Szuchewycz: No, that is not—

Michael Cooper: —that establishes that in fact it is accurate.

I want to caution you, sir, that you're testifying before a parliamentary committee and you have an obligation to answer my questions fully and truthfully. If you fail to do so, sir, you can be held in contempt of Parliament. I want to make clear to you that I will not hesitate in using all of the tools available to hold you accountable should you not provide truthful and accurate answers, which up till now you have not.

I'm going to give you one last opportunity to confirm on the record that you went about collecting signatures from electors where the candidate's name was blank. That's what you did. Is that right?

Tomas Szuchewycz: No, that is not accurate. If you would give me a chance to actually respond.... You've made quite a few incorrect assumptions here. Where would you like me to begin—with the AI-doctored images or with your misunderstanding of what "sign up" means? In that video, when I say "sign up", what I'm referring to is that these are candidates who have already expressed that they want to run. We then collected their signatures, with the candidate's name at the top, obviously. That's the rule—

Michael Cooper: That candidate's name was not at the top.

Tomas Szuchewycz: It was at the top. I was there.

Michael Cooper: The candidate's name was not at the top.

Tomas Szuchewycz: Then, when we say, "We already have your signatures and you need to finish signing up", that is referring to "Fill out your forms and book your appointment with the returning officer to do your declaration." This is very straightforward. You have it kind of mixed up.

If you want to talk about those AI-manipulated photos, I'm happy to do so.

Michael Cooper: First of all, I don't have anything mixed up. What I have is a YouTube video—

Tomas Szuchewycz: Respectfully, you do have that mixed up.

The Chair: If I may, for a moment, Mr. Szuchewycz, we operate here on a position that members of Parliament are honourable. To accuse a member of Parliament of doctoring images.... I think you should tread very carefully on that. I don't know about these images, but I'm giving you a warning that I don't find it funny, sir. I don't think you should find it funny either.

Mr. Cooper is correct in what Parliament can do. Perhaps you don't have respect for the individuals sitting in these chairs, but please have respect for the institution and the electors who put us here.

I'm sorry, Mr. Cooper. I think we stopped at about 30 seconds.

• (1115)

Michael Cooper: Go ahead.

Tomas Szuchewycz: No, we have never collected signatures with blank candidate names. The Chief Electoral Officer has already testified to you that there's no credible evidence of any wrongdoing—

Michael Cooper: In his testimony, the Chief Electoral Officer said that your committee initially got caught doing precisely that. That was his testimony.

Tomas Szuchewycz: Respectfully, Mr. Chair, that was not his testimony. His testimony was that we collected “without an identified candidate”. That is true; we wrote “all candidates” in the candidate field. We got people to sign. We asked them if they would be willing to nominate any and all candidates —

Michael Cooper: It was a blank nomination form. That's what you did. You just admitted it.

Tomas Szuchewycz: No.

The Chair: Thank you, Mr. Cooper.

We'll now turn to Mr. Louis for six minutes, please.

Tim Louis (Kitchener—Conestoga, Lib.): Thank you, Chair. I appreciate it.

Thank you to both of the witnesses for being here today.

Professor Loewen, I'm going to start my questions with you.

Ultimately, we're talking about protecting democracy and our elections, which is something that's very important. I know that you've done work as a professor in the department of government at Cornell. You've also done work with the Canadian election misinformation project.

I wonder if you can expand on how AI can be weaponized to distort democratic discourse. Do you believe that Canada's current legal framework is sufficient to address the risks posed by AI-generated disinformation and misinformation during elections? What specific reforms would you have in mind?

Peter Loewen: Thanks very much for asking, Mr. Louis. I appreciate the question very much.

Let me give you a quick insight. I actually spoke on this with the committee in November, so it's quite nice to revisit it. Canadian election law has, over time, restricted how much can be done by so-called third parties to participate in our elections. We're talking

about advocacy groups, unions or business associations advertising and being active during political campaigns.

The reason we've done this is that we've come to believe that political parties should be the principal vehicles through which our elections are contested. The longest ballot committee is actually an interesting example of a group that's acting like a third party, or maybe like a political party, but not putting itself into that regulatory framework. That's something for you to consider.

On the issue of AI and misinformation, I'll give you the following intuition, perhaps. We regulate the participation of third parties through two things. One is that we regulate how much they can spend, as a way of trying to limit how much they can speak. There are very strict spending limits on how much third parties can spend and thus engage in speech. The second thing we regulate is individuals. We make individual humans legally responsible for what third parties do.

The challenge with artificial intelligence is that it can bring the cost of communication down to zero. The spending mechanism limit on third parties isn't as effective when the cost of doing something is approaching zero. That's problem one.

Problem two is what you might call the agentic problem. We're not far away from people effectively creating non-human agents that will perpetuate speech during elections. Fake Twitter accounts are one example of this, but you can imagine an AI agent that's designed to create political advertisements and then put them out onto the web. It's not an individual putting them on; it's an autonomous agent. It's doing it at essentially zero cost, as it uses social media to spread itself.

What's needed in the legislative framework to address that is acknowledging that the human-centred spending limit approach to limiting third parties doesn't work as well, potentially, in an AI world.

I hope that's helpful to you.

Tim Louis: It is. Thank you.

Is there a way to require, let's say, possibly labelling AI-generated content during election time? Can that be enforced without stifling legitimate political expression? Is there a way of doing that and balancing that during an election campaign?

• (1120)

Peter Loewen: There is, I think.

I would say that you already have labelling of political ads. The way the Canada Elections Act framework works when we're regulating speech during elections is that parties have to take accountability for the ads they put in place by indicating that they've been approved by the agent of the party. Third parties that are operating within the law also have to disclose who's behind the advertisement, and they have to subject themselves to limits. The way you do that is to make the broadcasters and platforms comply with certain restrictions when labelled content is put out, with the requirement not to post unlabelled content that is an election advertisement. You could extend that part of it, I think, relatively easily.

The second thing you can do is pass legislation that would similarly prohibit the platforms and networks from disseminating information that looks like election advertising by third parties, even if it is produced by agents rather than by humans.

Tim Louis: Thank you.

In the time I have left.... In your opening statement, sir, you referred to the longest ballot committee and the fact that “the management of our elections is highly localized.” The concern I have on this committee is the right of people to vote. Can you explain that point, that “the management of our elections is highly localized”, and the challenges that were faced, along with the possible challenges to people's right to vote?

Peter Loewen: Yes. What's remarkable about Canadian elections is how amateur they are and how well run they are. All of our local polling places are staffed by people who are paid, but they're essentially temporary people working to serve our democracy. They're doing kind of the most important civic activity that we do. I've always found that interesting.

The challenge is when voters walk into a polling place and are confronted with 200 or 1,000 names on a ballot. It makes it challenging for election workers to explain the ballot to them, and it makes it challenging for them to help the voters do what the voters intend to do. Voters are not there to cast a ballot for some person who got onto the ballot through a signature-harvesting exercise. They're there to vote for one of the major parties, maybe a real independent local candidate or a local notable, or a small party that's trying to break through.

When voters are being told, “Look, voting is straightforward; trust us that you can do this”, and then suddenly they are confronted with a metre-long ballot, it erodes, at least at the margin, their sense of democratic efficacy, and it makes it hard for the people running elections. I'm sure it's frustrating to explain where to look on that ballot for the people who are actually running for office.

The Chair: If I could interject—and I do apologize—Mr. Louis is over time.

Thank you so much.

Madame Normandin.

[*Translation*]

Christine Normandin (Saint-Jean, BQ): Thank you very much, Mr. Chair.

I would like to thank both witnesses.

Professor Loewen, in your opening remarks, you mentioned that the Long Ballot Committee is to a degree violating the spirit of the election process. I would like you to talk to us about the balance that must be struck between a person's right to be a candidate and, at the same time, to present their ideas, and the right of citizens to have elections whose spirit is primarily aimed at electing someone who would be able to represent them well.

How can we strike this very delicate balance between the right to run for office and present ideas and the right of the population to elections that reflect the spirit of elections as we know it?

[*English*]

Peter Loewen: I think ballots in Canada most certainly should have a place for non-major party candidates. I think it's really wonderful that people step up to run in elections when they probably know they don't actually have much of a chance of winning, depending on their party and their geography. I think that is an important part of our democratic exercise. These are sincere people.

Other people will often step forward because they're animated by some issue that really matters to them and they want to express that issue. That's different from people who are not running to be a contestant in the election as their principal motivator but who are, instead, adding their name to the ballot because they want to make a larger point. I think that is the animating spirit of the longest ballot committee. They want to gum up the ballot with as many names as possible to make a point that's different from staying in an election because you have certain views.

I think you can certainly strike a legislative sweet spot that makes it possible for local people who want to run for the sake of running, even if they're not a part of a major party, to get on that ballot by earnestly seeking a large number of signatures, while tailoring the rules not to allow for the monkeying of ballots by allowing, for example, one individual or one group to capture signatures for hundreds of people.

• (1125)

[*Translation*]

Christine Normandin: I would like to discuss the notion of balance, which you just mentioned. There is a difference between the ideas that a person holds and using the ballot as a means of communication or pressure. You mentioned that there may be less serious candidates in an election. I am thinking of certain parties that say themselves that they are not serious. For example, the Rhinoceros Party presents rather zany ideas and offers the population the opportunity to protest. Rather than cancelling one's vote, one votes for a more amusing party.

How can one judge what is simply amusing versus what is unacceptable in an election? I would like to know your opinion on this matter.

[*English*]

Peter Loewen: It's a great question. Like many things, you know it when you see it.

Let's contrast the Rhinoceros Party in its heyday with what's going on here. The Rhinoceros Party would run candidates across the whole country and do the work of getting a single candidate on the ballot. They would then put out a platform, which was rather satirical and funny, such as putting up a wall to keep killer bees from coming from the United States or removing the Rocky Mountains so you could coast from coast to coast on a bicycle. All of these ideas are funny. I don't think they ever impaired the ability of other voters to cast ballots and find their candidates.

This is something different. This is not even about the idea of elections. This is a committee that believes we should have a different electoral system, despite constant demonstrations that Canadians don't want that and constitutional affirmations that our electoral system is democratic. Because they're not getting it, they've decided to gum up our electoral system at the level of the ballot.

Part of the distinction is that it's having a material cost on how ballots are designed and experienced. Also, it's not actually about the election, is it? It's not about making fun of the process of whatever election we're in or some particular issue. It's about gumming up the process. That strikes me as being different from putting a satirical candidate out to get a laugh.

[Translation]

Christine Normandin: Considering that the idea promoted by the Longest Ballot Committee is to call for electoral reform, could one way of promoting this idea have been, for example, to create an electoral reform party and systematically field candidates in all ridings during the election for the 45th Parliament?

[English]

Peter Loewen: That's a great party platform to run on if you think it's an important issue that will then be taken up in Parliament. I don't think you'll win, but sure, someone could try to start that party.

[Translation]

Christine Normandin: In that case, would it be more appropriate to consider the public's appetite for electoral reform and see what percentage of the vote such a party is capable of garnering, rather than proceeding in the manner in which that committee operates? The public has a more or less clear understanding of the committee's objectives.

[English]

Peter Loewen: If a party wants to test a single issue, an election is one way to do it. If a party wanted to run purely on electoral reform, it could give it a go. It would certainly be a more sincere effort than this one.

The Chair: Thank you very much.

Mr. Jackson, you have five minutes.

Grant Jackson (Brandon—Souris, CPC): Thank you, Chair.

I'd like to confirm something with you, Mr. Szuchewycz. Whoever wrote your submission to the committee—I'm not sure if that was you—said they watched the testimony of the Chief Electoral Officer last week. Was it you who authored that document? Did you watch the Chief Electoral Officer's testimony last week?

Tomas Szuchewycz: My brother and I wrote that document. Yes, I watched the testimony last week.

Grant Jackson: You'll have seen that the Chief Electoral Officer testified last week that your actions in various constituencies, whether they were in a general election or a by-election, affected every voter's access to voting. The actions of your organization particularly hurt and blocked the ability of seniors and folks with disabilities to cast their ballot. Those who were born with additional needs and the seniors who built this country should not have barriers

put in their way by a political stunt that has no motivation or request from the public to change our electoral system.

What kind of organization would try to prevent those most vulnerable in our society and our seniors from being able access their constitutional right to vote?

• (1130)

Tomas Szuchewycz: Mr. Chair, that's a great question. As we all know, the design of federal ballots is prescribed by the Elections Act, which is written by our MPs.

I'm not aware of any documented cases of people being prevented from voting because of too many candidates. I am aware of existing accessibility concerns surrounding the voting process. The Canadian National Institute for the Blind gave a series of recommendations to this very committee on improving accessibility when Bill C-65 was being discussed. I would point out that none of their recommendations have been implemented by you. I would also point out that none of their recommendations involved arbitrarily restricting citizens' rights to run as a candidate.

I'm not an expert on accessible ballot design. I would suggest that you talk to the disability advocates about that.

Grant Jackson: I think the Chief Electoral Officer has spoken to disability advocates and has heard multiple complaints. The number of complaints in this election was higher than it has been before, which was also presented as part of his testimony. Whether or not it's the end goal of your organization, this is the result. People had a more difficult time casting their ballot in this election—both in the Battle River—Crowfoot by-election and in the general election—than ever before. They were predominantly seniors who had to wait in longer lines and found the sometimes metre-long ballot more inaccessible or people with disabilities, including, as you mentioned, people who are vision-impaired.

These actions not only have caused people to be unable to wait in line longer to vote but also meant, in many cases, that people no longer had the ability to vote privately, because they required assistance in the ballot box in order to manage the ballot that your organization forced to be so unwieldy that they could not manage on their own.

Why would you take these actions, and what do you have to say to those Canadians who had their privacy breached because of their inability to manage the ballot on their own because of your campaign's actions?

Tomas Szuchewycz: Mr. Chair, again, I don't design the ballots. The ballot design is written in the Elections Act, which means that you MPs actually designed the ballot. If the Chief Electoral Officer had followed the will of Parliament, then it actually would have been twice as long in those two-column situations. Of course, for operational reasons, understandably he had to make emergency amendments to the Elections Act in order not to make it four metres long.

If you're concerned about accessible ballot design, I strongly suggest that you talk to disability advocates, because I'm not an expert on this, and I have no power to change the design of the ballot.

Grant Jackson: Sir, with respect, you do have the ability to stop your committee's actions from blowing up our ballots to achieve a political goal where there is no political consensus in this country to change our electoral system. The professor has already noted it. You have a Liberal Party that campaigned on it in 2015 and then backed away from it because they recognized that there was no willingness to change the electoral system—nowhere near a consensus or even close to a majority of Canadians.

You're wasting everybody's time and, in the process, harming some of our most vulnerable Canadians' ability to participate in Canada's democracy.

The Chair: I will interject there, as it has been five minutes.

Perhaps, Mr. Szuchewycz, you can answer that in subsequent questions that may come up.

We will move along to Madame Kayabaga for five minutes.

Hon. Arielle Kayabaga (London West, Lib.): Thank you, Chair.

I'd like to thank our witnesses for being here today.

I have a question for Dr. Loewen.

Do you think there are any empirical studies in Canada or anywhere else in the world that show that the ballot length affects voter error rates, spoilage or even voter turnout, including the ability of voters to understand the ballot, and how that impacts or doesn't impact their decision-making?

• (1135)

Peter Loewen: It's literature that I used to know better 15 or 20 years ago, so I don't want to characterize all of it, but I'll say two things about it. One is that ballot design effects are generally small. Very rarely do ballot design effects matter for the outcome of an election. I think we should be clear about that.

There are, however, a few notable irregularities. One is that ballots that are alphabetically ordered favour people who are at the top of the ballot. There's fairly well-established empirical evidence that ballot order matters, so people who are closer to the top of a ballot matter more. The length of the ballot is thought to increase those effects, because the longer a ballot is, the more likely you might be to say, "Oh, come on. This is too much. I'll just go for someone near the top." That said, a lot of that comes out of studies in the United States, where you have a lot of different offices that you're voting for at once, for example.

Here's the most notable case. There's pretty good empirical evidence that in Palm Beach County in 2000, Al Gore lost and Pat Buchanan won that county because of the ballot design. They had a so-called butterfly ballot, which opened up in such a way that it was unclear which person you were voting for on which side of the ledger. This is a famous example of how a ballot design can lead to unintended effects.

To make a long story short, I think the effects of this would be small, but the frustration for voters could be real in having to confront a ballot with hundreds of names, which we've never really seen before in Canada.

Hon. Arielle Kayabaga: As a quick question on that, what kinds of reforms do you think can be brought to bear on the lengthy ballots, especially if they're impeding someone's right to vote and to understand the ballot, and the kinds of impacts they may have on that decision-making?

Peter Loewen: I think the tension you have here, in designing the legislation, is this: How high a bar do you set that makes this kind of gumming up the ballot very difficult, yet is not too high so that a sincere candidate, who may not have the backing of a party or who may have the backing of a party that's not popular in that part of the country, can still get over that bar?

I will tell you that the thing that stood out to me, as I learned more about this, was the idea that a single agent can act on behalf of multiple candidates. I think that most Canadians would find that curious. We understand that elections are competitive processes among teams of people, so the idea that you would have one coach or manager for multiple teams strikes people—I think, rightfully—as against the competitive spirit of the election and suggests that this is something other than candidates who want to contest the election. I think it is clear, even from what the committee has said, that they're not actually about putting up competitive candidates. They're about making the larger point that they want a different electoral system from the one that we have.

Hon. Arielle Kayabaga: To switch gears a little, I just want to hear your thoughts on the risk of foreign influence through political financing. What do you think are the many vulnerabilities that exist in our political financing regime right now?

Peter Loewen: It's a good question, and it's one on which I'm not an expert. You will hear from other people who are experts on it.

I think the biggest vulnerability is a bit of what I articulated to Mr. Louis, but put slightly differently. As the costs of communicating go down, the ability of people to use small amounts of money to influence our elections is greater than it was before. The idea is that it would be impossible for a person from Russia to put an ad on the CBC or CTV, but it's not impossible for them to put one on Twitter. The permeability of platforms versus broadcast and radio networks is, I think, probably the most serious vulnerability. It's less about where the money is coming from; it's about the ability of money to be put to speech on these platforms.

The Chair: Thank you so much, Madame Kayabaga.

We will proceed to Madame Normandin. I'm just keeping in mind that we are approaching noon, but we do have a little bit of extra time, so I will add another minute for the remaining three questioners.

You have three and a half minutes, Madame Normandin.

[*Translation*]

Christine Normandin: Thank you very much, Mr. Chair.

Mr. Szuchewycz, the idea behind the Longest Ballot Committee was to campaign for electoral reform. I would like to hear your thoughts on how effective your message has been in reaching the public. Do you feel that the initiative you launched has enabled the public to truly understand what you were trying to achieve?

• (1140)

[*English*]

Tomas Szuchewycz: Mr. Chair, I think my being invited here is pretty good evidence that we've been very successful. We get lots of media attention. Just at a basic level, whenever I talk to someone and say, "Hey, did you know politicians write the rules of their own elections?" they say, "Oh, that's stupid." It clicks with people right away. It's very obviously a conflict of interest.

[*Translation*]

Christine Normandin: I will rephrase my question.

People are aware of the existence of the Longest Ballot Committee, but in your opinion, do they understand your message regarding electoral reform?

[*English*]

Tomas Szuchewycz: Yes, I think people do understand the message. It's very straightforward that politicians are obviously in a conflict of interest when they are in charge of writing the rules for their own elections. It's a very simple message, and people understand it and generally agree with me, unless they have partisan interests.

[*Translation*]

Christine Normandin: I understand that you are using your presence here to gauge the success of your endeavour. Do you have any other indicators of the clarity of your message and how it is reaching the public?

[*English*]

Tomas Szuchewycz: As I said, we get a lot of media attention. It's really great. We get a lot of candidates putting themselves out

there and doing media interviews. We've had international attention for the first person in history to get zero votes, so that was very cool.

We get lots of positive messages. People are always happy to see what we're doing, and they want to join next time. It's been very positive, and people really resonate with the message that politicians shouldn't be in charge of the rules of their own elections.

[*Translation*]

Christine Normandin: At the risk of repeating myself, one of the ways you measure the success of your actions is your presence here. That's what you said.

Do you really feel that your presence here contributes to your call for electoral reform, or, on the contrary, are you undermining the credibility of an issue that is nevertheless very legitimate and commendable?

[*English*]

Tomas Szuchewycz: As I was saying, people with partisan interests obviously don't want to hear that election laws should be decided by non-partisan bodies. You people are in charge of the Elections Act, and I get to be right here in front of you, telling you that maybe you shouldn't be, so yes, this is very positive.

[*Translation*]

The Chair: Thank you very much.

[*English*]

I'd like to thank Madame Normandin. She is always on time and keeping track of the time, which is something for all of us to strive toward.

Thank you very much.

Mr. Calkins, you have six minutes, please.

Blaine Calkins (Ponoka—Didsbury, CPC): Thank you, Mr. Chair.

I always appreciate hearing from Canadians, particularly those who think we shouldn't have politicians making laws. They think that the people making laws should be people other than those who are actually elected and accountable to the electorate. I fail to see the logic, to be quite frank with you, given the fact—as my colleague Mr. Jackson said—that even when the Liberals had a majority from 2015 to 2019 and they proposed electoral reform, the Canadian public, through their elected representatives, decided whether or not that was going to be palatable. That's how we actually go through the sausage-making effort of making laws and regulations, including laws regarding our elections, being at this particular committee. Anybody with a basic understanding of a civics class would know that.

I am going to ask my first question of Mr. Loewen.

Mr. Loewen, in 2017, an Alberta court decision ruled that a provision in our electoral laws requiring a \$1,000 deposit was a violation of the Charter of Rights and Freedoms.

First of all, I think you would agree that elections are serious business. I don't think there is a more serious thing that a Canadian can do than cast their ballot in the democratic process. We're approaching Veterans' Week and Remembrance Day. Over 120,000 Canadians have paid with their lives in order to make sure that we can all do this. This is about as serious a business as it gets.

I always interpreted that \$1,000 requirement as something put in place to make sure that unserious people weren't able to just get their name on the ballot. Do you think the government made a mistake by not challenging, or not trying to challenge, that decision made by an Alberta court in 2017?

• (1145)

Peter Loewen: I confess that I am not deeply fluent in the case, so I don't know the jurisprudential argument for it. It strikes me as an entirely reasonable limit of \$1,000.

What I will say is that Canadian elections are cheap. Perhaps I don't actually know whether MPs feel like they're spending a lot of money or not, but I do know that many of you raise more money than you can spend. We also have examples of candidates who can win without spending a lot of money. I think it's great that, for the most part, we put pretty serious caps on our election spending, so that who wins is not determined purely by who raises more money. Where those exact limits are, Mr. Calkins, I'm not sure. I do think that, clearly, the \$1,000 deposit, plus changes in the signatures or the ease of signatures and the fact that one can be an agent for multiple candidates, probably makes the ballot more permeable than is desirable, as evidenced by the ballots in the last election.

Blaine Calkins: Thank you for that.

You've answered the second part of my question, as to whether or not you think that should be put back in place. I don't know if there is a possibility to do that now, given that I think the time for challenging that court decision has elapsed.

Do you think that, in order to protect the integrity of our electoral system and treat it with the seriousness it deserves, this committee should look at the definition of "registered third parties" to make sure that this is obviously a very organized effort? Is there anything you would advise us to do with the definition of a third party?

Peter Loewen: Yes, I think this is critically important. I'll note that your party has a history of being the least supportive of regulations on third parties. I'm not saying that to score points or anything, but I raise that, Mr. Calkins, to note that we've come to a consensus in the country, even among your party, that it's good to have elections contested principally among political parties without huge outside influence. I think that's a good thing, and I've changed my own opinion on it over time.

As the cost of advertising changes and as the tactics of third parties change, I think it is worth asking whether legislation is fit for purpose to achieve what the overall animating principle is in Canadian elections, which is that elections should be a conversation between parties and voters without the cacophonous entry of hundreds of other people into that conversation.

Blaine Calkins: Thank you very much.

Mr. Szuchewycz, the Chief Electoral Officer, Mr. Perrault, told the committee that people should face penalties for signing multiple nomination papers. Would you agree with that statement?

Tomas Szuchewycz: I believe that was one of his suggestions. I don't really see a reason for that. I don't really see the logic in it. Personally, I prefer it when there's more than one candidate on the ballot, so I should be able as a voter to nominate more than one candidate.

Blaine Calkins: You're aware that subsection 480.1(1) says, "Every person is guilty of an offence who, with intent to mislead, falsely represents themselves to be, or causes anyone to falsely represent themselves to be...a candidate or a person who is authorized to act on a candidate's behalf."

Would you agree that asking somebody to sign a nomination paper that has "all candidates" written at the top, or no candidate's name, would be a false representation under the act?

Tomas Szuchewycz: I'm not a legal expert, but I don't believe it was.

First, the returning officer determined that the candidates couldn't get accepted based on those forms, so they were refused, and that's fine.

Blaine Calkins: Also in the Elections Act, section 482.1 says:

Every person is guilty of an offence who obstructs or hinders—or knowingly makes, either orally or in writing, a false or misleading statement to—the Commissioner of Canada Elections or any person acting under his or her direction while the Commissioner or the person acting under his or her direction is exercising or performing powers, duties or functions conferred or imposed on the Commissioner under this Act.

That's obstruction. Do you think any of the actions of your committee met the definition of obstruction under the Canada Elections Act? Have you been given any warnings? Have you been given any reprimands? Have you been threatened with charges by Elections Canada?

• (1150)

Tomas Szuchewycz: Certainly the answer is no to any of those questions. I've never been reprimanded and have no intention of misleading anyone. We have nothing to hide. We do everything by the book.

Blaine Calkins: My colleague—

The Chair: Thank you very much, Mr. Calkins.

We'll go now to Madame Brière.

[*Translation*]

Mrs. Brière, you have the floor for six minutes.

Hon. Élisabeth Brière (Sherbrooke, Lib.): Thank you very much, Mr. Chair.

I would like to thank both witnesses for joining us this morning.

Professor Loewen, we know that it is difficult to encourage people to enter politics, especially women. Do you think that this tactic of the Longest Ballot Committee makes it even more difficult for some people to decide to enter politics?

[English]

Peter Loewen: I'm not sure. Because the effects are probably small, I suspect that it's not having a huge effect there, although it could be having one. I think the notion that elections are something that you play with strikes me as degrading, so perhaps that makes it less appealing to both male and female candidates, but I'm not sure that it would have a differential effect on women.

[Translation]

Hon. Élisabeth Brière: Do you think it is too easy to put your name on a ballot in any riding? All you have to do is collect 100 signatures and find an official agent. As we have seen, the actions of the Longest Ballot Committee created chaos during the last election and by-elections.

Do you think we should respond to these actions? Should we instead give serious consideration to a more fundamental change to our electoral process?

[English]

Peter Loewen: It seems clear to me that the combination of 100 signatures and allowing a small group of people—one or two people—to harvest the signatures necessary to get candidates onto the ballot is leading to ballots that are too long. I guess the choice you have is whether you legislate against that directly or you just hope it goes away. That's a serious choice about what you want to spend your legislative time on.

I will tell you that in my professional opinion, it's hard to sustain an argument that this behaviour is desirable for democracy. I don't think it's good that people are principally using the ballot for something other than putting up candidates in front of people. It's not a petition, and it's not a social media stunt. It's the presentation of people who want to represent other people in office and are willing to go out there and put their ideas to the test.

It offends me a little bit. Whether or not you should spend time legislating against it is another question, but I could certainly see why you would.

[Translation]

Hon. Élisabeth Brière: Thank you very much.

Mr. Szuchewycz, your actions have been described in many different ways. You say that you are happy to be here this morning and to have the attention of politicians.

However, do you really think that what you have done has achieved the real objective? Don't you think that we should get together and have a serious and more in-depth discussion about the electoral reform that you would like to see?

[English]

Tomas Szuchewycz: This committee has a mandate over election law and conflict of interest, so yes, this is the perfect place for you all to be discussing whether or not it's appropriate for MPs to be writing the rules for their own elections.

The Chair: Thank you so much, Madame Brière.

I will exercise my ability as chair to ask a question. It's picking up on what Mr. Calkins was alluding to: appointing people who would seemingly not be accountable. In our system—and I think you even spoke about it, in terms of Elections Canada being respected—the executive appoints a nominee to be the head of Elections Canada, an organization that's independent, like the RCMP. A person is appointed and then is accountable to Parliament. It worries me that you're proposing an agency that may not be accountable.

Who are these individuals who would be appointed to this committee, if politicians or the executive are not going to make that appointment?

• (1155)

Tomas Szuchewycz: That's a fantastic question.

I'm not a policy expert. It's very obvious to everyone that it's inappropriate or a conflict of interest for MPs to be in charge of it. I'm extremely confident that if you had an in-depth discussion about it, you could come up with something very reasonable.

The Chair: I'll leave it as a comment that it's very bizarre to me that you're engaging in this protest without the very basic answer to the first question that would come up in solving what you are seeking to protest, but I appreciate your appearing before the committee.

We will suspend for a few minutes to set up for the next panel.

• (1155)

(Pause)

• (1200)

The Chair: We are back.

I'd now like to welcome our witnesses for today's second panel.

As individuals, we have Louis-Philippe Sauvé, former member of Parliament for LaSalle—Émard—Verdun; and Dr. Lori Turnbull, professor in the faculty of management at Dalhousie University. That was painful to say, for someone from St. Catharines, because we pronounce “Dalhousie” differently. I want that noted on the record.

[Translation]

Mr. Sauvé, you have the floor for five minutes.

Louis-Philippe Sauvé (Former M.P., LaSalle—Émard-Verdun, As an Individual): Thank you, Mr. Chair.

Honourable members of Parliament, thank you for inviting me to testify before you about the events of September 16, 2024, and the role played not only by the Longest Ballot Committee but also by its antics in the conduct of the electoral process.

I am not here to promote any particular opinion, but rather to give my testimony about the events and to answer your questions.

When I learned that I had been invited to testify before the committee, I made every effort to gather testimony from people who played a role in the electoral process, including people who played a strategic role in my campaign. They are: Mr. Stevens Héroux, my campaign manager; Mr. Mathieu Desquilbet, the chief executive officer of the Bloc Québécois; Ms. Sophy Forget Bélec; and Mr. Pierre Norris, my representative at a polling station. I would also like to thank Ms. Suzanne Grothé and Ms. Thérèse Robichaud, who were poll clerks and kindly answered my questions, as well as Ms. Célyne Bibeau, who served as an information and security officer.

I am here primarily to answer questions from members. You may ask me questions not only about the nature of the events, but also about my personal convictions as a citizen who has served as a parliamentarian, a position you have the privilege of holding today.

I am now ready to answer questions from members.

• (1205)

The Chair: Thank you very much.

[*English*]

Dr. Turnbull, you have five minutes, please.

Dr. Lori Turnbull (Professor, Faculty of Management, Dalhousie University, As an Individual): Thank you. I'll try not to be the witness who goes over the five minutes.

Thank you very much for having me. I really appreciate it. I've thought about the actions of the longest ballot committee a lot, so I really appreciate being included in the conversation.

Many things about the state of our democracy keep me awake at night. I think voter apathy is a big problem. I think misinformation and disinformation are big problems. Polarization is a big problem. Foreign interference is a problem, and it's not going anywhere. We don't have to look too far to see one of the world's greatest democracies be in serious trouble. I don't think Canada is immune to the effects of democratic regression that we can see around the world. In light of all this, with all due respect to the longest ballot committee, what they're doing doesn't keep me awake at night.

I completely agree with Professor Loewen when he says that it is undesirable to have ballots flooded intentionally with names of people who have no real intention of representing a riding. It risks making a mockery of this ballot. Again, it's not desirable. I think it's a waste of time and a waste of resources, but I also think we have shown that we can manage it.

As individuals associated with the committee have pointed out, Elections Canada is a very strong, independent, competent organization that runs free and fair elections. They can handle a stunt or two. They have been the ones who have had to count these ballots. In my view, they are the real victims of the longest ballot committee's tomfoolery. When they came up with the response of the write-in ballot rather than letting this longest ballot continue in the Battle River—Crowfoot by-election, honestly, I thought that was brilliant. I thought it was a really good response. It kind of took the air out of the longest ballot committee's tires, so I'm not sure that we won't see the end of this kind of thing from now on.

I have to say, though, that while I find myself kind of frustrated but not overly concerned with the tactics employed by the longest ballot committee, the argument around a potential conflict of interest has been made before. That's something that has come up before in terms of studying how we might get to electoral reform, even if we never were to change the electoral system. Is it the right way to have politicians who, as partisans...? Yes, they have an interest. You have an interest in what kind of system we use and what kind of rules we use to elect people. Is there a conflict there?

That said, I am not sure there's really a better way to do it. If you really want to see electoral reform happen... We've had citizens' assemblies several times. Even when the citizens' assembly is in favour of it, it doesn't necessarily convince enough of the public to move it over. We can talk about the 57% in British Columbia.

I do want to raise one thing here. In what I've heard from the longest ballot committee, the focus is on elected officials. Since we're here and having the conversation, I would invite us to do a little bit of thinking on the role of political parties. When politicians are coming to these questions about what electoral system we should have, if there's a conflict of interest here in this role, it's not just because the people are elected. It's also because they are members of political parties, and political parties often have some stance on these issues. Political parties are acting as disciplined organizations. Elected officials are part of those political parties.

I think it's worth thinking about the kinds of things that political parties do, as both public institutions and kind of private clubs. In the last year or so, when we have talked about things like irregularities in nomination and leadership processes and things like that, we've talked about the role of political parties as gatekeepers of democracy. They have a pretty firm grip on it. When we're talking about things like nominations and leadership, political parties are making decisions about who gets to play. It's not just about the rules. It's about who is included in the whole process.

While we're here, then, I think it would be interesting to reflect on the role of political parties and what they're doing in terms of facilitating democracy.

I will leave it there.

The Chair: Thank you so much.

We're four for four here. All the witnesses have been under the time. The chair appreciates it.

First, we go to Mr. Van Popta from the Conservative Party.

You have six minutes, please.

Tako Van Popta (Langley Township—Fraser Heights, CPC): Thank you, Mr. Chair.

Thank you, Mr. Sauvé and Dr. Turnbull, for being here.

Dr. Turnbull, in a recent publication, you said this about the Leader of the Opposition and the recent by-election in Battle River—Crowfoot:

Mr. Poilievre has called these actions [of the longest ballot committee] a “scam” and a “blatant abuse” of electoral democracy. He’s right.

You agreed with him.

The Longest Ballot Committee’s ballot-hijacking has no democratic value, serves no public purpose, and stands no chance of setting up a serious conversation about electoral reform.

You say in that article, as you were saying today, that even though you might be disturbed by their actions, you don't think it should compel us to change the rules.

Now, I might be convinced by that if the actions of the longest ballot committee were leading to an intelligent conversation about electoral reform, but they're not. We heard Mr. Szuchewycz earlier today acknowledge here that what they were doing was a political prank. He was even proud that at least one candidate got zero votes. These people are not serious. It is not leading to a serious conversation.

Why wouldn't we counter this belligerence and obstinacy and political prank-making?

• (1210)

Dr. Lori Turnbull: I totally agree with everything you just said. The only concern I have is the extent to which any legislative response could make life more difficult for independent candidates who are serious.

Say, for example, we said that we're going to require more signatures, as a way of really testing whether or not the candidacy is serious. For someone who's running with a political party, who has that network of support, it's going to be easy to meet the threshold if it is higher, but for a truly independent candidate who is serious, who wants to run to be the representative of the riding—and that's important—I don't want that person to have to pay an extra price because of the longest ballot committee. That's my only concern.

Tako Van Popta: Good. Well, thank you for that.

One of the proposed legislative changes is exactly about requiring 100 unique signatures. In other words, one person couldn't sign 200 nomination forms. You know, getting 100 signatures is not that difficult, really, for a serious candidate, somebody who's well connected to their community. You have 10 friends who have 10 more friends, and you get your 100 signatures.

We heard Mr. Szuchewycz saying that they gamed the system. He was accused of having a blank form and getting it signed. He said that it wasn't blank at all; it had the words “all candidates” at the top. It might as well have been blank. People are gaming the system, and I think it's time for us to reform the system by making that one small change.

What do you think about that?

Dr. Lori Turnbull: I listened with interest to the exchange between your previous witness and Mr. Cooper. That was fascinating.

There would be no value in having someone sign a form with no candidate's name on it. There would be equally no value in having someone sign a form with all candidates' names on it. I wasn't there, but I can't imagine that Elections Canada would find that acceptable. What are you supporting, then?

This case in particular really brought to my attention this idea that people are signing multiple forms. If somebody is doing that in good faith.... If I know two people who are running for office in the same riding, and I sign both of their forms, if I'm doing that not as part of some grand scam but because I believe in the viability of the candidacy of these two people, I don't think that in that case democracy is suffering for that. I'm just saying, “Yes, these are two serious people.” If there's a coordinated effort, however, to make sure that the same 100 signatures are standing up whomever, and they don't even know who they are, yes, I can see the point of trying to make a rule about that.

Tako Van Popta: Sure, but where do we find the balance? That was a question that Ms. Normandin asked witnesses in the previous panel. Where do we find the balance between somebody legitimately wanting to sign two candidates' forms and somebody gaming the system by signing hundreds, or even dozens?

Dr. Lori Turnbull: Realistically, there might not be a perfect balance there because, when you think about it, if you're going to create a rule that creates a restraint on someone else's right—for example, if you make a rule that you can only sign one form—then yes, technically, you're making a restriction on voters. Are there that many voters who are signing more than one form? Probably not. I don't think that's a major problem, so to the extent that it's restricting the range of motion of the voter, it's probably not too heavy a restriction for most people. In fact, most people—

• (1215)

Tako Van Popta: So it's a reasonable restriction on people's rights to participate in the electoral system.

Dr. Lori Turnbull: I think you could make that argument.

Tako Van Popta: Just quickly, I didn't have a chance to ask Mr. Szuchewycz any questions, but I'm really puzzled about his statements that we're in a conflict of interest to make the rules. In British Columbia, in my riding, we've had referendums three times on changing the electoral system. It was not politicians who were making the rules. It was a citizens' assembly, just like the previous witness said we should have, and yet, every time, it was rejected. People generally appreciate the first-past-the-post system we have, and ultimately it was the people who made that decision.

Could you comment on that?

The Chair: Give a very brief answer, Dr. Turnbull, if you can.

Dr. Lori Turnbull: I think one of the reasons is that people value local representation. I've seen some evidence to suggest that when you think about larger, multi-member ridings, there's some concern about that.

I'm being really brief, because I know there's no time.

The Chair: Thank you so much.

We're moving on to Ms. Kayabaga for six minutes, please.

Hon. Arielle Kayabaga: Thank you, Chair.

I would also like to extend my gratitude to our witnesses today.

Dr. Turnbull, in your opening comments, you did mention.... The spirit behind the long ballots is that the citizens who participated in this felt that politicians have a conflict of interest, and in your comments you sort of agreed. What would you suggest as an alternative to how changes in electoral reform are done?

Dr. Lori Turnbull: I can understand the argument that there is a conflict for the politician who's voting on rules that then help them or don't help them get elected. We can look throughout history at some examples of how certain political parties have tended to be disadvantaged by the system we have. I think there is evidence to suggest that the NDP, throughout history, has not.... Sometimes they've done really well. In 2011, they did really well, but some other times, the party's votes have been distributed more thinly across the country, as opposed to being concentrated in a single province like the Bloc Québécois in Quebec, for example. The Bloc Québécois, being regionally concentrated, tends to do a little better in the first-past-the-post system than the NDP would.

However, if we start talking about what you use as opposed to the House of Commons and who else should make this decision, it's much easier to think about that in theory than it is to think about it in practice. In theory, we assemble 50 really smart people and get them really jazzed up about electoral systems, and we put them in some kind of cone of silence where they have no conflict of interest of their own and it is not going to be penetrated by political parties—none of this is really possible—and they spit out the right electoral system. Then what? There's no accountability for those people.

Hon. Arielle Kayabaga: Is that with the assumption that most Canadians are partisan and have a political leaning?

Dr. Lori Turnbull: I don't think most Canadians are. Not many people are members of political parties. I think we see a lot of promiscuity, frankly, in terms of what people do with their ballots. People jump all over the place all the time in terms of who they vote for. I wouldn't say we're terribly.... We're certainly not like the U.S., where people put it on their sleeve that they're a Republican or a Democrat. We've never had that kind of reality or culture here.

Hon. Arielle Kayabaga: I'm just trying to understand something. We're in 2025. Most democratic reforms have been done through this place, and Canadians have voted for folks who have made these changes, so why the change now? Why is there a conflict now that wasn't there before?

Dr. Lori Turnbull: In some ways, I think if you really pushed on the concept of conflict of interest, it would become problematic, because one could make the argument that politicians are almost always in a conflict of interest. Anything you decide could affect you somehow, so if you push it too hard.... As a concept, it's interesting to think about people who are players in the game making the rules of the game. That's fair enough, and we can think about that. There are going to be political reasons why some parties will say, "We're never going to change the electoral system, because we like the one we have. It works for us." That's real, but you're also accountable for the decisions you make. You have to face the public, whereas members of a citizens' assembly wouldn't in the same way.

Hon. Arielle Kayabaga: I want to get your thoughts on disinformation on public platforms, such as social media platforms. What do you think is the role of government in regulating AI systems, for

example, around disinformation without also falling into the territory of censorship and partisanship?

• (1220)

Dr. Lori Turnbull: It's very difficult to think about how to put it in motion and how to operationalize a government role. The most important thing is that citizens need to be able to practise civic self-defence on their own. There needs to be a lot of.... What government can do is civic literacy, really give a role for people to become.... I know education is a provincial jurisdiction, but it's really important that people are able to tell truth from falsehood on their own.

Hon. Arielle Kayabaga: Do you think that right now the level of education available to the Canadian public is enough for people to understand what is and what isn't disinformation on social media platforms?

Dr. Lori Turnbull: I'm not sure about that. I think people are becoming more discerning. Unfortunately, we're getting to a point where sometimes we don't know if we can believe anything and we have to double- and triple-check everything, and maybe that's the world we're in. It's really helpful for organizations that are non-partisan, like Elections Canada, to help citizens develop that sense of needing to double- and triple-check to make sure, especially at election time, but it's hard to do.

Also, for example, when we're talking about foreign interference, a lot of the time we're not talking about messages that are going across the board to all Canadians that we can see in broad daylight. We're talking about messaging targeted at a small part of the population that doesn't go through the filter of CBC or CTV, like Professor Loewen was talking about, and those sorts of things can be harder to detect. I do think that the role of SITE during the campaign, for example, was performed very well.

We're not lost. We're doing some things right.

The Chair: You have just a few seconds left.

Hon. Arielle Kayabaga: Well, maybe she could just say something about political financing as well, and how that ties—

The Chair: That was your few seconds. It was literally a few seconds, but I appreciate that.

Dr. Turnbull, I will be using the term "promiscuity of voters". I did enjoy that. I appreciate it. Thank you.

[*Translation*]

Ms. Normandin, you have the floor for six minutes.

Christine Normandin: Thank you very much, Mr. Chair.

I would like to thank both witnesses for their presence.

I will address you first, Mr. Sauvé.

You did a lot of door-to-door campaigning during the election campaign, and I imagine that some people mentioned this Longest Ballot Committee to you. I would like you to tell us what you took away from the comments you received.

First, did people talk to you about it a lot?

Second, did those who did talk to you make the connection between the existence of this committee and its demand for electoral reform?

Louis-Philippe Sauv : In fact, all the citizens I met expressed their dismay at the sheer ridiculousness of the whole thing. While going door to door, no one ever told me that the committee's work was wonderful. That's the first thing.

Obviously, we tried to approach the situation with a bit of humour to convince voters, but also to encourage them to make up their minds. In any case, people found the situation frankly ridiculous and did not make the connection between the committee's demands and the process.

Christine Normandin: In your opening remarks, you mentioned that before coming to testify before the committee, you spoke with your official representative, with poll workers and with other people who were in the field. In your opinion, what impact, particularly in material terms, did the length of the ballot paper have on the special ballot paper, on advance polling day and on election day? What was the impact of this ballot at these different stages of the election, in the field?

Louis-Philippe Sauv : With regard to special voting, there were a few minor problems because the list of candidates was not available in its entirety at certain times. This situation could have caused problems for voters looking for the name of a serious candidate.

With regard to the advance polling station, there were problems because the spaces provided for voting were not large enough. That said, I think this problem also applies to general elections in general, if I may be permitted the pleonasm. Indeed, voters are increasingly voting in advance. The Chief Electoral Officer will have to ensure that the new electoral reality is adapted to meet the needs of society.

With regard to the counting of votes itself, the size of the ballot paper meant that the ballot boxes were often full very early in the day. I heard that the ballot boxes had to be changed at certain points during the counting process. This inevitably had an impact on the length of time it took to count the votes.

For example, Ms. Bibeau, an information and security officer, told me that she left the polling station at 3:30 a.m. because the number of ballots in the ballot boxes did not match, and you cannot leave the polling station until they match. Since she had to go to the returning officer's office to return all the ballot boxes, she got home at 4:15 a.m. For this reason, she was unable to work the next day.

I think it is important for parliamentarians and the people on the Longest Ballot Committee to take into consideration the fact that election staff are often students, young people and elderly people who want to earn a little money because they are not very well off. We must think about these people, who are part of the working

class and who care deeply about democracy. We should not inflict additional hardship on them.

Mr. Norris, who was my representative at a polling station, told me that election staff were very stressed and that, because of this stress, they were much less accommodating to political party representatives than they normally are.

• (1225)

Christine Normandin: Thank you very much, Mr. Sauv .

The following question is for you, Mr. Sauv , but also for Ms. Turnbull.

The idea of allowing voters to sign only one nomination paper has been raised. However, at the beginning of an election, people do not necessarily know who they are going to vote for. If voters were prevented from signing the nomination papers of more than one person, would that not limit their choice to support two potential candidates for whom they might like to vote?

Isn't the fact that a citizen wants to see several names on the ballot also part of democracy? Wouldn't we be undermining the democratic principle if we limited the possibility of signing for more than one person?

Louis-Philippe Sauv : I think it's a commendable idea, but ill-advised. I would rather increase the number of signatures required.

As a candidate myself, I have signed the nomination paper of an opponent, in this case from the Rhinoceros Party, whose candidacy I considered much more.... In short, the fact remains that everyone should be given a chance. That is a principle of democracy. When I went to see citizens and asked them to sign my petition, I did not ask them to vote for me, but to give me the chance to be a candidate. That is the spirit in which we must proceed.

When I saw the people from the Longest Ballot Committee asking for signatures and approaching me, I refused to sign. Citizens must also, in a republican spirit, take responsibility for the signatures and political actions they take.

Christine Normandin: I would very much like to hear Ms. Turnbull's comments on this subject, but I understand that I do not have time.

I will reserve your answer to my question for my next turn to speak, Ms. Turnbull.

The Chair: Thank you very much, Ms. Normandin.

[English]

Mr. Cooper, you have five minutes, please.

Michael Cooper: Thank you, Mr. Chair. Thank you to the witnesses.

Picking up where Madame Normandin left off, the Chief Electoral Officer stated in his testimony that the purpose of the act, with respect to the signing of nomination papers, is that candidates need 100 signatures to endorse their candidacy. It's not for 100 electors to flood the ballot with an endless list of candidates. I am paraphrasing what the Chief Electoral Officer said.

I think you would agree with that, Professor Turnbull.

Dr. Lori Turnbull: Yes.

Michael Cooper: Earlier, I think in answer to Mr. Van Popta, you said that in circumstances like what we saw with the longest ballot committee, where a small group of electors were signing multiple forms clearly with the intent of creating what took place with the longest ballot committee in disrupting the electoral process, perhaps there would be room to make amendments to the Canada Elections Act to address that.

If it's not mandating exclusive signatures or prohibiting electors from signing multiple papers, what would be the alternative solution?

• (1230)

Dr. Lori Turnbull: I don't know. To me, it's unfortunate if we have to make a restriction. I understand the point. Certainly it's possible for you to want to acknowledge, as an elector, the validity of multiple candidates. That, in itself, doesn't cause any problem to me at all, if all of those candidates are real. However, if it's part of an effort that is designed to go along with a sort of a stunt, it serves no democratic purpose. I can understand the point in wanting to make sure that voters don't end up participating in that.

Michael Cooper: Another suggestion was limiting official agents to acting for one candidate.

What are your thoughts on that type of amendment?

Dr. Lori Turnbull: That makes total sense.

Michael Cooper: Okay.

Mr. Sauv , thank you. It's good to see you back here.

You spoke about the disruption that occurred in terms of administering the election in LaSalle— mard—Verdun. What about the impact it had on voters in terms of filling out the ballot for persons who might have certain barriers, whether it be mobility issues, literacy issues or visual impairment issues? Can you speak to that?

[*Translation*]

Louis-Philippe Sauv : In fact, this reminds me that, on advance polling day, I drove one of our constituents, who was blind, to the polls. She had vision problems. This type of precaution already exists in the electoral system, i.e., allowing a polling clerk to declare under oath that a person is exercising their right to vote. I don't think this had a significant impact on the outcome of the vote.

That being said, we agree that the situation is difficult for voters, of course. However, it did not affect the outcome of the vote, as evidenced not only by my victory, but also by that of the new member for Battle River—Crowfoot.

So that is not the problem. I would say that, to a certain extent, it has also made it possible to—

[*English*]

Michael Cooper: If I may interrupt, I don't think anyone is asserting that this committee impacted the overall outcome of the election, but it did create challenges for individual voters. Is that correct?

[*Translation*]

Louis-Philippe Sauv : Yes, absolutely. It certainly creates challenges, but these challenges are not insurmountable, if and only if the returning officer takes the necessary measures. When this kind of unfortunate situation arises, it's really just a matter of organization.

To answer your question, I would say that, to a certain extent, it may have allowed voters to better confirm their choice, that is, to really know which candidate they were going to vote for. In this election, my NDP opponent had the same surname as me. So, naturally, when we communicated with voters, we emphasized that. In our communications, we were able to adapt to the situation.

I wouldn't say it's ideal, but I don't think it had a significant impact on the outcome.

[*English*]

The Chair: Thank you so much.

Welcome to our newest member, Mr. Wilkinson.

Go ahead for five minutes, please.

Hon. Jonathan Wilkinson (North Vancouver—Capilano, Lib.): Thank you very much.

Let me ask a question of Professor Turnbull.

I come to this conversation as somebody who is sympathetic to the discussion around electoral reform. I think it's a desirable conversation to have, but there are avenues that are available presently. Certainly, those who feel strongly about it can convince political parties to make it part of their platform, as the Liberals did in 2015. When folks come to see me about this, I say to them that the best way to do that is to show that the public cares. If you poll on this issue and there are 20 issues, it's typically 18th, 19th or 20th on the minds of Canadians. The other thing is that you can run candidates who are single-issue candidates who focus on this particular issue.

On the other hand, the longest ballot committee clearly creates the potential for the frustration of voters. If you think about the lineups that can potentially exist in many constituencies, people will just not vote. They'll bail out of the line, and they won't vote. This is a tactic that is frustrating the democratic rights of Canadians.

I hear your argument that we don't want to put restraints or restrictions on the range of voter freedom but, in my mind, we already do that. We don't allow you to sign the nominations of people who live in the riding beside you; they have to live in your own riding, so there are ways in which we have done that.

I guess my question is, in your opinion, given that this tactic can frustrate the rights of those people who are serious about voting, what should we do about this if we're not prepared to put those kinds of minimal restrictions on the range of freedom? It seems to me that the ability to sign only one nomination form is not a particularly big restriction.

• (1235)

Dr. Lori Turnbull: Yes, I agree. I don't think it's a big restriction either. I think it's a restriction, but it's probably one that we can justify because, again, I don't think it will affect all that many people when it comes down to it.

I also want to say again that I thought the response that Elections Canada came up with was fantastic: Write the name down. As far as I know, in Battle River—Crowfoot, there didn't seem to be any problem with that. There was no big concern around more spoiled ballots or something like that. It seems that it went okay. If it's possible for Elections Canada to pivot in those sorts of circumstances, if this tactic is tried again, they can say, "Well, we're just not going to print a big long ballot. People are going to write in the name, and that's it." I thought that was great.

Hon. Jonathan Wilkinson: Thank you.

Let me ask you a higher-level question about the impact of the rise of artificial intelligence and deepfakes. How much do you think we should be concerned about it being easier for foreign actors to try to influence our elections? What should we be thinking about doing in that area?

Dr. Lori Turnbull: I do think this is a significant cause for concern. I think that a lot of times when it comes specifically to foreign efforts to affect the conversation in an election, these things are happening at the community level, to a large extent. It's going to require a lot of work with local communities, with diaspora communities, to understand what's going on and what kinds of communications they are receiving. We are doing some of that work. I kept track of everything SITE did, as much as I could, during the election campaign, and there were public announcements around some of what was happening. That helps voters to determine how to make the right decisions and what information is coming at them. In several cases that I'm thinking of right now, there was an AI component. There was an effort made to make this piece of information look authentic and sophisticated.

That's the world we're in. I think it's an education thing, more than anything else. Trying to go down the road of controlling communication is very difficult. When it comes to something like generative AI in political ads, I agree with those who say we shouldn't be doing that, because it's an election. It's not just about trying to get the most sophisticated ways of getting people's attention. We're giving voters information about who they should be voting for, and we have to take that really seriously.

The Chair: Thank you very much.

Mr. Wilkinson, you have five seconds left.

Hon. Jonathan Wilkinson: All right, I will pass.

The Chair: I appreciate that, Mr. Wilkinson.

We'll go on to Madame Normandin, please, for two and a half minutes.

[*Translation*]

Christine Normandin: Thank you very much, Mr. Chair.

Mr. Sauvé, you mentioned that increased pressure was put on election workers because of the length of the ballot. If this kind of attempt to disrupt the electoral process were observed from one

election to the next, would there not be a risk that election workers would increasingly abandon their duties along the way? As we know, not all workers show up at the polling stations on election day, which can cause problems. In fact, just last week, we talked about polling stations that were unable to open because workers did not show up.

Shouldn't we keep in mind that we risk discouraging workers if initiatives such as the longest ballot paper continue to be implemented?

• (1240)

Louis-Philippe Sauvé: Absolutely.

I want to be clear that parliamentarians must take action to discourage this type of initiative. The question is how. The answer is up to you. Making decisions based on emotion may be good politics, but it does not make for good policies. It is important to find the right way to act.

In my opinion, increasing the number of signatures and imposing more restrictions on official agents are good avenues to pursue. However, I do not think we should prevent citizens from signing more than one form. We must also consider election workers.

Christine Normandin: Ms. Turnbull, should we factor in the risk that election workers will be discouraged from going to the polls if they know there will be a very long ballot paper? Will they continue to show up?

[*English*]

Dr. Lori Turnbull: I think so. I really do think that the ones who are counting those ballots are the ones who are really absorbing the effect of what the longest ballot committee is doing, because it seems to me that whenever this tactic has been tried in by-elections and in general elections, the number of people who are voting for the people who are associated with this organization is minimal. It's not changing the result, and it's not coming close to changing the result anywhere. We don't have to worry about it from that perspective, but it's about the administration when it comes to just operationalizing it on election day.

I take the point about people expecting ballots to be counted fairly quickly, and we want to know what the results are. That's fair enough, but just going through these stuffed ballots.... There's no point in this. It would be different if it served a democratic purpose, but it doesn't. It's just a waste of time and a waste of resources.

The Chair: Thank you so much.

I believe Mr. Calkins is up first but will be splitting with Mr. Jackson.

I'll leave the timing up to you.

Blaine Calkins: Thank you, Mr. Chair.

Thank you to our witnesses here.

Obviously, the committee is now seized with the questions surrounding the longest ballot committee. I appreciate both of you being here.

I'm going to read a statement to you, Professor Turnbull, and I want you to tell me if you think the intentions or the motivations of the longest ballot committee would meet this definition: a mockery, distortion or gross misrepresentation that disrespects or undermines the spirit, rules or integrity of the contest.

Dr. Lori Turnbull: I definitely agree with the mockery part. The initial phrasing is “or”. It doesn't have to meet all three of those things.

Blaine Calkins: That's right.

Do you know where I got that statement from? This is actually grounds for a 10-minute misconduct in a game of hockey.

Dr. Lori Turnbull: That's neat.

Blaine Calkins: It's called a travesty of the game.

Dr. Lori Turnbull: I like that.

Blaine Calkins: To my knowledge, there's no clause like that in our Elections Act. If you cause a travesty as a player, a coach or even a fan, whatever the case may be, there's a consequence to behaving that way.

The fact is that we've lost the ability to at least put a barrier in front of unserious people by having a non-refundable deposit. We lost that in 2017, with the Alberta court decision that wasn't appealed. Given that, and the testimony you've given us about whether you think that changing the process for getting people to sign nomination papers might not have the desired outcome, I'm left wondering what we could possibly do.

I can tell you that I am in the riding right next door to Battle River—Crowfoot in Alberta, and I heard more from my constituents during the by-election about how ridiculous it was and how ashamed and embarrassed they were about what was transpiring in the by-election right next door as a result of having over 200 names on the ballot. They used words like “travesty”. They even surmised greater nefarious motives behind that movement than the individual who just testified here did.

Do you think it's possible to craft a part of the legislation that would be enforceable? Who would be the adjudicator of whether or not somebody is making a mockery, distortion or gross misrepresentation of our elections?

• (1245)

Dr. Lori Turnbull: First of all, I really like this line of argument about trying to put something in the legislation that protects the integrity of elections, because in a number of ways, the integrity of elections is tested and we have to find ways for the public to be protected, which is really what it's about. It's about protecting the public's ability to choose their representatives in a way that is not taken over by these sorts of campaigns, which have nothing to do with the vote on the ballot in that particular riding.

I think there's a way for language to be crafted so it doesn't go too far. That's the key. If you make it too heavy or if you make the range too wide, there will be too much overlap and too much of a restriction on rights and things like that, and it will be struck down.

As far as who makes the decision is concerned, I can see that landing in court if people are.... I think that's probably where it would end up.

The Chair: Just so you know, it has been four minutes and 20 seconds.

Grant Jackson: I'll be very quick, Mr. Chair.

I agree that we've probably given this farce too much time, to be honest, and the individual is pleased that they got zero votes in a constituency, which made international headlines. However, we need to have an outcome from this.

To summarize your position, you do not support the restriction of signatures to being able to sign only one candidate's paper, but you would support a change so that one official agent can be the official agent for only one candidate anywhere in the country. Is that a clear statement of your position?

Dr. Lori Turnbull: Absolutely. Yes, it is, on the official agent piece.

On the other part, I wish we didn't have to do it. I wish we didn't have to restrict signatures, for the reasons I've said, but I'll live with it. I wouldn't say you got it wrong. If you decided to go that way, I'd understand.

Grant Jackson: Thank you very much.

The Chair: You're a bit over time, but that was a textbook use of 40 seconds. That was excellent.

Mr. Louis, please go ahead.

Tim Louis: Thank you, Mr. Chair. I'll be sharing my time with Madame Brière.

Thank you both for your testimony.

Dr. Turnbull, you talked about protecting the integrity of our elections. You talked about what keeps you up at night. The single biggest risk is misinformation and disinformation, and it seems most of that is coming from social media.

You hinted at this, but I'm hoping you can elaborate. What role does Canadian journalism play in countering that threat? How important is that, and how can Parliament better support our own journalism as a trusted source of information so people aren't relying solely on social media?

Dr. Lori Turnbull: When it comes to the role of journalists, one of the risks we see is that some things, like investigative reporting, that really help to educate the voter are not heavily resourced or not really resourced at all. People end up absorbing information that might give them some facts but doesn't necessarily give them the kind of background, education or analysis that helps them become more informed citizens in all kinds of ways: better critical readers and critical thinkers.

That's what we want. We don't just want people to say, “Yes, I trust that journalist, so I'll just read what they write, and then I'll be good.” That creates another problem, in that you have a lot of people who are just homing in on their own echo chambers. People aren't all absorbing the same kinds of broad pieces of information, and then you get more of that polarization.

I'm really oversimplifying here, but there's a relationship between disinformation and polarization, where people aren't checking their own assumptions against a broader piece, because they don't have to. You can read all day, and you're still only being subjected to a very narrow range of ideas.

As far as journalists are concerned, one thing I don't like is this tendency sometimes toward what we call fact-checking. As soon as you go down that road, there's going to be someone who puts up their hand and says, "No, that's not right." There's sometimes a misuse of that space, and I don't know that this is necessarily the right way to do it. That said, it's important to do something to get those facts out there and to separate out opinion writing and fact-based reporting that says, "This is it. Make up your own mind."

Again, I understand the provincial jurisdiction over education, but it would be wonderful to see more resources going toward programs—maybe online journalism or maybe print journalism—that help to build up people's civic awareness.

• (1250)

Tim Louis: Thank you.

I'll turn it over to Madame Brière.

[*Translation*]

Hon. Élisabeth Brière: Good morning to our two guests. I thank them for being here today.

Ms. Turnbull, the act provides protections against misleading publications, undue foreign influence and misinformation, but it only applies to activities that take place in Canada.

Do you think it would be wise to extend these protections to activities that seek to disrupt our elections but originate outside the country?

[*English*]

Dr. Lori Turnbull: I definitely worry about foreign interference. I think it's difficult for us to regulate the kinds of outside information, misinformation and disinformation and the flow of content that is coming into the country. It's hard for us to do that. In many ways, that runs the risk of being way too heavy and undesirable for other reasons, too.

I know I'm repeating myself, but I really think the best way is for people to be informed on their own and to develop those critical skills so that, even if something looks sophisticated, they know the

different ways to double-check and triple-check it to make sure they're not being fooled. There's no substitute for that.

For anything the government does, clearly there should be accountability, and in other ways, too. If people are deliberately trying to create instability and disruption in a conversation about who's going to be elected, there needs to be accountability for that, but there are limits to how much the government can do when you really need citizens to be able to recognize misinformation and disinformation themselves.

[*Translation*]

Hon. Élisabeth Brière: Do you think that the Canada Elections Act, as it currently stands, opens the door to foreign interference? If so, how?

[*English*]

Dr. Lori Turnbull: I don't see the current election law being full of gaps and holes so that foreign actors who have hostile intent would look at it and think it's a particularly vulnerable election law. I don't feel that way. I think foreign interference, unfortunately, is a way of life, not just for Canada but for other democracies too. Different democracies are taking different approaches on how to handle that. Sometimes it's through law. Sometimes it's through creating some sort of commissioner of some office that's dedicated to raising awareness about foreign interference and about different foreign campaigns that could affect elections.

As I think about it, when we think about things like foreign interference, foreign intrusion and foreign influence, there's a spectrum of ways in which foreign actors might try to influence the conversation. They're not all equally problematic. The ones we have to worry about are the ones that are clandestine. They're hidden in ways such that people are not supposed to really see that this is an effort to change the electoral conversation or to mislead people. I think we could all point to examples of political actors in other countries who would love to have an effect on how our politics are being practised. It's not the same type of thing, because they're saying it out loud.

The Chair: Thank you so much.

I'd like to thank the witnesses.

We've been through two full rounds of questioning. I will look to the committee to adjourn.

Seeing nods, I will adjourn the meeting.

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