



# Advisory Committee of Political Parties

Meeting Summary  
December 2–3, 2019



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## 1. Meeting summary

The objective of the December 2–3, 2019, post-general election (GE) meeting was to update the Advisory Committee of Political Parties (ACPP) on the activities that Elections Canada (EC) conducted during the October GE and to obtain feedback and suggestions from ACPP members regarding their overall experiences during the GE. The meeting began with a special breakfast briefing for new ACPP members at 8:15 a.m. on December 2, 2019. The full ACPP meeting for all members opened at 9:30 a.m.

Following the presentation of the Forward Calendar, the meeting was adjourned at approximately 11:05 a.m. on December 3, 2019. Following the adjournment, members of the Opinions, Guidelines and Interpretations group convened for approximately 45 minutes.

This summary follows the order of the agenda included in Appendix A. The list of participants is included in Appendix B.

## 2. Introductory remarks by the Chief Electoral Officer

Presenter: Stéphane Perrault (Chief Electoral Officer [CEO])

Mr. Perrault welcomed the ACPP members to the meeting and introduced the following newly appointed members: Kimball Cariou (Communist Party of Canada), Mitesh Joshi (Canada's Fourth Front), Daniel Simon (Parti Marijuana), Danny Légaré (Parti Marijuana), Sébastien CoRhino (Parti Rhinoceros), Christina Bassett (Rhinoceros Party), Graeme Marrs (Stop Climate Change Party), Michel Blondin (Parti pour l'Indépendance du Québec), Jacinthe Lafrenaye (Parti pour l'Indépendance du Québec).

Mr. Perrault explained that the overall focus for this ACPP meeting would be to hear from ACPP members about the election and that EC was keen to hear how it unfolded from the perspective of political parties. The CEO reminded members that Elections Canada is still gathering input from stakeholders and public opinion surveys and that EC's analysis of complaints and enquiries received is still ongoing.

Mr. Perrault briefed ACPP members that electoral security was a major priority in preparing for the election. There were no significant cybersecurity attacks on EC's infrastructure during the election. EC monitored the information environment—media and social media—to detect inaccurate information about the voting process, regardless of its origin. Where appropriate, action was taken to correct the record.

Mr. Perrault explained that the descriptive Statutory Report on the GE would be tabled in Parliament in early February 2020. In September 2020, the CEO's Retrospective Report will be submitted to parliament, will provide an analysis of the administration of the election, and will be informed by a variety of surveys of electors, candidates and regulated entities as well as stakeholder feedback sessions. The CEO's final report to Parliament following the GE will provide recommended legislative changes in the fall of 2020.

The CEO explained that, due to the current context of a minority government, EC is now in a period where there is a need to maintain readiness, thus the agency has developed a readiness strategy. EC is preparing for a snap election, which could be called at any time and would largely rerun the last election with minor changes. A typical minority government period would be expected to last until the spring of 2021, and EC will set a readiness date for that time to allow for some improvements. We will begin work in parallel on priority improvements such as addressing the staffing model for polling locations, which is afforded by the flexibility in the current legislation.

### **3. Breakout Session #1: Services to candidates and parties**

Presenter: Danielle Duquette (Acting Director, Electoral Operations Planning and Administration)

Ms. Duquette provided a brief introduction to the first breakout session. She discussed four broad themes relating to EC's Candidate and Political Party Services in the 43rd GE: candidate nominations, candidate endorsements, the Political Entities Service Centre (often referred to simply as "the portal"), and client services.

ACPP representatives were asked to break into four smaller roundtable groups to discuss the four broad themes involving services to candidates and parties. A placement document with relevant statistics on candidate services was provided for their consideration.

#### **Table #1: Nomination process and e-nominations**

Table facilitator: Stephanie Thomas

ACPP members provided feedback on their experiences. Some members encountered difficulties with the online nomination process. Some ACPP members shared challenges with regard to the use of notaries to witness the candidate's declaration form. Many ACPP members found it easier to submit their forms in person at the returning office in order to avoid having to use a notary for the declaration or to scan all the signature pages into the portal. Other ACPP members expressed that they did not receive enough information about the electronic nomination process or expressed a preference for using the traditional paper alternative.

ACPP Members flagged some areas for improvement with regard to simplifying the nomination submission key. They expressed that there was some confusion about the difference between entering the submission key and submitting the nomination.

Members also shared their experiences with respect to candidate endorsements and noted that, by and large, the template provided by EC worked very well. They expressed that, in the future, they would encourage parties to make a central party member the campaign delegate.

## **Table #2: Political Entities Service Centre online portal**

Table facilitator: Christopher Morris

Overall, ACPP members expressed that there was broad awareness and adoption of the online portal within their respective parties. However, among some groups such as in rural areas, awareness and adoption of the portal may not have been widespread. Several ACPP members found the portal to be very helpful in terms of accessing documents. Additionally, representatives from some larger parties expressed positive sentiments with regard to the handling of sequence sheets and other functionalities. Several ACPP members flagged some difficulties they encountered with the portal. One common area of difficulty for the political parties involved the security requirements; many found resetting and obtaining passwords challenging. The lengthy 15-character password requirement was also found to be cumbersome by others.

Some ACPP members encountered some usability issues, including portal incompatibility with Apple's Mac computers. They expressed a desire for future updates to the portal to be compatible across operating systems other than Microsoft Windows.

## **Table #3: Training and guidance to political entities**

Table facilitator: David Couturier

In terms of guidance, some ACPP members found the handbook and Opinions, Guidelines and Interpretations useful, particularly the components with examples and all the rules discussed. Others expressed that the resources were more useful for candidates, staff or larger parties, while others expressed that volunteers or smaller parties may find the resource a bit dense or difficult when trying to easily and quickly find what they were looking for. Some ACPP members expressed a desire for an abridgement such as a "crib sheet" or "top 10 FAQs".

Those ACPP members who accessed online training had positive experiences overall. In particular, they appreciated the mix of media available (videos, WebEx, etc.). Some ACPP members expressed that they sometimes found it difficult to locate the training and guidance online, while others expressed that the amount of training sometimes appeared daunting or overwhelming for smaller parties. In terms of the Political Entities Support Network (1-800 finance line and PF mailbox), ACPP members were pleased with the service, found EC staff to be helpful and courteous, and expressed that they rarely had to wait a long time. Some ACPP members expressed a preference for email as a means of communication over

the telephone. However, one drawback identified was that communicating by email took longer than communicating by telephone.

#### **Table #4: Support received from returning officers and the Political Entities Support Network**

Table facilitator: Danielle Duquette

ACPP members expressed very positive feedback about the 1-800 line. Overall, they found it helpful, even with complex or novel problems and were pleased that EC was proactive in calling back when a question required a follow-up.

ACPP members also expressed overall positive feedback of the support their candidates received from returning officers (ROs); but some areas for improvement were identified. Some members got inconsistent information or application of the rules by different ROs while others encountered difficulty either getting a meeting with some ROs without an appointment or getting an appointment with an RO in a timely fashion—particularly, just before deadlines such as the nomination deadline. Some ACPP members raised the issue of the very long hours worked by ROs during the electoral period and expressed their desire for a way that ROs could spread their workload out more evenly.

ACPP members expressed some unevenness with accessing their local ROs. One factor of this unevenness appeared to be whether the riding was compact and urban or rural.

## **4. Breakout session #2: Services to voters**

Presenter: Duncan Toswell (Senior Director, Electoral Data Management and Readiness)

Mr. Toswell briefly introduced EC's second breakout session to ACPP members. He discussed the accuracy of the voters lists and shared some early data on voting location accessibility and on the long-term trends since the 1990s with regard to advance polls, number of votes cast and number of polls. Mr. Toswell concluded his presentation by sharing data on the accessibility of EC's voting services and on the increase in the use of special ballot voting and on-campus voting and in the number of polling sites on reserves for Indigenous communities.

As with the morning breakout session, ACPP representatives were asked to break into four smaller roundtable groups to discuss four broad themes. A placement document with relevant statistics on voter services was provided for their consideration.

#### **Table #1: Accessibility**

Table facilitator: Lisa Drouillard

ACPP members, particularly those from larger parties, provided generally positive feedback with regard to EC's info sheet on accessibility. Some ACPP members wished that the info sheet would be more widely publicized and some shared that many community associations were not aware of the info sheet or EC's larger accessibility service offering.

Some ACPP members expressed that they did not share this information with their candidates as widely as they could have and wished that they had done more in this regard. Other ACPP representatives from smaller or newer parties were unaware of the accessibility policy and service offering, the info sheet or the reimbursements for accessibility expenses incurred, or a combination of all three.

Several ACPP representatives, particularly those from larger parties, expressed that their parties found the new accessible policy and service offering useful and that they shared the info sheet, including in their training materials, among their party members and their candidates. They also expressed that, ultimately, this helped them make events more accessible to their supporters. More than one party expressed that the guidance and info sheet were so comprehensive and helpful that they shared them widely with their party and candidates. In terms of areas for improvement, ACPP members expressed that information barriers for electors remain a real challenge and that more work needs to be done to address this issue.

## **Table #2: Recruitment**

Table facilitator: Alain Bernard

The consistent theme that was heard in this section was that most political parties did not submit a list of names to EC for recruitment of poll workers. Several ACPP representatives shared that parties preferred keeping the good workers instead of referring them to ROs, often because they did not have enough people for themselves. Others who did participate in the process expressed that facilitating the staffing of poll workers with EC was very low on their priority list.

Some ACPP representatives expressed that the work as a poll worker with EC could be used as a gift to their volunteers who are otherwise unremunerated. However, they also expressed that there was otherwise little to no incentive for the political parties themselves to participate.

Several ACPP representatives encouraged EC to drop the practice of soliciting a list of names from political parties altogether. Other ACPP representatives shared suggestions for improving the recruitment and retention of poll workers. The suggestions included advertising for the positions earlier before the election, modifying the pay rates and the criminal background check requirement, or making election day a national holiday.

## **Table #3: Standard voting services**

Table facilitator: Dawn Borutskie

Overall ACPP representatives expressed that the standard voting services during the election went fairly well, that candidates were treated fairly and that they heard fewer complaints from electors who face

barriers this time around. Overall, they felt that the election was handled professionally and most did not notice or hear of instances of qualified electors being denied the right to vote.

Several ACPP representatives expressed that EC workers were quick to respond to their questions or complaints. However, there were some issues, including with the accuracy of the information on the bingo sheets and with poll workers or deputy returning officers (DROs) who shared inaccurate or out-of-date information. ACPP representatives expressed that these latter issues could likely be resolved with more training.

Some ACPP members shared their experiences about either polling sites not being open on time or being open but with long lineups due to a lack of poll workers. Others shared about areas for improvement in the site selection of polling locations. Other ACPP members expressed a preference that EC not publish any election results until all the polls across the country are closed.

#### **Table #4: Special ballot voting**

Table facilitator: Jean-Marc Collin

Several ACPP representatives shared positive feedback about how the special ballot voting process in the 43rd GE unfolded. Some ACPP representatives felt they did not receive enough information about the special ballot voting procedures for Canadian voters living abroad, while others suggested that EC should research ways around opening voting offices at community centres to facilitate voting for electors with various types of disabilities.

One ACPP representative expressed that there was confusion with regard to his role in observing versus actually participating in the count of special ballots at EC headquarters. The representative also indicated a desire for EC to notify them earlier about the time and location of the counts. Other ACPP representatives requested that EC explore the feasibility of online voting as an alternative or supplementing special ballot voting. By far the most consistent theme raised by ACPP members was a desire for electors voting by special ballot to be allowed to write down the party name rather than the candidate's. Another concern expressed by one representative was the risk of allowing electors to vote by special ballot before the close of nominations. As such, special ballot voting should only occur once all candidates are confirmed, and only regular ballots should be used (even for out-of-electoral district electors), not special ballots.

## **5. Elections Canada's Strategic Plan**

Presenter: Stéphane Perrault (Chief Electoral Officer [CEO])



The CEO spoke to ACPP members regarding EC's new Strategic Plan. The strategic planning exercise was initiated in July 2018. He explained that this exercise was supported by an environmental scan outlining external factors and internal realities and that a 2040 future scan was also commissioned to explore emerging issues influencing the changing electoral landscape.

The CEO explained that EC has already engaged with experts, external stakeholders, and employees in order to gain their perspective on the overall scope of the Plan.

The CEO described the upcoming engagements that EC will be undertaking, including with: political parties, electoral management bodies, ROs, other government departments, stakeholder groups in target demographics, international organizations, and parliamentarians. These consultations will be ongoing until March 2020.

He then concluded by sharing a list of engagement questions related to the Strategic Plan with ACPP members. The CEO explained that the same questions would be distributed electronically after the meeting and asked ACPP members to read them over and respond to EC so that we could incorporate their feedback into our work.

During a question-and-answer period, some ACPP members provided positive feedback on the Plan. However, one member expressed concern that the Elections Canada Vision might create the impression that "all is well" with democracy when they felt there were more reasons to be concerned than optimistic.

## **6. Recommendations to Parliament: Proposed approach**

Presenter: Anne Lawson (Deputy Chief Electoral Officer [DCEO])

Ms. Lawson provided ACPP members with a comprehensive proposed approach for EC's 2020 Recommendations Report. The report sets out amendments that, in the CEO's opinion, are desirable for the better administration of the *Canada Elections Act* (CEA).

Ms. Lawson explained that the CEO's recommendations will focus on improving electoral administration. In developing the CEO's recommendations, EC will also consider emerging issues in the electoral environment that can have an impact on election administration. Three discussion papers will be developed to treat three key themes of current interest: the privacy interests of electors, the role of social media in elections, and the way in which political entities' communications with electors are regulated under the CEA.

Development of the three discussion papers will take place alongside the identification of more traditional legal recommendations for changes to the CEA. The CEO is well-positioned as a neutral and independent agent of Parliament to invite conversation on these important issues.

Ms. Lawson concluded that the ACPP will be consulted directly on Recommendations Report proposals, as was done in 2016. Together with the ACPP, other target audiences will also be consulted on the three key themes via a call for written submissions in early 2020, followed by a one-day event designed to bring opinion-leaders together for a conversation on the issues.

In a question-and-answer session, the possibility was raised of EC being able to regulate independently of Parliament. The CEO noted that the CEA does not provide a regulation-making power to the agency. One ACPP member requested that the CEO make a presentation to the Senate of EC's recommendations to Parliament. The CEO noted that nothing prevents the Senate from taking on EC's study of recommendations. Another ACPP member expressed concern over decisions being made in the House of Commons committee meetings in camera regarding the Recommendations Report, particularly in terms of transparency. The CEO noted that discussions in in camera sessions can be beneficial in that there is less incentive for partisanship. He noted that the in camera recommendations are then made public. In any case, the CEO does not decide on the format of these Parliamentary discussions.

## **7. Party-by-party roundtable**

EC gave attending ACPP members an opportunity to discuss any concerns, questions or suggestions related to the GE that were not raised earlier in the day.

Overall, ACPP members had good impressions of the administration of the recent federal election and the availability of EC voting resources, which they shared with party members. Some ACPP members expressed a desire for smaller parties to be treated more equally compared with the larger parties represented in Parliament. One member expressed concern about the privatization of public spaces in connection with election campaigns, explaining that he had encountered instances of candidates being threatened with arrest for trespassing on private property when canvassing during the electoral period. Others expressed a desire for the CEA to be amended to better address concerns regarding foreign interference and divisive racism in the country.

Some ACPP members expressed concern regarding those poll workers who did not show up to work on election day. One person cited a particular situation at one polling office where the RO gave employees the weekend off just prior to the candidate registration deadline when a political party needed to register candidates. ACPP members also expressed a desire for continued improvement of accessibility to polls for citizens.

Other ACPP members voiced concerns about refund cheques being sent out to people with minimal information on the mailing envelopes as to what was included. The CEO replied that EC would look into the issue.

Some ACPP members reiterated their concern regarding cybersecurity, and one made a suggestion that EC undertake a discussion on the problems in the electoral process and threats to the legitimacy in the system.

One ACPP member thanked EC for its administration and stewardship of the electoral system and was proud of going through the process of becoming and running as a candidate.

## **8. Commissioner of Canada Elections presentation**

Presenters: Yves Côté (Commissioner of Canada Elections [CCE]), Marc Chénier (Deputy Commissioner of Canada Elections) and Mylène Gigou (Director of Investigation of Canada Elections)

Mr. Côté observed in his introductory remarks that the GE went well from a compliance and enforcement point of view. Overall, there was good cooperation from parties and candidates during the electoral period.

Mr. Côté then briefed ACPP members on some of the highlights from the 43rd GE. He explained that, in regard to complaint submissions, there were 4,447 complaints during the pre-election period and 2,698 complaints during the election period. However, Mr. Côté explained that, due to amplification, a significant number of these complaints (upwards of 80% in the pre-election period) were complaints on the same topic, often with the same text. He also explained that there was still a considerable amount of work remaining to close out the election in his office.

Mr. Côté reminded ACPP members that, since June 2019, the CCE can impose administrative monetary penalties (AMP) in connection with illegal voting, communications, the third-party regime, and political financing. AMPs may also be imposed to address non-compliance with a term or condition of a compliance agreement or of an undertaking, or for failing to comply with a requirement of the CEO.

Mr. Côté informed ACPP members that a draft policy of the new AMP regime has been sent to them and would be online for a six-week public consultation period.

Pursuant to recent amendments to the CEA (C-76, December 2018), the CCE will be preparing a report setting out recommendations to ensure better compliance with, and enforcement of, the Act.

Mr. Côté welcomed any comments on or suggestions for the report from ACPP members, based in particular on experiences and observations during the 43rd GE. The deadline to give feedback is January 15, 2020.

## 9. Political financing and audits

Presenters: Josée Villeneuve (Director, Political Financing) and Jeff Merrett (Director, Regulatory Affairs and Systems)

Ms. Villeneuve and Mr. Merrett provided updates on the Audit Process Improvement Initiative, including electronic financial returns, document upload and digital consent; upcoming deadlines for filing returns; and compliance and enforcement. They explained how the Audit Process Improvement Initiative includes: a multi-year audit plan; streamlined audit methodologies for all entities; the use of data analytics to complement audits of returns; and the creation of a Centre of Expertise and a quality assurance program.

Mr. Merrett explained that the candidate upload centre and the Electronic Financial Return software is available in the Political Entities Service Centre; and how candidate returns and related documents can be uploaded, digitally signed and submitted.

He further discussed some of the benefits of using the upload centre, including the prioritization of expense reimbursements. Additionally, the official agent, candidate and auditor can upload documents; the official agent and candidate provide digital consent online, as there is no need for handwritten signatures; an email confirmation is issued when a return is received; and the status is updated in the Political Entities Service Centre when a submission is accepted or rejected by EC.

Regarding upcoming filing obligations, ACPPE members were reminded that reports from registered parties on regulated fundraising events are due on December 20, 2019. Candidate electoral campaign returns are due on February 21, 2020. Party general election returns are due on June 22, 2020.

Ms. Villeneuve and Mr. Merrett noted that the rules regarding auditor reports were subsequently updated. A report is only required if contributions totalling \$10,000 or more were accepted, electoral campaign expenses totalling \$10,000 or more were incurred, or a candidate received 10% or more of the valid votes cast in their electoral district.

Ms. Villeneuve and Mr. Merrett explained that potential breaches related to third parties (Part 17) and other political entities (Part 18) will be referred to the Office of the Commissioner of Canada Elections and such breaches may be subject to formal and informal enforcement measures.

## 10. ACPPE Forward Calendar and adjournment

Presenter: Susan Torosian (Executive Director, Policy & Public Affairs)

Ms. Torosian shared the Forward Calendar of upcoming dates, events and items of interest to ACPD representatives.

Some specific items identified in the calendar included the ACPD annual general meeting (AGM) in June 2020 and the ACPD meeting in November 2020.

During the question and answer period, one ACPD representative asked if it would be possible to push the 2020 ACPD AGM to the summer months of July and August. EC staff explained that meeting dates had already been selected for June 18 and 19, 2019; but that we were open to moving the meeting date if such was the consensus of the group.

EC committed to surveying ACPD members in the post-event questionnaire on their preferred timing of the 2020 ACPD AGM.

Following the presentation of the Forward Calendar, the meeting was adjourned at approximately 11:05 a.m. on December 3, 2019.

## **11. Appendix A: Agenda**

### **Day 1: December 2, 2019**

- |               |   |
|---------------|---|
| 8:30 – 9:30   | Breakfast and registration  |
| 9:30 – 9:40   | Welcome   |
| 9:40 – 10:10  | Introductory remarks by the CEO   |
| 10:10 – 12:00 | Breakout session #1: Services to candidates and parties <ul style="list-style-type: none"><li>• Table #1: Nomination process and e-nominations</li><li>• Table #2: Political Entities Service Centre online portal</li><li>• Table #3: Training and guidance</li><li>• Table #4: Support received from ROs and the Political Entities Support Network</li></ul> |
| 12:00 – 1:00  | Lunch   |
| 1:00 – 2:35   | Breakout session #2: Services to voters <ul style="list-style-type: none"><li>• Table #1: Accessibility</li><li>• Table #2: Recruitment</li><li>• Table #3: Standard voting services</li><li>• Table #4: Special ballot voting</li></ul>  |
| 2:35 – 3:05   | Elections Canada Strategic Plan   |
| 3:05 – 3:20   | Break   |

3:20 – 3:50	Recommendations to Parliament
3:50 – 4:50	Party-by-party roundtable
4:50 – 5:00	Adjournment

**Day 2: December 3, 2019**

8:00 – 9:00	Breakfast
9:00 – 9:45	Commissioner of Canada Elections presentation
9:45 – 10:30	Political financing and audits
10:30 – 10:45	Break
10:45 – 11:05	Forward Calendar
11:05 – 11:10	Adjournment
11:10 – 11:55	OGIs

## 12. Appendix B: Meeting participants

### ACPP representatives:

Name	Political Party
Stephen Best	Animal Protection Party of Canada
Liz White	Animal Protection Party of Canada
Sylvain Gauthier	Bloc Québécois
Mitesh Joshi	Canada's Fourth Front
Rod Taylor	Christian Heritage Party of Canada
Peter Vogel	Christian Heritage Party of Canada
Kimball Cariou	Communist Party of Canada
Trevor Bailey	Conservative Party of Canada
Nick Carter	Green Party of Canada
Marlene Wells	Green Party of Canada
John Arnold	Liberal Party of Canada
Azam Ishmael	Liberal Party of Canada
Derek Lipman (observer)	Liberal Party of Canada
Coreen Corcoran	Libertarian Party of Canada
Jean-Serge Brisson	Libertarian Party of Canada
Anna Di Carlo	Marxist-Leninist Party of Canada
Christian Legeais	Marxist-Leninist Party of Canada
Jesse Calvert	New Democratic Party
Michel Blondin	Parti pour l'indépendance du Québec
Jacinthe Lafrenaye	Parti pour l'indépendance du Québec
Al Gullon	Progressive Canadian Party
Daniel Simon	Marijuana Party
Danny Légaré	Marijuana Party
Sébastien CoRhino	Parti Rhinoceros Party
Christina Bassett	Parti Rhinoceros Party
Graeme Marrs	Stop Climate Change

### Other invited guests and presenters:

Name	Organization
Yves Côté	Office of the Commissioner of Canada Elections
Mylène Gigou	Office of the Commissioner of Canada Elections
Marc Chénier	Office of the Commissioner of Canada Elections
Jacinthe Dumont	Office of the Commissioner of Canada Elections

**EC staff present for the duration or part of meeting:**

Aboubacar Dakuyo, Alain Bernard, Amy Yuen, Anne Lawson, Bradley Darch, Christopher Morris, Danielle Duquette, David Alexander Gick, David Couturier, David Le Blanc, Dawn Borutskie, Duncan Toswell, Jane Dunlop, Jean-Marc Collin, Jeff Merrett, Jennifer Paquet, Jérémie Martineau, Josée Villeneuve, Juan Melara-Pineda, Lisa Drouillard, Madeleine Touchette, Mallorie Nigro, Melanie Wise, Michel Roussel, Michelle AuCoin-Power, Nadya Laskey, Paul Jorgenson, Pauline Bejjani, Soraya Cattan, Stéphane Perrault, Stéphanie Thomas, Susan Torosian, and Zainab Alsalihiy

**Meeting facilitator:**

Alain Rabeau