



Canada

REPORT OF THE

Chief Electoral Officer of Canada

Following the November 29, 2010, By-elections Held in
Dauphin–Swan River–Marquette, Vaughan and Winnipeg North

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The Chief Electoral Officer • Le directeur général des élections

March 24, 2011

The Honourable Peter Milliken
Speaker of the House of Commons
Centre Block
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Ottawa, Ontario
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Dear Mr. Speaker:

I have the honour to provide my report following the by-elections held on November 29, 2010, in the electoral districts of Dauphin–Swan River–Marquette, Vaughan and Winnipeg North. I have prepared the report in accordance with subsection 534(2) of the *Canada Elections Act* (S.C. 2000, c. 9).

Under section 536 of the Act, the Speaker shall submit this report to the House of Commons without delay.

My earlier report on the pilot project testing the use of an assistive voting device in the Winnipeg North by-election is included in annex. It was submitted to the Standing Senate Committee on Legal and Constitutional Affairs as well as to the Standing Committee on Procedure and House Affairs on March 1, 2011.

The by-elections report also includes a summary of the official voting results. For more information, please see the Elections Canada Web site at www.elections.ca.

Yours truly,

Marc Mayrand
Chief Electoral Officer

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This report covers the three by-elections held on November 29, 2010, in the electoral districts of Dauphin–Swan River–Marquette (Manitoba), Vaughan (Ontario) and Winnipeg North (Manitoba).

According to subsection 534(2) of the *Canada Elections Act*, if one or more by-elections are held in a year, the Chief Electoral Officer must, within 90 days after the end of the year, produce a report that sets out “any matter or event that has arisen or occurred in connection with the administration of the Chief Electoral Officer’s office since the last report [...] and that he or she considers should be brought to the attention of the House of Commons.”

The 2010 by-elections saw the introduction of several new processes and technologies. These changes were aimed mainly at making it easier for electors to vote and, in general, making the electoral process more accessible. Notably, Elections Canada tested an assistive voting device for electors with disabilities as part of the first pilot project carried out under section 18.1 of the Act. A detailed report on this pilot project can be found in the annex to the present report.

The present report is divided into three sections, followed by an annex:

- 1. New Measures Implemented During the November 2010 By-elections** – The main measures put in place by Elections Canada as part of these events in order to improve various aspects of the electoral process.
- 2. Conduct of the November 2010 By-elections** – A report on the administration and results of the elections.
- 3. Conclusion** – The next steps to be taken following these elections.

Annex – The complete report and results of the assistive voting device pilot project in the electoral district of Winnipeg North.

I. New Measures Implemented During the November 2010 By-elections

Following the 40th general election, the Chief Electoral Officer submitted a report to Parliament in June 2010 entitled *Responding to Changing Needs*. This report recommended amendments to the *Canada Elections Act* aimed at improving various aspects of Canada's electoral process. Parliament is in the process of examining these recommendations.

In the meantime, certain administrative improvements can be made within the context of the existing legislative framework. To that end, Elections Canada took advantage of the November 2010 by-elections to implement numerous measures aimed at improving the management of elections, services to electors and the accessibility of the voting process. Highlights are included in this section. All of the other aspects of the November 2010 by-elections are dealt with in Section 2.

I.1 Assistive voting device pilot project

During the November 2010 by-elections, Elections Canada conducted a pilot project, under the terms of section 18.1 of the *Canada Elections Act*, to test an assistive voting device for persons with disabilities. The device was intended to enable electors with a visual impairment or limited dexterity to mark a ballot independently and in secrecy. It was tested only in the electoral district of Winnipeg North, in locations serving a large number of electors. The pilot itself went well, but the results showed that the device does not constitute a practical solution for enabling electors with disabilities to mark a ballot independently and in secrecy.

Elections Canada will continue looking for more ways to make voting easier for these electors. This involves continuing the dialogue, already well under way, with organizations representing persons with disabilities. Elections Canada will also continue to offer the many assistive tools and services (voting template, sign language interpreter, etc.) that are already in place to make voting easier for electors with special needs.

A complete report on the pilot project, along with the results, can be found in the annex to the present report.

I.2 Remedial measures following the Hughes ruling on the accessibility of polling sites

In February 2010, the Canadian Human Rights Tribunal upheld a complaint against Elections Canada that level access was not provided at a Toronto polling site during the March 2008 by-election and October 2008 general election. In the months following this ruling, Elections Canada worked with the parties involved in the dispute, namely the elector who had filed the

complaint, the Canadian Human Rights Commission and the Council of Canadians with Disabilities, in order to improve its procedures and carry out the remedial measures ordered by the Tribunal.

Certain changes were already in place at the time the November 2010 by-elections were called. Thus, during advance polling and on ordinary polling day, the polling sites were to be verified at least three times a day to identify and rectify any accessibility issues. In addition, electors had various means at their disposal, including a new form, to file a complaint if they encountered difficulties accessing the polling site, and there were posters notifying them of the new complaint mechanism. All returning officers were trained on these new procedures in September 2010.

The new *Polling Site Accessibility Feedback Form* was available at polling sites and on the Elections Canada Web site. In all, 62 forms were completed by electors, containing a total of 15 complaints on various aspects of polling site accessibility: seven complaints about parking; three about signage; two about building access; two about aisles and corridors; and one from an elector who claimed to have been misinformed about the location of his polling site and to have made the trip for nothing. The returning officers contacted the electors who had filed the complaints and committed to take the necessary corrective actions to address their concerns.

An analysis of the complaints received and of their resolution shows that three of the problems reported involved structural elements of the building housing the polling site (door threshold, interior corridors). In at least one of the cases, it was decided that another site would be chosen for the next election. This shows the importance for returning officers of strictly applying the accessibility criteria when selecting a polling site. Eight of the problems reported had to do with the operating conditions of the polling site on election day, as opposed to any structural elements of the building. There were complaints about signage in some of the parking lots and snow clearing from certain entranceways. The latter cases highlight the importance of the role played by returning officers in ensuring that polling sites remain accessible throughout the day.

Since the November 2010 by-elections, Elections Canada has implemented other measures, such as updating its various tools for determining the accessibility of potential polling sites. In addition, Elections Canada has decided to institute a program to assess the accessibility of the 20,000 or so polling sites used for general elections, an initiative that we aim to complete by October 2012.

1.3 Voter information card as proof of identity and address

The assessments carried out after the last general election indicate that certain groups of electors have more difficulty than others in meeting the voter identification requirements. In particular, electors living in seniors' residences or long-term care facilities, Aboriginal persons living on reserve and students living away from home have more trouble producing proof of address. One way to reduce this problem is to add the voter information card (VIC) to the list of authorized pieces of identification, on the proviso that it always be accompanied by a second authorized piece of identification.

For the November 2010 by-elections, Elections Canada amended the list of authorized pieces of identification to include the VIC for polling sites serving seniors' residences, long-term care facilities, Aboriginal reserves and on-campus student residences. During these elections, the VIC

was accepted as an authorized piece of identification at 14 polling stations located on Aboriginal reserves as well as a number of seniors' residences and long-term care facilities served by 26 mobile polls, for a total of 105 polling sites (the three electoral districts in question had no student residences). Observers were present at 19 polling sites to assess the effectiveness of this initiative.

From what we observed, the proportion of electors who used their VIC with another authorized piece of identification (e.g. hospital bracelet) in seniors' residences and long-term care facilities was nearly 80 percent. In targeted polling sites on Aboriginal reserves, the proportion of electors who used their VIC with another authorized piece of identification (e.g. Certificate of Indian Status) was about 36 percent. The initiative made the voter identification process run more smoothly and reduced the need to produce letters of attestation of residence. Thus, it was well received by both the affected electors and the institution and reserve administrators. For the next general election, we plan on expanding this measure to all electoral districts, and the returning officers have been tasked with identifying polling sites where the measure will apply.

1.4 Community relations officers – seniors

Previously, Elections Canada's community relations officers served four groups of electors: youth, ethnocultural communities, Aboriginal communities and the homeless. During the November 2010 by-elections, we added another group: seniors, who can encounter specific difficulties, particularly when it comes to information, as evidenced by feedback received after the 40th general election.

Therefore, the three returning officers concerned had the opportunity to hire a community relations officer assigned specifically to seniors. Two community relations officers were hired for this purpose, one in Dauphin–Swan River–Marquette and the other in Winnipeg North. They were to visit seniors' residences and long-term care facilities to provide residents with information, mainly on voter identification requirements and the option of using the voter information card as proof of identity and address. In Vaughan, this function was carried out by the revision supervisor.

According to the returning officers, the results were positive. Consequently, we plan to allow all returning officers to hire community relations officers to serve seniors during the next general election.

2. Conduct of the November 2010 By-elections

2.1 Launch of the by-elections

The November 2010 by-elections were called to replace three members of Parliament who had resigned their seats in the House of Commons during the year:

- Judy Wasylycia-Leis, New Democratic Party Member of Parliament for **Winnipeg North** (Manitoba), who resigned on April 30, 2010
- the Honourable Maurizio Bevilacqua, Liberal Party of Canada Member of Parliament for **Vaughan** (Ontario), who resigned on September 2, 2010
- Inky Mark, Conservative Party of Canada Member of Parliament for **Dauphin–Swan River–Marquette** (Manitoba), who resigned on September 15, 2010

In view of the date on which the Member of Parliament for Winnipeg North resigned, the deadline for calling an election in this riding was October 27, 2010.

Writs issued on October 24, 2010, ordered that by-elections be held on November 29, 2010, in Dauphin–Swan River–Marquette, Vaughan and Winnipeg North. On October 29, the Chief Electoral Officer held a teleconference with the members of the Advisory Committee of Political Parties to discuss various topics, particularly the new measures that Elections Canada planned to implement in connection with these elections.

House of Commons seat distribution

On October 24, 2010, the seat distribution in the House of Commons was as follows:

- Conservative Party of Canada – 143 seats
- Liberal Party of Canada – 76 seats
- Bloc Québécois – 47 seats
- New Democratic Party – 36 seats
- Independent – 2 seats
- Vacant – 4 seats

Returning officers

The returning officers tasked with conducting the 2010 by-elections in the three electoral districts in question were: Ron Clement in Dauphin–Swan River–Marquette; Jill Medley in Vaughan; and Erlinda Dionisio in Winnipeg North.

Recruitment of election officers

In the three electoral districts where the by-elections took place, 2,112 election officers were hired to work at polling stations during advance polls and on election day. However, the candidates in the three ridings submitted a total of only four names of election officers to the returning officers.

Recruitment of election officers continues to pose a serious challenge to returning officers. With that in mind, the Chief Electoral Officer, in his recommendations report tabled in June 2010, recommended that the Act be amended in such a way that responsibility for recommending people for election officer positions be transferred from the candidates to the riding associations or, failing that, to the registered parties. He also recommended that the period during which political entities have priority to submit names be shortened, which would enable returning officers to appoint election officers in a more timely fashion.

“Need pocket money?”

For these by-elections, Elections Canada launched a new campaign aimed at hiring youth as election officers who would be assigned specifically to help young electors register and vote. This initiative had the dual objective of broadening the range of election officers recruited while encouraging voter turnout among young Canadians.

With an eye-catching design, the campaign displayed the following message: “Need pocket money? Work on election day and make at least \$160.” The idea was to pique young people’s interest and steer them toward the Elections Canada Web site, where they could fill out an on-line employment application form. In all, 379 people completed the on-line form.

This campaign had a definite impact, particularly among youth aged 16 to 17. For the three electoral districts in question, the number of election officers aged 16 to 17 went from 3 in the 2008 general election to 46 in the November 2010 by-elections. Overall, the number of election officers aged 16 to 25 increased slightly, from 211 in 2008 to 226 in these by-elections. The campaign will be repeated during the next general election.

The candidates

From the time the returning officers published the Notice of Election, prospective candidates in the by-elections had until 2:00 p.m. on November 8, 2010, to file their nomination papers. The candidates had until 5:00 p.m. on the same day to withdraw or make corrections to the name, address or occupation indicated on their nomination papers. None of the candidates withdrew. Table 8 (page 26) presents in detail the political parties and candidates who participated in these elections.

Elections Canada posted the names of candidates on its Web site as they were confirmed, and posted the final lists of confirmed candidates once nominations closed. It also provided the official lists to Canadian diplomatic missions and consular posts through the Department of Foreign Affairs and International Trade, and to Canadian Forces bases through the Department of National Defence.

Wireless technology

The November 2010 by-elections gave Elections Canada an opportunity to equip its local offices with the wireless technology first tested during the November 2009 by-elections. Cellular phones are now used for about 10 days at the start of an event, up until land lines are installed. Also, computers in the local offices communicate with Elections Canada in Ottawa via a wireless high-speed connection, which is considerably faster than our previous dial-up connections.

These two upgrades enable our local offices to serve electors in the first few hours after the issue of the writ. They also generate savings in the order of \$1.5 million a year, as cellular phone and wireless connection services can be suspended at little cost between elections, thus eliminating the need to rent a large number of land lines (billed monthly) in advance in order to guarantee service availability.

The new technology was greatly appreciated by the returning officers during the November 2010 by-elections and will be implemented nationally during the next general election.

2.2 Milestones of the electoral process

Table 1 is an overview of the milestones in the electoral process, from the issue of the writs to election day, for the by-elections held in 2010.

Table 1 – Key dates

Date	Election calendar day	Event
October 24	Day 36	Issue of the writs; voting by special ballot begins; local Elections Canada offices open to the public
October 26	Day 34	Preliminary lists of electors sent to returning officers
October 27	Day 33	Revision of lists of electors begins
October 28	Day 32 (or before)	Notice of Election published – candidates may file nomination papers
October 28	Day 32	Preliminary lists of electors sent to candidates as they are confirmed
October 31	Day 29	Targeted revision begins
November 3 to 5	Days 26 to 24	Voter information cards mailed to all registered electors
November 8	Day 21 (2:00 p.m.)	Close of nominations
November 10	Day 19 (2:00 p.m.)	Confirmation of nominated candidates
November 10 to 12	Days 19 to 17	Reminder brochures distributed
November 18	Day 11	Revised lists of electors sent to candidates
November 19, 20 and 22	Days 10, 9 and 7	Advance polls
November 22	Day 7	Final spending limits announced for candidates and parties
November 23	Day 6 (6:00 p.m.)	Revision ends; deadline for special ballot registration
November 29	Day 0	Deadline for special ballot voting; election day
November 30 to December 6	Days -1 to -7	Validation of results by returning officers

2.3 Communicating with electors

During all electoral events, Elections Canada strives to promote awareness among electors about their right to vote, requirements to be met, key dates, as well as changes to the registration and voting processes. For the November 2010 by-elections, in addition to the regular campaign, we organized an awareness campaign for Winnipeg North electors concerning the assistive voting device pilot project carried out in their electoral district. The aim was to inform electors that the device was available, explain how it worked and promote use of the device among persons with disabilities (see Annex).

Advertising and media relations

The key messages of our advertising campaign for the November 2010 by-elections focused primarily on drawing electors' attention to the voting dates, identification requirements and different voting options. The campaign included two print ads and two radio announcements.

Within the context of our testing the use of the voter information card as proof of identity and address at some polling sites (see section 1.3), a document was mailed out to the electors concerned and special posters were put up at the polling sites in question.

Moreover, advertisements were produced in Tagalog (the national language of the Philippines) for the electoral district of Winnipeg North, which has a sizeable Tagalog-speaking community, and in Italian, Portuguese, Punjabi and Spanish for the electoral district of Vaughan. In Winnipeg North and Dauphin–Swan River–Marquette, which are among the 24 electoral districts in which Aboriginal electors account for at least 10 percent of the electorate, we developed a targeted campaign that included an Aboriginal radio announcement, the distribution of information in friendship centres and other Aboriginal organizations, as well as a search engine optimization strategy using Google AdWords, the Internet advertising system whereby small ads are displayed along with search results when someone uses the Google search engine.

Following the by-elections, we conducted a survey among persons eligible to vote in the three electoral districts concerned. The vast majority of respondents (90 percent) indicated that they were aware of the by-election in their electoral district. Nearly half (48 percent) indicated that they had read about it in the newspapers, 44 percent had heard about it on television, and 31 percent, on the radio. Other sources of information included the Elections Canada reminder brochure (17 percent), posters and signs (15 percent) and word of mouth (15 percent). This is similar to what has been observed in by-elections since Elections Canada began to collect these data in 2008.

Fifty-seven percent of respondents also indicated having noticed Elections Canada advertising in the media.

With regard to media relations, Elections Canada received 50 calls from the media, made 91 proactive calls to the media, granted 5 official interviews and produced 18 news releases. Questions from the media primarily involved the registration of third parties, voter turnout at advance polls, contribution limits and the assistive voting device pilot project.

Targeted campaigns

Following its general practice, Elections Canada took special measures to encourage the participation of groups likely to experience difficulty in exercising their right to vote or not reached as easily via mainstream advertising campaigns. Outreach in individual electoral districts is assured by one or more community relations officers responsible for specific groups or, when no officers are available, by other election officers designated by the returning officer. The targeted campaigns carried out for the November 2010 by-elections varied from one electoral district to another, depending on local needs:

- **For youth**, the youth community relations officer in Winnipeg North distributed promotional material, including a pamphlet designed specifically for students, in libraries and youth-oriented community centres, and set up two information booths.
- **For ethnocultural communities** in the three electoral districts, our targeted campaigns included conducting communications activities with organizations representing those communities, distributing promotional material and, in Winnipeg North, setting up two information booths.
- **For the Aboriginal communities in Winnipeg North**, four community relations officers contacted First Nations reserves, Aboriginal health centres and friendship centres, made presentations in some communities, encouraged Aboriginal electors to take part in the targeted revision process as revising agents, and also recruited Aboriginal electors as deputy returning officers and poll clerks.
- **For seniors**, Elections Canada added a new component to its community relations officer program. This initiative, which yielded positive results, is described above in section 1.4, entitled “Community relations officers – seniors.”

Voter information card

As prescribed by the Act, Elections Canada mailed out voter information cards, confirming registration and indicating where and when to vote, to all electors on the preliminary lists of electors and all electors who had their names added to the lists during the revision period.

Eighty-one percent of electors surveyed recalled receiving such a card, and nearly 98 percent of those electors reported no errors in the name or address. This is consistent with the rate normally observed in past elections.

Information sources consulted by electors

Over half (53 percent) of the electors surveyed indicated that they had obtained their information on registration and voting from their voter information card. Newspaper advertising, the second most common information source, was cited by 17 percent of respondents, while 14 percent cited the Elections Canada reminder brochure. Electors could also obtain information by contacting their local Elections Canada office, contacting Elections Canada directly or using the Voter Information Service on our Web site.

During the election period, the bilingual staff at the Public Enquiries Unit answered 460 calls and 41 e-mails from the public, and provided information material upon request.

An image displayed prominently on our Web site's home page directed anyone interested in working as an election officer in the November 2010 by-elections to an updated and improved module on employment. On polling night, results were posted on the Web as they became available, and a total of 31,938 visits were made to the site – a record for by-elections.

2.4 Communicating with candidates, official agents and auditors

Returning officers supplied documentation to candidates as well as their official agents and auditors for the November 2010 by-elections. They met with the candidates and/or their representatives to ensure that everyone received the same information on issues such as election day rules, the election officer positions for which candidates could recommend applicants, and certain initiatives that Elections Canada planned to implement during the elections.

2.5 Revising the lists of electors

As usual, Elections Canada used the information from the National Register of Electors to produce the preliminary lists of electors. The revision period ran from October 27 to November 23, 2010. The national target for currency of the lists, that is, the percentage of electors both included on the lists of electors and listed at the correct address, has been established by Elections Canada at 80 percent.

- In **Dauphin–Swan River–Marquette**, estimates on October 20, 2010, indicated that 86 percent of electors were on the preliminary lists and were listed at the correct address. As part of the targeted revision drive, revising agents visited 2,217 addresses identified by the returning officer. In all, 2,180 electors were registered during the revision period, and 1,618 on election day.
- In **Vaughan**, estimates on October 20, 2010, indicated that 89 percent of electors were on the preliminary lists and were listed at the correct address. Revising agents visited 362 addresses. In all, 321 electors were registered during the revision period, and 1,255 on election day.
- In **Winnipeg North**, estimates on October 20, 2010, indicated that 74 percent of electors were on the preliminary lists and were listed at the correct address. Revising agents visited 2,762 addresses. In all, 1,104 electors were registered during the revision period, and 945 on election day.

Table 2 lists the types of revision transactions.

Table 2 – Lists of electors: Revision transactions during the by-elections

Electoral district	Dauphin–Swan River–Marquette	Vaughan	Winnipeg North
Preliminary lists of electors, including Special Voting Rules (SVR)	52,862	120,606	50,833
Moves between electoral districts ¹	330	329	493
Electors added ²	967	900	1,117
Moves within the electoral district ³	2,501	347	439
Other corrections ⁴	1,322	309	499
Electors removed from lists ⁵	542	250	767
SVR Group 1 updates ⁶	43	1	10
Electors on the final lists	53,660	121,586	51,686

¹ Electors who moved into the electoral district before the beginning of the revision period but were not included in the last release from the National Register of Electors before the by-elections were called.

² Electors who did not appear on any lists at the beginning of the by-election and were added during the event.

³ Electors who appeared on a list for their electoral district at the beginning of the by-election but at the wrong address. These figures also include administrative changes made by the returning officer to elector records during the event.

⁴ Electors who appeared on a list of electors with the correct address and requested a correction to their name or mailing address during the event.

⁵ Electors who appeared on a list of electors but were removed for one of the following reasons: the elector was deceased; the elector asked to be removed; the elector had moved; the individual was not qualified to be on the list (for example, under 18 years of age or a non-citizen); or the elector had a duplicate record on the list. This figure also reflects elector records removed as a result of elector moves to another electoral district during the event and duplicates removed during the preparation of the final lists of electors.

⁶ Indicates the increase in the number of Group 1 electors registered under the Special Voting Rules (Canadian electors temporarily residing outside Canada, Canadian Forces electors and incarcerated electors) during the event.

2.6 Ordinary polls and advance polls

On election day, electors could vote at the ordinary polls from 8:30 a.m. to 8:30 p.m. (Central Time) in Dauphin–Swan River–Marquette and Winnipeg North, and from 9:30 a.m. to 9:30 p.m. (Eastern Time) in Vaughan. Electors could also vote at the advance polls on November 19, 20 and 22, from noon to 8:00 p.m. Table 3 lists the types of polling sites (each of which may include several polling stations).

Table 3 – Types of polling sites¹

Facility type	Ordinary poll ²		Advance poll	
	No.	%	No.	%
Dauphin–Swan River–Marquette				
Band office	4	5	1	4
Parish hall	2	3	3	12
Commercial site	1	1	2	8
Community centre	47	64	10	40
School	3	4	2	8
Fire hall	2	3	3	12
Municipal building	2	3	3	12
Recreation centre	4	5	–	–
Royal Canadian Legion	8	11	–	–
Other	–	–	1	4
Total	73	100	25	100
Vaughan				
Community centre	4	9	4	100
School	40	85	–	–
Seniors' residence	3	6	–	–
Total	47	100	4	100
Winnipeg North				
Community centre	5	16	1	17
School	22	69	5	83
Municipal building	1	3	–	–
Seniors' residence	4	13	–	–
Total	32	100	6	100

¹ Because the percentages have been rounded, there may be some discrepancies in the totals.

² Excludes mobile polls.

Elections Canada provided a number of mobile polls to assist people in seniors' residences and long-term care facilities. Table 4 shows the types of polling stations used in the three electoral districts.

Table 4 – Types of polling stations

Electoral district	Ordinary polls		Advance polls	Total
	Stationary	Mobile		
Dauphin–Swan River–Marquette	179	15	25	219
Vaughan	267	3	12	282
Winnipeg North	136	6	8	150

Table 5 shows the polling sites with level access during the November 2010 by-elections.

Table 5 – Polling sites with level access (excluding institutions visited by mobile polls)¹

Electoral district	Accessible without modification	Accessible after modification	Total
Dauphin–Swan River–Marquette	86	0	86
Vaughan	49	0	49
Winnipeg North	32	0	32

¹ According to the information contained in the inventory of polling sites.

Our post-election survey revealed that the vast majority of electors had no difficulty in finding the location of their polling station. The main reason given by the roughly 3 percent of respondents who indicated having difficulty was bad weather. When asked about the accessibility of the building, four respondents reported problems, including the presence of stairs and a lack of parking space. In addition, 9 percent of respondents noted problems with outside signage, and 4 percent, with inside signage. Finally, 39 percent recalled seeing a sign indicating that the building had level access, and most (82 percent) felt that the level access signs were prominently displayed.

2.7 Voting by special ballot

As in any election, electors could vote by mail or at the local Elections Canada office via special ballot under the Special Voting Rules (SVR). Canadians abroad could obtain information about voting by special ballot by contacting any of the diplomatic missions or consular posts of the Department of Foreign Affairs and International Trade, or by visiting the Elections Canada Web site. Members of the Canadian Forces, whether based in Canada or abroad, were informed of their voting rights by the Department of National Defence. When the writs were issued, special ballot voting kits were sent to all Canadian Forces electors and electors residing outside Canada whose names appeared on the lists established for Dauphin–Swan River–Marquette, Vaughan and Winnipeg North.

Elections Canada made arrangements to ensure that electors hospitalized in acute care facilities during the by-elections were able to register and vote by special ballot by the deadline authorized for this type of voting. Registration and voting in acute care hospitals took place on November 21, 22 and 23, 2010.

New Special Voting Rules System

Our new Special Voting Rules System (SVRS) was used for the first time in the November 2010 by-elections, with success. The SVRS, which replaced obsolete technology, has modernized certain business processes for managing registrations to vote by special ballot.

In the by-elections, the Web component of the SVRS assisted electors in identifying their electoral district and completing the registration form for voting by special ballot. Our observations indicate that this electronic process has made it easier to process registrations and mail out voting kits, and has helped enquiries officers respond to elector queries more quickly and effectively. There are still performance tests to conduct to ensure that the system can handle the large number of registrations expected in a general election.

Table 6 shows the number of registrations for voting by special ballot, by group and category.

Table 6 – Registrations for voting by special ballot (Special Voting Rules)

Groups and categories of electors registering to vote by special ballot	Number of ballots issued		
	Dauphin–Swan River–Marquette	Vaughan	Winnipeg North
Group 1¹			
Canadian Forces members	58	27	70
Incarcerated electors	24	1	11
Electors temporarily residing outside Canada	4	12	0
Group 1 subtotal	86	40	81
Group 2²			
Electors temporarily residing outside their electoral district	8	19	10
Electors voting in their electoral district	138	404	778
Group 2 subtotal	146	423	788
Total number of registrations for electors voting by special ballot	232	463	869

¹ Electors in Special Voting Rules Group 1 are not included in the local lists of electors that are revised by the returning officer during an event.

² Electors in Special Voting Rules Group 2 are included in the local lists of electors.

2.8 Voter turnout

Table 7 shows the numbers of ballots cast and the overall voter turnout.

Electoral district	Dauphin–Swan River–Marquette	Vaughan	Winnipeg North
Number of electors on final lists	53,660	121,586	51,686
Ordinary polls	12,811 ² 89.7%	34,880 ² 88.3%	12,995 ² 82.0%
Advance polls	1,306 9.1%	4,206 10.6%	2,057 13.0%
Voting by special ballot (SVR)	166 0.2%	430 1.1%	804 5.0%
Rejected ballots	61 0.4%	231 0.6%	91 0.6%
Total valid ballots	14,222 99.9%	39,285 99.4%	15,765 99.4%
Total votes cast	14,283	39,516	15,856
Voter turnout in the November 2010 by-elections	26.6%	32.5%	30.7%
Voter turnout in the 2008 general election	54.7%	51.9%	42.8%

¹ The percentages have been rounded.

² Includes electors who voted at mobile polls.

In our post-election survey, 62 percent of non-voters surveyed said day-to-day obligations kept them away from the polls, 28 percent gave political reasons and 7 percent cited administrative factors or factors related to the electoral process (respondents were allowed to give more than one reason for not voting).

2.9 By-election results

On election night, each returning officer's Event Results System (ERS) was linked to Elections Canada's central computer. At the end of the count at each polling station, the deputy returning officer called in the results to the local Elections Canada office, where totals were entered into the ERS by a staff member, then transmitted to Elections Canada in Ottawa for posting on the Elections Canada Web site. Ballots cast under the Special Voting Rules by incarcerated and Canadian Forces electors and by Canadians voting outside their electoral districts were counted at Elections Canada in Ottawa on election night and during the preceding week.

- In **Dauphin–Swan River–Marquette**, Robert Sopuck, the Conservative Party of Canada candidate, was elected.
- In **Vaughan**, Julian Fantino, the Conservative Party of Canada candidate, was elected.
- In **Winnipeg North**, Kevin Lamoureux, the Liberal Party of Canada candidate, was elected.

Table 8 identifies each candidate by political affiliation and shows the number and proportion of valid votes obtained.

Table 8 – Valid votes obtained, by candidate¹

Candidate	Political affiliation	Place of residence	Occupation	Valid votes obtained	Percentage of valid votes (%)
Dauphin–Swan River–Marquette					
Robert Sopuck	Conservative Party of Canada	Sandy Lake	Consultant	8,034	56.5
Denise Harder	New Democratic Party	Portage la Prairie	CUPE Staff Representative	3,762	26.5
Christopher Scott Sarna	Liberal Party of Canada	Onanole	Chief Operations Officer	1,468	10.3
Kate Storey	Green Party of Canada	Grandview	Farmer	799	5.6
Jerome Dondo	Christian Heritage Party of Canada	Treherne	Accountant	159	1.1
Total				14,222	100
Vaughan					
Julian Fantino	Conservative Party of Canada	Vaughan	Retired	19,290	49.1
Tony Genco	Liberal Party of Canada	Vaughan	Consultant	18,326	46.6
Kevin Bordian	New Democratic Party	Woodbridge	Customer Service	661	1.7
Claudia Rodriguez-Larrain	Green Party of Canada	Vaughan	CEO	481	1.2
Paolo Fabrizio	Libertarian Party of Canada	Barrie	Baker	251	0.6
Leslie Bory	Independent	Waterford	Unemployed	111	0.3
Dorian Baxter	Progressive Canadian Party	Newmarket	Anglican Priest	110	0.3
Brian Jedan	United Party of Canada	East York	National Sales Representative	55	0.1
Total				39,285	100

Table 8 – Valid votes obtained, by candidate¹

Candidate	Political affiliation	Place of residence	Occupation	Valid votes obtained	Percentage of valid votes (%)
Winnipeg North					
Kevin Lamoureux	Liberal Party of Canada	Winnipeg	Provincial Politician	7,303	46.3
Kevin Chief	New Democratic Party	Winnipeg	Executive Director, WASAC	6,490	41.2
Julie C. Javier	Conservative Party of Canada	Winnipeg	Critical Care Monitoring Equipment Specialist	1,647	10.4
John T. Harvie	Green Party of Canada	Winnipeg	Consultant	114	0.7
Jeff Coleman	Pirate Party of Canada	Winnipeg	3D Printing Designer	94	0.6
Frank Komarniski	Communist Party of Canada	Winnipeg	Operator	71	0.5
Eric Truijen	Christian Heritage Party of Canada	West St. Paul	Firefighter Paramedic	46	0.3
Total				15,765	100

¹ Because the percentages have been rounded, there may be some discrepancies in the totals.

Returning officers validate the results as soon as possible after election day. Validation was done on November 30 in Vaughan and Winnipeg North, and on December 2 in Dauphin–Swan River–Marquette.

The official voting results for the November 2010 by-elections, including poll-by-poll results, are available on the Elections Canada Web site at www.elections.ca under *Resource Centre > Reports > Elections Canada's Official Reports > Official Voting Results*.

2.10 Adaptations

In accordance with subsection 17(1) of the *Canada Elections Act*, the Chief Electoral Officer may adapt any provision of the Act to deal with an emergency, an error, or an unusual or unforeseen circumstance. Such adaptations cease to be in effect 30 days following the election. During the November 2010 by-elections, the Chief Electoral Officer used this authority for the following reasons:

- In general, a growing number of electors choose to vote at advance polls, but the Act provides for fewer election officers at advance polls than at ordinary polls on election day. The Chief Electoral Officer therefore adapted the Act so that returning officers could appoint additional election officers for advance polls.
- Staffing levels at polling stations on polling day as set out in the Act were established before the adoption of recent amendments to the Act. With these amendments, election officers are now required to perform additional and more complex tasks. Accordingly, the Chief Electoral Officer adapted the Act so that returning officers could appoint additional election officers to facilitate the conduct of the vote on polling day.
- During advance polling in Winnipeg North, a poll worker inadvertently gave an elector two ballots stuck together, and both ballots were placed in the ballot box, still stuck together. The Chief Electoral Officer therefore adapted the Act to allow the extra ballot to be identified at the start of counting, detached from the marked ballot and treated as a spoiled ballot.

Additionally, in accordance with section 179 of the *Special Voting Rules as Adapted for the Purposes of a By-election (Regulations (by-election))*, the Chief Electoral Officer may issue any instructions that he considers necessary in order to apply or adapt these regulations to a particular circumstance. The adaptations made under section 179 of the *Regulations (by-election)* remain in effect for all subsequent by-elections unless the Chief Electoral Officer decides otherwise. The adaptations currently in effect can be found on the Elections Canada Web site under *Resource Centre > Legislation > Instructions to adapt the Special Voting Rules as Adapted for the Purposes of a By-election made pursuant to section 179 of these Special Voting Rules*.

No new adaptation was established under section 179 of the *Regulations (by-election)* during the November 2010 by-elections.

2.11 Enforcement of the *Canada Elections Act*

The Commissioner of Canada Elections received six complaints regarding the November 2010 by-elections. All the complaints involved acts that took place during the election period, and most of them were related to election advertising. All of the files have been closed.

2.12 Candidates' election expenses

All candidates in a federal election are bound by the Act to report their election expenses. The 20 candidates in the November 2010 by-elections had until March 29, 2011, to submit the *Candidate's Electoral Campaign Return*.

Any candidate who is elected or who receives at least 10 percent of the valid votes cast is eligible to receive election expenses reimbursements equal to 60 percent of paid election expenses and paid candidate personal expenses. In addition, any candidate who submits a return is eligible for an audit subsidy (paid directly to the campaign auditor) equal to the lesser of \$1,500 or 3 percent of the candidate's election expenses, with a minimum of \$250.

Following the November 2010 by-elections, eight candidates are eligible for reimbursements. Partial reimbursements already paid for these by-elections total \$112,851.

2.13 Estimated cost of the by-elections

Table 9 presents the estimated cost of the November 2010 by-elections.

Table 9 – Estimated cost of the by-elections	
Activity	Estimated cost (\$ thousands)
Conduct of elections in the electoral districts , including expenses related to election workers at the office of the returning officer and the polling stations, printing lists of electors and voter information cards, leasing local Elections Canada offices and polling sites, and telephony	1,326
Preparations for and conduct of the election at Elections Canada in Ottawa and support to the returning officers , including training returning officers and other key employees, advertising and awareness campaigns, the Support Network, and information technology ¹	910
Post-election studies and consultations , including surveys conducted by Elections Canada and post-mortem sessions with returning officers	60
Subtotal	2,296
Reimbursement of election expenses to candidates (projected cost)²	180
Total estimated cost	2,476

¹ The cost of \$144,795 for the assistive voting device pilot project is included.

² Real expenditures will not be known until Elections Canada has received and audited the candidates' election expenses records.

3. Conclusion

The by-elections held in Dauphin–Swan River–Marquette, Vaughan and Winnipeg North on November 29, 2010, ran smoothly and featured many innovations. The new measures described in Section 1 of this report paved the way for several improvements in the service provided to electors and will be followed up with further measures aimed at making the electoral process even more efficient and accessible.

The assistive voting device pilot project conducted in Winnipeg North demonstrated that the type of device tested in this electoral district was not an appropriate solution for federal elections. However, the project confirmed the usefulness of testing a model for serving electors before recommending legislative amendments, and Elections Canada will wish to take advantage of this mechanism in the future to test other electronic voting methods, with the approval of parliamentarians. The full report on the pilot project is annexed to this report.

In response to the *Hughes* ruling, Elections Canada has taken the corrective action ordered by the Canadian Human Rights Tribunal and is planning to take additional measures to ensure that polling sites are accessible.

The new initiatives involving the use of the voter information card as proof of identity and address at some polling sites and the introduction of community relations officers assigned to seniors have shown positive results. We are planning to implement these two administrative improvements during the next general election.

Meanwhile, Elections Canada will continue to take all necessary measures to maintain an adequate state of readiness for a possible electoral event.

The Chief Electoral Officer remains available to Parliament to discuss any proposed changes to the current electoral process.

Lastly, in all its activities, Elections Canada will stay the course to deliver on the three main objectives set out in its 2008–2013 strategic plan – trust, accessibility and engagement – which constitute the foundation of its service to Canadian electors.



REPORT OF THE

Chief Electoral Officer of Canada

Following the Pilot Project on the Use of an
Assistive Voting Device in the November 29, 2010,
By-election Held in Winnipeg North

Executive Summary

Elections Canada offers a range of services to facilitate voting by electors with disabilities. However, the available services do not always permit electors with certain disabilities to vote without assistance and in secrecy, as other electors.

In accordance with section 18.1 of the *Canada Elections Act*, with the approval of parliamentarians, the agency conducted a pilot project of an assistive voting device (AVD) for use by persons with disabilities in the November 29, 2010, by-election in Winnipeg North. The objective was to assess whether this technology would be a viable option allowing electors with disabilities to cast their ballot independently and in secrecy. The agency would then evaluate the feasibility of large-scale implementation in a future general election.

Elections Canada conducted a preliminary assessment and issued a request for proposals for a device to be piloted during a federal by-election. The agency organized a comprehensive, multi-faceted communications and outreach campaign for the pilot, with three objectives: to build public awareness of the AVD; to engage organizations representing electors with disabilities and reach potential users; and to evaluate the campaign and gather feedback.

The AVDs were placed at advance polls, the local Elections Canada office and seven central polling sites on voting day. At the sites where the device was available, 25 people said that they required assistance to vote. Of these, five electors opted for the device.

Elections Canada gathered feedback from AVD users, obtained comments from election workers, held a post-election meeting with organizations representing electors with disabilities and conducted a post-election survey of electors in Winnipeg North.

The pilot project allowed Elections Canada to conclusively evaluate the merits of the AVD and, from that point of view, was a success. From the information gathered, Elections Canada found that the AVD used in the Winnipeg North by-election was not a practical solution enabling electors with disabilities to vote independently and in secrecy. There were also significant operational challenges involved in deploying the device.

The agency has concluded that it will not proceed further with this device, but will continue to study additional methods that could facilitate voting for electors with disabilities. In the meantime, Elections Canada will continue to offer those electors a wide range of services.

Introduction

Close to 4 million Canadian electors are estimated to have disabilities. According to 2006 data from Statistics Canada, over 2.9 million Canadians have reduced mobility and nearly 800,000 have a visual impairment. Canada has a duty to accommodate the needs of these electors, allowing them to vote independently while preserving the secrecy of their ballot. It is a duty that arises not only as a result of community expectations but also from obligations under Canadian and international law:

- The *Canadian Charter of Rights and Freedoms* sets out the right of all citizens to vote in federal elections and prohibits discrimination on the grounds of disability.
- The *Canadian Human Rights Act* sets out the obligation to refrain from discrimination in the provision of services generally available to the public – such as elections – as well as the duty to accommodate persons with disabilities.
- Canada has signed and recently ratified the United Nations Convention on the Rights of Persons with Disabilities. As a State Party, Canada has undertaken to protect the right of these persons to vote by secret ballot in elections and public referendums, and to facilitate “the use of assistive and new technologies where appropriate” (article 29).

The *Canada Elections Act* contains provisions to facilitate voting by persons with disabilities in federal elections and referendums. Elections Canada offers a range of services to such persons (see box). However, the available services do not always permit electors with certain disabilities to vote without assistance. Elections Canada is committed to enhancing accessibility for all electors with disabilities.

Examples of Elections Canada Services for Electors with Disabilities at Polling Sites

- A voting template to help persons with visual impairments mark their ballot
- A large-print list of candidates
- Sign-language interpretation on request
- Assistance from an election officer, a friend or a relative in marking the ballot

Pursuant to section 18.1 of the *Canada Elections Act*, in fall 2010, Elections Canada received approval from the Standing Senate Committee on Legal and Constitutional Affairs and from the House of Commons Standing Committee on Procedure and House Affairs to conduct a pilot project testing an electronic assistive voting device (AVD) for use by electors with disabilities in the November 29 by-election in Winnipeg North.

This was the first time that Elections Canada organized and conducted a pilot project requiring the approval of parliamentarians for the purpose of testing electronic voting systems. The conduct of pilot projects for that purpose is authorized since 2000 under the *Canada Elections Act*. For the pilot project, the agency carefully noted the recommendations made by the Senate committee. This report responds to those recommendations, as well as the recommendation of

the Standing Committee on Procedure and House Affairs that the AVD be placed in areas visited by a large number of electors.¹

This technology has already been used elsewhere. Nevertheless, it is essential to test such a process in a federal context to demonstrate to all stakeholders – Elections Canada as well as election administrators in the regions, electors, candidates and parliamentarians – that the new electronic device can be a useful tool, integrating well into the voting process established by the *Canada Elections Act*.

For example, it is necessary to ensure that the federal election calendar allows for the electronic device to be programmed and verified before it is deployed for advance polls, taking into account the time frame between the close of nominations and the first day of advance voting; that there is sufficient staff at polling sites to ensure smooth conduct of the vote; that an appropriate communications strategy is put in place to make targeted electors aware of this voting option; that the secrecy of the vote is preserved, notably with respect to the random mark left by the device and the ballot-handling procedure used by the election officer who operates the device; and finally, that the voting process meets electors' needs.

Elections Canada chose Winnipeg North for the pilot project because it was the first electoral district for which a House of Commons seat became vacant in the time period when the agency was ready to test assistive voting technology. In addition, the riding location provided the opportunity to engage with national and local groups based in Winnipeg that represent people with disabilities.

This report sets out Elections Canada's objectives and experiences under the pilot project. It explains what an AVD is and describes the particular type of device used in the pilot. It summarizes the communications and outreach campaign mounted by Elections Canada for the pilot project. It describes the actual use of the AVD in the by-election. It presents the feedback collected from various sources concerning this device and gives a breakdown of the costs of the pilot project. Last, it presents Elections Canada's conclusion and next steps.

¹ The recommendations from the Senate and House committees, and Elections Canada's response to them, have been summarized and presented in the annex.

I. Objective of the Pilot Project

The objective of the pilot project was to determine how well a particular AVD could be integrated into the federal electoral process and whether it met the needs of users. The pilot was a first step in evaluating the AVD. If the results of the pilot project were positive, Elections Canada's next step would be to conduct a cost-benefit analysis to evaluate the feasibility of large-scale implementation in a future general election. The analysis would take into account the implementation experience of other jurisdictions. Stakeholders in the electoral process would be consulted to assess the impact of this technology on Elections Canada's accessibility objectives and to compare the impact with that of other initiatives, such as Internet voting.

Elections Canada established success criteria to evaluate the pilot (see Table 1).

Table 1 – Success Criteria for the Assistive Voting Device Pilot Project

To what extent were electors aware of the AVD pilot?

To what extent were users of the AVD satisfied with their independent voting experience?

Of electors requiring assistance, how many used the AVD?

What was the average time spent by an elector in using the AVD to vote?

In the use of the AVD, were any incidents observed that could have jeopardized the integrity or secrecy of the voting process?

Were there any problems with the deployment (logistics) of the AVDs?

Did the election calendar allow for the AVDs to be programmed and verified before they were deployed?

How much did use of the AVDs cost (all costs itemized, including training, outreach, etc.)?

2. Description of the Assistive Voting Device Used in Winnipeg North

An AVD is a piece of electronic equipment that allows an elector with a visual impairment or limited dexterity to mark a ballot independently and in secrecy.

Such devices have been used in provincial and municipal elections in Canada. Table 2 provides details of the use of AVDs by other Canadian jurisdictions, as called for by the Senate committee in its recommendations.

Table 2 – Use of Assistive Voting Devices in Other Jurisdictions in Canada

Jurisdiction	Experience	Planned future use
<p>Note: The experience of other jurisdictions is of interest, but it is not fully comparable with the experience of Elections Canada. In many cases, these jurisdictions have not gathered data that would allow comparison.</p>		
<p>New Brunswick Municipal and provincial elections</p>	<p>May 2008 municipal elections. AVD coupled with a vote tabulator used in a number of returning offices.</p> <p>September 2010 provincial election. AVD coupled with a vote tabulator deployed in every returning office and satellite office.</p> <p>Number of users: not known.</p>	<p>Status quo</p>
<p>Ontario Provincial elections</p>	<p>March 2009 by-election, Haliburton–Kawartha Lakes–Brock. AVD coupled with a vote tabulator tested in all 9 advance polls and in the returning office.</p> <p>Number of users: 9.</p> <p>September 2009 by-election, St. Paul’s. AVD coupled with a vote tabulator tested in the returning office only during the advance polls.</p> <p>Number of users: 2.</p>	<p>Planned to be deployed in every returning office and additional returning office in the upcoming provincial election (approx. 140 machines).</p>
<p>Municipal election, Ottawa</p>	<p>October 2010 municipal election. AVD coupled with a vote tabulator deployed at all advance polls and on voting day in seniors’ residences and long-term care facilities.</p> <p>Number of users: not known.</p>	<p>Not known</p>

Table 2 – Use of Assistive Voting Devices in Other Jurisdictions in Canada

Jurisdiction	Experience	Planned future use
Ontario (cont.) Municipal elections, various	October 2010 municipal elections. AVD coupled with a vote tabulator deployed in various circumstances. Number of users: not known. Municipalities: Toronto, Mississauga, Burlington, Kawartha Lakes, London, Markham, Midland, Oshawa, Peterborough, Port Hope, Prince Edward County, Quinte West, St. Catharines, Thunder Bay, Vaughan, Whitchurch–Stouffville, Windsor.	Not known
Manitoba Municipal elections, Winnipeg and Brandon	October 2006 municipal election, Winnipeg. AVD coupled with a vote tabulator used at advance polls. October 2010 municipal elections, Winnipeg and Brandon. AVD coupled with a vote tabulator. Number of users: not known.	Not known

Where vote counting is automated, AVDs have been used in conjunction with a vote tabulator. Since vote counting in federal elections is manual, Elections Canada has been interested in the devices for the sole purpose of offering an additional service to electors with disabilities – one that would enable them to vote independently and in secrecy.

Through a competitive procurement process, Elections Canada selected Dominion Voting Systems to supply AVDs on a rental basis for the Winnipeg North by-election. The supplier had to meet three primary requirements:

- The device had to have been developed with the participation of disabilities organizations and people with different abilities, and the company had to provide examples of the device’s successful use.
- The technology had to be able to accept regular ballots printed by Elections Canada, which would then be indistinguishable from and counted in the same way as other ballots cast in the by-election.
- The device needed to enable electors with disabilities to vote independently and in secrecy.

The device used in the Winnipeg North by-election provided the following accessibility features, making it suitable for electors with visual impairments or limited dexterity:

- a tactile controller with Braille buttons
- a sip-and-puff attachment that allowed voters to select options using their breath
- rocker paddles
- audio with volume and speed control for hearing choices through headphones
- a high-contrast screen with text that could be enlarged

The AVD had an audio and/or visual review function that allowed electors to confirm their choice of candidate before printing the ballot. It was also compatible with cochlear implants.

To cast a ballot using the AVD, electors first selected the language and accessibility features they wanted to use. The device provided visual and/or audio instructions.

When the elector was ready, the device displayed and/or spoke the candidates' names. The elector then used the input method of his or her choice to select a name. The device displayed and/or spoke the name of the elector's chosen candidate, giving the elector an opportunity to confirm the selection.

In response to the Senate committee's recommendation, Elections Canada ensured that the vocabulary employed in the device's audio program was as simple and straightforward as possible.

A printer attached to the AVD marked a regular ballot, which was then placed in the ballot box. The device did not store information or count votes.

At the close of polls, officials followed Elections Canada's usual process to count ballots. Ballots marked by the device were indistinguishable from those marked by hand.



High-contrast screen



Sip-and-puff



Rocker paddles



Tactile controller

3. Informing and Engaging Electors and Organizations

For the pilot, Elections Canada organized a comprehensive, multi-faceted communications and outreach campaign, with three objectives:

- to build public awareness of the AVD
- to engage organizations representing electors with disabilities and reach potential users
- to evaluate the campaign and gather feedback on the device

This section discusses the work done to generate awareness and engagement. Section 5 deals with evaluation and feedback.

Building public awareness

The agency placed advertisements and distributed messages in newspapers. For radio, it prepared a 30-second spot. For the Internet, it ran a Web banner on abilities.ca, the Web site of the Canadian Abilities Foundation. It also used direct mail and brochures. The campaign included a public service announcement on the phone-in line for Handi-Transit, a Winnipeg public transit service for persons with disabilities. Elections Canada distributed a reminder brochure to each household in the riding, mentioning that AVDs would be available in the by-election. A postcard sent to approximately 9,200 households also alerted electors to the availability of an AVD at their polling site.

The agency produced a wide range of communications products, including a how-to video with closed captioning, a backgrounder in large print and Braille, audio files for the visually impaired, a half-page print announcement and a promotional brochure in large print. The materials produced were available in multiple formats and distributed in person at public events or by regular mail. They were also available on a special Elections Canada Web page explaining the AVD. The page is located at www.elections.ca under Elections > Past Elections > Winnipeg North, November 29, 2010 > Assistive Voting Device Pilot Project.

A regional media relations advisor stationed at the local Elections Canada office provided information to local journalists and demonstrations of how the AVD worked. The agency issued news releases on the pilot project two weeks and again one week before polling day.

Elections Canada's community relations officers distributed close to 7,500 large-print brochures in community centres, pharmacies, medical clinics, bingo halls, seniors' facilities, grocery stores, churches and other locations likely to attract people who might want to use the AVD. The officers also organized kiosks in shopping malls and community centres, where electors could see and use the device and obtain brochures about the pilot. A help in establishing ties with the community was the ability of some community relations officers to speak various heritage languages.

Engaging organizations representing electors with disabilities, as well as other stakeholders

Elections Canada worked closely with the Council of Canadians with Disabilities throughout the pilot project. The Council provided advice and reviewed communications products and messaging to ensure that the approach was inclusive and appropriate. With the Council's assistance, Elections Canada also engaged with members of some 15 organizations representing persons with disabilities. They included the following:

- People First of Canada (Manitoba chapter)
- the Manitoba League of Persons with Disabilities
- the Canadian Paraplegic Association
- Community Futures Manitoba
- the Alliance for Equality of Blind Canadians
- the Canadian Council of the Blind
- the Manitoba Deaf Association

At a town hall forum for organizations representing the disabled community, Elections Canada introduced the AVD, offered electors an opportunity to try the device, and received feedback on its functionality. The agency provided communications packages about the pilot project, and invited attendees to distribute the information and promote the device in their community.

The agency engaged political parties and candidates as well. In June 2010, Elections Canada provided a demonstration of the AVD at the annual general meeting of the Advisory Committee of Political Parties, held in Ottawa. In an October 29 conference call on the by-election, the Chief Electoral Officer presented the objectives of the pilot project. In addition, at a meeting with the Winnipeg North returning officer, the agency demonstrated the device for candidates in that riding's by-election and gave them the opportunity to try it out. Candidates were also provided with communications materials for distribution.

4. Implementation of the Assistive Voting Device in the By-election

The AVDs used in Winnipeg North were designed for persons with visual impairments or limited dexterity (see Section 2).

The devices were placed in locations serving a significant number of electors – that is, at all advance polls, the local Elections Canada office, and seven central polling sites on voting day serving 35 percent of the electorate in Winnipeg North. Transfer certificates were available for electors at other polls who might wish to use the device.

The deployment, installation and operation of the AVDs required significant human resources investments. Several Elections Canada staff members received training to act as AVD attendants at polling sites, and were flown to Winnipeg for advance and ordinary polling days. Special ballot coordinators appointed by the returning officer performed this function at the local Elections Canada office. Dominion Voting Systems staff members were on site to set up the equipment and provide technical support.

When electors arrived at advance or ordinary polling sites, the information officer greeted them and directed them to the appropriate deputy returning officer, who asked every elector if he or she required assistance. Electors who indicated that they required assistance could choose to use the AVD or another of the services offered to help make voting accessible (see box, p. 39). Electors who decided on the AVD were accompanied to the device. They had the option to bring a friend, family member or other observer, as recommended by the Senate committee.

The AVD attendant provided basic instructions and confirmed the interface that the elector would prefer to use during the voting session. The attendant remained available to assist the elector or answer questions, if required. Electors were informed that they would hear the entire list of candidates, as recommended by the Senate committee, but they could select the candidate of their choice at any time. The device confirmed the name of the selected candidate before the ballot was printed. Electors could change their choice of candidate at that time.

When it came out of the printer, the marked ballot was refolded under a secrecy box in such a way as not to reveal the elector's voting choice. The elector was then accompanied back to the deputy returning officer so that the ballot could be placed in the ballot box and counted according to the usual process.

At the sites where an AVD was available, 25 people said that they required assistance to vote. Of these, five electors opted for the device – three during advance polls and two on ordinary polling day. All the electors who chose the AVD had a visual impairment and used the device's manual "audio-tactile" interface. No electors used the device during the 10-day period that it was available at the local Elections Canada office.

Twenty of the 25 electors who requested assistance chose other voting methods. One used a template, while 19 requested assistance to mark their ballot or else referred to the large-print ballot in the polling site when voting.

5. Feedback, Costs and Findings

Elections Canada focused primarily on feedback from voters, election workers and representatives of electors with disabilities to conduct its evaluation. It also conducted a survey of electors following the by-election to validate the level of awareness regarding the availability of the AVD.

As indicated earlier, this feedback was used to draw conclusions based on the criteria of awareness, user experience, extent of use, integrity, operational effectiveness and usefulness (see Table 1).

Feedback from assistive voting device users

Elections Canada gathered information from voters as they were using the AVD. Of the five electors who used the device, four were satisfied with their experience. Two of the five preferred to have the assistance of a family member, who validated their vote. All five required assistance while using the device. Most encountered difficulty following the system's instructions and saw a need for improvements in system functionalities.

One elector expressed reluctance to use the device in the future, finding it too slow. It took approximately 10 minutes for each elector to vote using the device. Three potential users decided against the AVD because they were in a rush.

Comments from election workers

Many electors who came to vote at the polls were offended at being asked whether they required assistance. Election officers had to explain why they were asking the question. Some deputy returning officers stopped asking it.

The AVD presented a number of challenges to election workers. An issue at several polling sites and the returning office was space configuration and the set-up of the device. The device screen had to be in a position that ensured secrecy. At the same time, there had to be an electrical outlet nearby as well as sufficient room for electors using wheelchairs.

There was a very narrow window of time between the issuing of the list of confirmed candidates, 19 days before election day, and the configuration and deployment of the equipment in the returning office, which the agency had set for 15 days before election day. Within this time many tasks had to be completed, including the production of sound files of candidate and party names, testing and sealing of the device, shipping of the device from Toronto to Winnipeg and training of AVD operators.

While there was sufficient time to program the audio file with the list of candidates before advance voting began on the 10th day before election day, the delivery of the devices to these sites the day they opened, their installation and their testing within a short time frame proved to be a challenge. The devices also had to be removed promptly at the close of polls.

Feedback from stakeholders

The agency held a post-election meeting with organizations representing electors with disabilities. For the meeting, it invited groups that had taken part in the pre-election town hall forum as well as other national organizations. Overall, the groups felt that this was not the right device, but that the pilot project was a step in the right direction by Elections Canada toward improving the accessibility of the electoral process and that it should explore other options.

Post-event survey

In its surveys following the November 29 by-elections, Elections Canada asked Winnipeg North electors whether they were aware of the AVD pilot project. Of the 451 respondents, 26 percent remembered hearing about the availability of an AVD for electors with disabilities. Of these, 55 percent had heard about it through television and newspapers; 14 percent read about it in a brochure, postcard or pamphlet; 11 percent heard about it when they voted; and 9 percent heard about it through the radio.

Costs

The following table provides costs related to the implementation of the pilot project. The costs include deployment of the equipment and provision of a number of services by Dominion Voting Systems. It is important that the costs of a pilot project in a single electoral district not be extrapolated to a general election conducted in 308 electoral districts. In a general election, these technical support services would have to be delivered according to a different, cost-effective business model. Costs are naturally a concern but are not the determining factor in the provision of an assistive voting service, since the rights of electors are at stake.

Table 3 – Cost of the Assistive Voting Device Pilot Project

Item	Cost (\$) excl. HST
1. Deployment of AVDs	
– Rental, shipping, set-up of AVDs and training of staff	29,700
– Contractor travel expenses for AVDs	12,438
– Production of audio files (.wav files) / Recording of list of candidates	6,466
– Purchase of custom French overlay for audio-tactile device	2,102
2. Elections Canada in Ottawa – Staff and travel expenses	37,460
3. Communications	55,356
4. Supplies, shipping and printing	1,273
Total cost	144,795

Findings

The experience of organizing and conducting a pilot project during an electoral event has confirmed the value of testing a service model for electors before making recommendations for legislative changes. A pilot project improves Elections Canada’s ability to provide operational feedback on its effectiveness and engages organizations representing affected electors in the process. Elections Canada will certainly make use of this model in future to test other electronic voting methods, with the approval of parliamentarians.

The agency has concluded that the type of AVD used in the pilot project in Winnipeg North is not a solution that lends itself to electoral events held at the federal level.

Elections Canada will therefore not proceed further with analysis of this device. Other solutions may better serve electors.

Given these findings, Elections Canada has decided not to proceed with a business case to determine the costs of using this device in a general election and the implications of using this technology over the next five years, as requested by the Senate committee. Elections Canada agrees that these are fundamental questions that it would pursue rigorously, were the agency to propose extending the use of assistive voting technologies to federal general elections.

6. Next Steps

While the optimal solution has not yet been identified, Elections Canada is committed to making it easier for persons with disabilities to vote independently and in secrecy. The agency will continue to seek additional methods that facilitate voting for these electors. The search will involve pursuing the dialogue that has already been initiated with organizations representing persons with disabilities. It will also involve further research on technological methods that may better meet the particular needs of these electors, such as registration and voting over the Internet.

In the meantime, Elections Canada will continue to offer electors with disabilities a wide range of services. They include:

- level access or, if it is not available, the use of a transfer certificate enabling an elector to vote at a nearby polling station with level access
- sign-language interpretation at polls, if requested
- a large-print list of candidates
- a template embossed with Braille and Arabic numerals that fits on top of the ballot
- assistance from an election officer, a friend or a relative
- assistance for electors confined to bed in a seniors' residence or a chronic care facility
- the possibility to vote from home or by mail

A full list of these services appears on the Elections Canada Web site at www.elections.ca under Voters > Backgrounders on the Electoral Process > Accessibility of the Electoral System.

The comments and recommendations of parliamentary committees regarding this pilot project will be of assistance for the development of future pilot projects as Elections Canada seeks to determine which alternative voting methods can best assist electors with disabilities to vote independently and in secrecy.

Annex: Elections Canada’s Response to the Recommendations of the Senate and House Committees

Recommendations of the Standing Senate Committee on Legal and Constitutional Affairs

Committee recommendation (summarized)	Elections Canada’s response
1. That prior to the Winnipeg North by-election, Elections Canada ensure that those who use the audio program of the AVD are required to hear the names of all candidates on the ballot before being allowed to select their candidate.	Electors were informed that they would hear the entire list of candidates, as recommended by the Committee, but could select the candidate of their choice at any time. This ensured that they were afforded the same opportunities as other electors.
2. That when the AVD is used by a visually impaired voter during the by-election, such voters be allowed to bring a friend, family member or other observer up to the device with them, to watch the elections officer fold the marked ballot before placing it in the ballot box.	Electors had the option to bring a friend, family member or other observer, as recommended by the Committee.
3. That prior to the by-election, Elections Canada take steps to ensure that the vocabulary used in the AVD’s audio program is as simple and straightforward as possible.	In response to the Committee’s recommendation, Elections Canada ensured that the vocabulary employed in the AVD’s audio program was as simple and straightforward as possible.
<i>Note to Recommendation 4:</i>	
<ul style="list-style-type: none"> – The Senate committee has included sub-recommendations for Elections Canada to provide information on AVD costs and performance metrics in other jurisdictions, cost estimates for the device in a general election, and the implications of using this technology over the next five years – in essence, to build a business case for changing the electoral process. – As noted earlier, while other electoral jurisdictions have used AVDs, they did not necessarily track usage by electors with disabilities. Consequently, the information available is of doubtful comparative value. – The fundamental questions raised by the committee will need to be addressed with full rigour, should the agency ever propose extending the use of assistive voting technologies to federal general elections. However, given the results of the pilot project, the agency does not recommend such an extension and has chosen not to invest further efforts and resources into building a business case in that area. 	
4. That the Chief Electoral Officer report back to the Committee within three months after the by-election, with information on:	

Recommendations of the Standing Senate Committee on Legal and Constitutional Affairs

Committee recommendation (summarized)	Elections Canada's response
<ul style="list-style-type: none"> other devices or voting methods comparable to the one tested in the by-election that might be more efficient and cost-effective 	<p>In most cases, these data are not readily available or comparable. Table 2 of the report provides the information gathered to date.</p> <p>Some jurisdictions are implementing Internet or telephone voting, which could reduce barriers for electors with disabilities. Elections Canada is planning an Internet voting pilot for a by-election called after 2013, which will require prior approval from parliamentarians.</p>
<ul style="list-style-type: none"> how well the AVD used in the by-election or any similar device performed 	<p>The pilot project demonstrated that the AVD did not meet Elections Canada's requirements; as such, comparison with other jurisdictions is of limited value.</p>
<ul style="list-style-type: none"> costs associated with this or similar devices 	<p>Information is not readily available for most jurisdictions, nor is it itemized along the lines requested.</p>
<ul style="list-style-type: none"> the number of users of this or a similar device in past provincial or municipal electoral events 	<p>Information is not readily available as, generally, jurisdictions did not track use by disabled electors.</p>
<ul style="list-style-type: none"> the number of individuals with disabilities who used the AVD in the Winnipeg North pilot project 	<p>Five electors used the device. See Section 4.</p>
<ul style="list-style-type: none"> details of the communications strategy used by Elections Canada in the by-elections 	<p>A comprehensive, multi-faceted communications and outreach campaign was implemented. See Section 3.</p>
<ul style="list-style-type: none"> whether Elections Canada believes the AVD pilot project to have been a success, the metrics used to measure its success, and a cost-benefit analysis of the pilot project 	<p>Based on feedback from voters, election workers and representatives of individuals with disabilities, Elections Canada has concluded that the type of AVD used in the pilot project in Winnipeg North is not a solution that lends itself to federal electoral events and does not meet the expectations of electors with disabilities.</p>
<ul style="list-style-type: none"> any research conducted or relevant statistics 	<p>Representatives of individuals with visual or other impairments are increasingly insisting on their right to vote independently while preserving the secrecy of their ballot. However, there is a lack of evidence-based research evaluating the effectiveness of existing mechanisms in place to assist voters with disabilities, including statistics on the need for an AVD.</p>

Recommendations of the Standing Senate Committee on Legal and Constitutional Affairs

Committee recommendation (summarized)	Elections Canada's response
<ul style="list-style-type: none"> the cost of the next general election 	The cost of the 41st general election is estimated at \$290 million.
<ul style="list-style-type: none"> the estimated costs of using the AVD in the next general election 	Should an initial evaluation indicate that a technological solution meets Elections Canada's requirements, this would be addressed during the preparation of a business case.
<ul style="list-style-type: none"> the implications of using this technology over the next five years 	

Recommendation of the Standing Committee on Procedure and House Affairs

Committee recommendation (summarized)	Elections Canada's response
1. That the AVDs be placed in areas visited by a large number of electors	The AVDs were placed in locations serving a significant number of electors – that is, at all advance polls, the local Elections Canada office, and seven central polling sites on voting day serving 35 percent of the electorate in Winnipeg North. Transfer certificates were available for electors at other polls who might wish to use the devices. See Section 4.

