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

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**Thursday, December 7, 2006**

**Chair**

**Mr. Gary Goodyear**

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• (1105)

[English]

**The Chair (Mr. Gary Goodyear (Cambridge, CPC)):** Ladies and gentlemen, let's begin the meeting this morning. Thank you all, members, for coming.

We do have a quorum, representatives from all parties, so we're going to begin. I just want to remind members that this meeting is being held in public, and as is the usual routine, we are going to need a few minutes at the end of the meeting. There are some motions before us. We'll get to those in one second, but we do want to discuss those as well.

Ladies and gentlemen, today's meeting is the continuation of the discussions of Bill C-31. We are again privileged to have expert witnesses before the committee this morning to help us with our understanding of this bill and our forward movement on the bill.

Mr. Kingsley is with us again this morning. We all know Mr. Kingsley, but I'm going to ask Mr. Kingsley to introduce himself and his colleagues. I just want to remind members that following that introduction we will move to our standard round of questioning. The first round will be seven minutes.

Mr. Kingsley, please.

[Translation]

**Mr. Jean-Pierre Kingsley (Chief Electoral Officer, Elections Canada):** I would like to thank the Committee for inviting me here today to discuss Bill C-31, An Act to Amend the Canada Elections Act and the Public Service Employment Act.

I am accompanied by Rennie Molnar, Senior Director, Operations, Register and Geography, and Michèle René de Cotret, Director, Legislative Policy and Analysis.

My presentation today will focus on a significant change proposed by Bill C-31—that is, the requirement for registered voters to provide proof of their identity and residence before being allowed to vote on polling day.

However, I would first like to inform the committee about the initiatives that my office launched in recent by-elections held on November 27 in London North Centre and Repentigny that are tied to the objectives sought by Bill C-31, and that are most relevant.

First, to reduce the risk that poll officials would accept voter information cards as proof of identity, my office instructed election workers to collect them at the entrance to the polling station. That suggestion was made here, at the committee.

Second, we modified the notice posted at the polls informing electors about the qualifications for voting to include a warning that it was an offence to vote unlawfully and to indicate the maximum punishment for doing so—up to five years in prison and a fine of up to \$5,000. I have brought copies of the notice in both official languages, and they will be distributed to committee members following my presentation.

Third, Canada Post agreed to have letter carriers collect the VICs found discarded in apartment building mail rooms in the days following the distribution of the cards. In fact, there were very few: 182 out of the some 90,000 VICs mailed in London North Centre and 22 of the some 85,000 mailed in Repentigny. But we did want to go through this exercise.

The President and CEO of Canada Post, Ms. Moya Greene, has indicated to me in writing that her office is prepared to continue this practice in future elections across the country and that they are currently determining how to do this.

Our preliminary analysis indicates that these initiatives were successful in further enhancing the existing statutory and administrative controls on the voting and registration processes.

Bill C-31 proposes to change the rules respecting voting by electors. It will require that every elector, whether on the list of electors or not, will have to prove two things before being allowed to vote. The elector will have to prove his or her identity, and the elector will have to prove his or her residential address. In order to do so, the bill proposes that the elector present one piece of identification issued by a Canadian government—whether federal, provincial or local, or an agency of that government—that shows a photograph of the elector and his or her name and residential address.

If the elector does not have this first piece of ID, he or she will have to present two pieces of identification, each of which must itself set out the name and residential address of the individual and be on the authorized list established by the Chief Electoral Officer.

Otherwise, the elector must take an oath and be vouched for by another elector whose name appears on the list of electors for the same polling division, together with proof of identification and proof of residential address.

The requirement to prove residence presents a significant challenge. It is worth noting that in Quebec, which is the only province requiring ID at the polls, electors only need to prove their identity, not their residence.

When I last appeared before you, you requested that I look at which card issued by the federal, provincial and municipal governments would satisfy the first requirement for government ID. While this research continues, I can report that there is no such card issued by the federal government.

At the provincial and municipal levels, the only cards identified up to now that likely meet the legislation's requirements are the driver's licence in all provinces and territories, the non-driver's licence or identity cards in a number of provinces and the Ontario health cards issued since 1995, which only 60% of Ontarians have.

• (1110)

Even the driver's licence, the most prevalent government-issued card and one that meets all the legislative requirements and is available in all provinces and territories, has its own limitations. Based on an analysis of the driver's licence that we have received, we estimate that some 15% of electors, or some 3.3 million people, do not have a driver's licence. As well, the chief electoral officers of other Canadian jurisdictions have pointed out that in many rural and northern areas of the country, especially west of Ontario, the address on the driver's licence is not the residential address but the postal address.

Once again, we estimate that in addition to the 15% of electors who do not have driver's licences, the licence of up to 10% of those who do have one will not satisfy the requirement for government ID because a required element will be missing.

[English]

This may be more of an issue for some provinces and territories, such as Saskatchewan and Nunavut.

In addition, as the committee has heard, some groups of electors are much less likely to have a driver's licence—in other words, they are targeted by this absence. This includes the homeless, the disadvantaged, seniors, and youth. This means, in effect, that some 4.5 million electors, one in five, will be required to prove their identity and their residence by bringing and presenting two pieces of alternative documents, as proposed by the bill.

In this regard, we have found only five identification cards that show both name and address: the federal fishing licences issued by Fisheries and Oceans Canada; cards issued by the *Centre local de services communautaires*, CLSC, in Quebec; trades cards in Quebec; some hospital cards anywhere in Canada; and the card issued by the Canadian National Institute for the Blind to its members. That is what we have found so far.

It is important to note that proof of residence is missing from a number of better known pieces of identification, including the Canadian passport, the Canadian Forces ID card, the certificate of Indian status, and the Canadian citizenship card.

We have been informed that the reason there are very few cards that show a person's residential address is because addresses obviously change frequently—16% of time, according to our statistics—and it is expensive and complicated to keep them current.

It is for this reason that in interpreting the bill, I assume that electors who do not have two cards each showing their name and address would be able to use documents such as utility bills, tax

assessments, insurance documents, and personalized cheques as proof of identity and residence. I'd like to know whether I'm mistaken in this respect or whether I'm right.

By the way, while I appreciate the confidence of the committee in authorizing the Chief Electoral Officer to prescribe the list of alternative documents, I would wish to advise you that before approving such a list I would be submitting it to this committee for its review and comment. I consider this essential in light of the political import of this bill.

In light of the foregoing, however, and the testimonies before the committee, you may wish to consider whether other alternatives would better serve the same purpose as the current proposal for proof of ID and proof of residence. For instance, the committee may wish to consider whether it may be sufficient to require that a registered elector prove his or her identity, rather than his or her identity and his or her address in order to vote—in other words, as they do in Quebec, only the identity.

Furthermore, when it comes to proving identity, the committee may wish to consider the type of identification that should be sufficient to accomplish this. For example, this could be done by requiring that electors show, one, an identity card from a list approved by the committee on the recommendation of the Chief Electoral Officer that shows their name and photo; alternatively, two documents, again following the same approval process that both show their name. This would allow the prescription of forms of ID that will serve those groups with special needs, the same ones I mentioned earlier. Or thirdly, one document with their name and requiring them to state their date of birth that could then be compared to the one printed on the list of electors, as is proposed in this very bill. Otherwise, in accordance with the bill, the elector could take an oath and be vouched for by an elector who is already on the list of electors for that polling division and who has the necessary documents to identify himself or herself. That is in accordance with the bill, if everything else fails.

We've been talking about voting for people who are already on the list, whose name is already on the list. With respect to registration at the polls, people who are not on the list, the committee may wish to consider whether it would be sufficient to require that an elector establish both his or her identity and residence through one or two types of documents, from a list approved by the committee on the recommendation of the Chief Electoral Officer, that together would establish the elector's name and residential address. Photo ID would also satisfy this requirement.

• (1115)

I also wish to advise the committee that the changes concerning identification at the polls could be implemented within six months of royal assent, but changes relating to the list of electors will require more time, as we need to make changes to our software systems, followed by extensive testing process. Also, by July 2007 we have to change all of our computers and all of our computer systems. They have reached the end of their useful life.

Mr. Chairman, this concludes my remarks. With your permission, I would like to table the chart summarizing the results to date of our research on identity cards—we've provided this to the clerk in both official languages, of course—as well as the poster that was put up in every polling station during the two by-elections recently.

My colleagues and I would be more than happy to answer any question that you may wish to raise regarding Bill C-31.

Thank you, Mr. Chairman.

**The Chair:** Thank you very much, Mr. Kingsley. That was an excellent introductory report, and certainly we will be handing out the documents you spoke of at this moment.

Colleagues, we will begin our round of questioning for the witnesses this morning.

There is just a little bit of noise in the background, and I think that's okay. I think we can continue.

Are you okay with that, Mr. Owen? You are up first.

**Hon. Stephen Owen (Vancouver Quadra, Lib.):** Sure.

**The Chair:** I just want to make sure you're comfortable with the activities. Then we will start with seven-minute rounds.

Mr. Owen, please.

**Hon. Stephen Owen:** Thank you, Chair.

Mr. Kingsley and your colleagues, thank you for being here and for your presentation.

In our previous discussions with you and other witnesses, we identified two particularly critical issues in terms of the proposed bill and the identification of people. One is the low registration of voters in particularly remote aboriginal communities. It was suggested, I think, at one time that we look for your assistance in designing a process to better target areas of clear under-representation on the voters list, the enumeration list, and whether there was some triage or other approach that could deal with them. It may be people in inner cities, in shelters. It may be people in remote communities. That seemed to be an area where there is a large degree of under-representation. Is there something remedial, some steps that we can take to target those areas?

The second issue was with respect to photo ID and government photo ID, as to whether the status cards could be acceptable. They're not listed here by you as approved government cards. Is there some way that those status cards can be standardized, and perhaps enhanced across the country, so that people living in reserve communities could actually have a photo card with status and showing their residence, at least connected to that reserve?

My final point is on the numbers you give in your report with respect to the 4.5 million electors, or one in five, who will be required to prove their identity and the way that those numbers have been accumulated. I guess I'm looking for a general impression from you, or any specific evidence you have through your experience, of whether a consequence of those figures has led to a suspicion of fraud, or actual fraud detected, or to what extent those figures contribute to declining voter turnout in federal elections.

What's the size of the pie here? What are we missing? What should we be focusing on, and what are those tools?

● (1120)

**Mr. Jean-Pierre Kingsley:** Mr. Chairman, I don't quite get the second part of the question, because I don't see the relationship between the one-in-five electors who would have to produce two pieces of documentation and perceived instances of fraud under the present system. That has me confused, quite frankly.

Perhaps I could start to answer the first question with respect to lower registration rates for persons in aboriginal communities. This is a fact of life in Canada, as it exists now. We saw at the last election that some of the measures that we have put in place are beginning to bear fruit—the Assembly of First Nations, Elections Canada, and other aboriginal communities in Elections Canada—and there was greater registration at the polls by these persons. This was discussed at this committee before.

What we do at every election, through targeted revision, is target 10% or more of the 10,500,000 residences in Canada and actually send revising agents to their door. We visited at the last election 1,400,000 residences and did what we used to call door-to-door enumeration by sending two revising agents. We identified apartment buildings with high mobility. We identified sections of cities with high mobility. We identified new developments. We identified residences where there's high turnover because people are older. We identified student residences. That's where we sent 1,400,000 visits.

We only got 232,000 persons who registered through that door-to-door visit, where we visited twice or three times. That may be an answer, by the way, about door-to-door enumeration, how successful that is now, but that is what we do. People are not answering or people are not willing to register. Now, it must be remembered that you've turned down a recommendation here. People have to produce ID at their homes to register. People have to produce the ID of a relative they wish to register. If the person is absent, gone driving, has his driver's licence, has left no ID at home, that person cannot register his spouse or her spouse. You've turned down a recommendation to make that. We would have picked up 0.6 or 0.8 more for each person we pick up through that means. With aboriginal communities, with the efforts we're deploying, I think we will have more success.

As well, I've answered the question before, and I'm sorry for taking so long, but the discussion you're having is so important. With a fixed-date election, the thought was raised here that we could do targeted enumeration or revision before the electoral process. In other words, do it even more thoroughly than we do now and have a little bit more time and have preliminary lists that have these changes in them, so that when you go door to door you will have up-to-date lists with those door-to-door visits having been completed.

You may wish to consider or reconsider whether it's necessary to have two people visit each door, whether it's necessary to have ID at the door—which was never required before when we did door-to-door enumeration in this country—whether it's necessary to have ID for people who are not there when their spouse is trying to register them. These are recommendations I made before.

With respect to your second question, perhaps I could just elaborate a little bit, and maybe that will trigger the question you had in mind.

**Hon. Stephen Owen:** Maybe I could just attempt to clarify it, if that would be more helpful to you.

**Mr. Jean-Pierre Kingsley:** Okay. Please do, sir.

**Hon. Stephen Owen:** You approximated 4.5 million electors who would have to produce the two pieces of identification. I understand that's an extrapolation from a smaller experience. With that 4.5 million people, because they're going to have to produce two pieces of identification, does that leave you to assume or suspect that either those people aren't bothering, that they're in that pocket of voters who don't vote and go into that statistic—which is, but for the reason of difficulty, a barrier, rather than simply not caring enough to vote, or complacency—or does the use of those two pieces of identification, without photo identification, lead you to suspect that there may be, or do you know that there is, some segment of fraud in people identifying themselves in that way?

• (1125)

**Mr. Jean-Pierre Kingsley:** I definitely do not know that there is any kind of fraud of that kind going on. What we were alluding to in our comments was based on our extrapolation of statistics—it's not based on experience—that 3.3 million electors do not have drivers' licences, and of the other 1.2 million, 10% have postal addresses instead of residential addresses on their drivers' licences.

What we're saying is we must anticipate that it will be difficult to get people to understand that they have to bring two pieces of ID to the polls, with their ID and their address on both. It's going to be difficult for Canadians to understand this. This is what I'm trying to underline to the committee here, which is why I proposed an alternative.

What I'm saying to you is the bill as it is drafted will create this situation, and what I've proposed is an alternative that in my view would obviate most of those difficulties.

**The Chair:** Thank you very much. We went well over on that round, but I think it was necessary.

Mr. Reid, please, seven minutes.

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Thank you, Mr. Chair.

Thank you, Mr. Kingsley. I can't remember how many times you've been before the committee as witness when I've been on the committee. I must say this is, in my opinion, your best presentation yet. It's very thorough and it's raised so many issues I want to raise that I know I won't get done in seven minutes.

Let me just start by trying to run through some issues that have occurred to me as a result of the presentation. You got a preliminary list of identification cards and documents, and this raised a question

with me. I took the trouble of looking up what people are allowed to use as documents to support their identity when they apply for a passport, just as a guide to what the government tends to expect if we want to have some security.

One of the things they list in here is they talk about the use of photocopies in some cases and they have restrictions on it. What would your position be on people providing a photocopy of some piece of ID, as opposed to the real thing?

**Mr. Jean-Pierre Kingsley:** Certainly, on the surface of it, it would not create an undue problem for me as Chief Electoral Officer. I'm just trying to think of why would they bring a photocopy of what they already have. That is another question.

**Mr. Scott Reid:** I can answer that question, because I thought about it after I saw this. I'm not actually recommending you be for or against this; I'm just throwing it out. I don't carry my driver's licence with me. When I'm driving, I have a photocopy of it and my insurance for the vehicle, which the Province of Ontario allows you to have. So if I arrived at the poll, I wouldn't have this stuff, but I'd trot out to the glove compartment and bring it back in. I could imagine that you are going to encounter voters who will do some version of that.

**Mr. Jean-Pierre Kingsley:** That could well be. As I've indicated, on the surface of it, without having examined it, it would not seem to be problematic to me, but perhaps it requires a little more study.

**Mr. Scott Reid:** I don't really have a position myself. I guess what I would like is if the legislation is passed in the current form for you to have a position either for or against ahead of time so all your returning officers will know how to act and they'll all act in a consistent manner.

**Mr. Jean-Pierre Kingsley:** Then, assuming we would want to look at that, it would be part of what we would be proposing to this committee as acceptable or not acceptable by leaving it out. But we'll look at that in more detail, sir.

**Mr. Scott Reid:** Okay, thank you.

There was an issue that was raised by a witness at our last meeting on Tuesday, and I don't think you've had a chance to examine the transcripts of that meeting, so I'll just describe it. A man named Mr. Nothing, who comes from a very small fly-in aboriginal community in northern Ontario, described a situation with which I'm not personally familiar, but you've administered elections for a long time, so I know you will be familiar with it. Effectively, the address for everybody on reserve is general delivery at the post office. But clearly there's some method you must have for differentiating people. He was expressing concerns about the address component in identification. When he said it, what I thought of was that in rural areas a lot of people do have an actual address, a concession number and a lot number, but in practice it's John Smith at RR 1, Smiths Falls, that kind of thing.

I'm relating this back to the requirement that some demonstration of address be given in the bill. How would you deal with this, or in fact do you have the capacity to deal with this? Is this a problem?

• (1130)

**Mr. Jean-Pierre Kingsley:** I view it as less of a problem, because I think we tend to forget that in those communities people actually know one another and they know where they reside. They actually do. They all live on a reserve or in a particular area and they know one another. They belong to the same community. I think somewhere along the way we tend to forget this, because we tend to think of urbanized Canada, but there's more to it than that.

In effect, when that address shows up, the people know what this means. That's Joe who lives down the road and they know that the person belongs there and is entitled to vote at that polling station, and this is what is happening.

**Mr. Scott Reid:** It's within the power of those doing the vouching, essentially.

**Mr. Jean-Pierre Kingsley:** In a sense, and the people who are actually running the polls are from those communities as well, and they know the people who come up. I think somehow we've lost track of that. There is that element that still persists. It's much more difficult in urban Canada, and I think we have to recognize that. In many parts of rural Canada it still remains a fact of life, and I think we can use that to satisfy the requirements of this statute. If they show up with a card that says this reserve or this particular concession, people will know what that means and will accept it as proof of ID, of residence.

**Mr. Scott Reid:** There was another thing that came up from another witness at that meeting. I apologize, I can't remember his name, but he was the representative of the Canadian Students Union.

**A voice:** Mr. Hepburn.

**Mr. Scott Reid:** Mr. Hepburn raised the issue of some of the concerns students have. Many of them don't have a driver's licence. I looked at the way the legislation is proposed and promised to raise the following question with you.

I remember being a student and having a student card. Virtually all colleges and universities have student cards with photo ID. The impression I have, although I stand to be corrected, is that for the most part they'd be fairly hard to forge and therefore unlikely to be useful as a means of engaging in a fraudulent vote. In other words, they're not bad ID. Universities and colleges are not, strictly speaking, government institutions, but they are created by government, either federal or provincial statute.

Similarly, bus passes or public transit passes are issued by government authorities, and I think they tend to have photos on them. The thought occurred to me that it could, under a certain interpretation of the law, be permissible to have a piece of ID that establishes your name and address and then a second piece of ID that establishes your name and your photo. This would be the bus pass or the student ID. It occurred to me that this combination might serve to allow a person to identify themselves to vote.

When I raised that with him, he said he thought that would largely solve the problem of students who don't have a driver's licence and therefore might have a problem identifying themselves, but neither of us was sure what interpretation you would take of the law and whether you think the law, as it's currently proposed, would permit

someone with this particular combination of identification to vote. That's the question.

**Mr. Jean-Pierre Kingsley:** My preliminary assessment would be those two pieces of ID would not satisfy the present requirement as proposed in the bill. Certainly the idea of accepting those two pieces of ID would fit with what I proposed as an alternative. We have listed student ID cards on our list and given the attributes of them. I don't think many of them have photographs.

**A voice:** They do.

**Mr. Jean-Pierre Kingsley:** Okay, yes they do. Then it would be very useful.

Public transportation cards, some of them have photos, others don't, but the combination of the two might be something.

With respect to students, if they are in residence, a document from an authority of the institution provided separately to electoral authorities would certainly attest to their residence to my satisfaction.

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

Again, we went over a little on that, but I think we're doing fairly well.

Madam Picard, I had your name first, but you're going to offer your time.

[Translation]

**Ms. Pauline Picard (Drummond, BQ):** I will turn the floor over to my colleague.

[English]

**The Chair:** With pleasure.

• (1135)

[Translation]

**Mr. Luc Malo (Verchères—Les Patriotes, BQ):** Good morning, Mr. Kingsley. My name is Luc Malo and I am the member of Parliament for Verchères—Les Patriotes. I took over from Stéphane Bergeron.

I would like to continue along the same lines as Mr. Reid. It is true that at the moment students can either vote at their place of residence, if they are still living with their parents, or in the place where they are attending university. These are often two different places. So students can decide for themselves where it will be easier for them to vote on polling day.

If proof of address is required, will students with a driver's licence that shows their permanent residential address, rather than their address when they are at school, nevertheless be able to vote where they go to school?

**Mr. Jean-Pierre Kingsley:** As you mentioned, in federal elections, it is the residential address that matters, not the elector's domicile. The concept is different from the provisions in the Quebec legislation. The residence is in fact the place where people say they live. Students are entitled to say that their residential address is that of their parents, and that is where they live.

The problem you mentioned can be solved easily. As I was saying to Mr. Reid, if the student's name is on a list prepared by the university, Elections Canada accepts that and would accept that as proof of residence in that location in order to facilitate things tremendously for students who wish to proceed in this way.

**Mr. Luc Malo:** So proof of residence would be issued by the university or college?

**Mr. Jean-Pierre Kingsley:** That would be acceptable proof. There might be some other documents as well, depending on the lists that the committee accepts. For example, a letter containing a bill, a lease or insurance addressed to the person at that address. The person may have his or her driver's licence in one place, but proof of insurance in the place where they are going to school. That would become an acceptable document, as I was saying earlier. So, there is a variety of documents that could be used to prove a person's residential address, for purposes of registration.

If you maintain this requirement for voting itself, provision would have to be made that this is also an acceptable document on the list of documents suggested to the committee.

**Mr. Luc Malo:** If I understand correctly, the objective is therefore to establish a long list of documents.

**Mr. Jean-Pierre Kingsley:** The objective would be to establish a long list, but a list that is also credible and acceptable as well. That is what you are seeking to do here. I tried to tell you that it was not easy, and that we have to expect that this could be a problem for average Canadians who have never had to do this before a federal election. That is why the list must be as long as possible, as you say, but it must also be credible, in order to satisfy you as representatives of the people.

So I tried to combine these two aspects in my presentation.

**Mr. Luc Malo:** I would like to go back to the beginning of your presentation, if I may. You referred to the by-elections in London North Centre and Repentigny, and you said that Canada Post helped recover the voter information cards.

What is done with these cards? I know that Canada Post does not offer "recovery" services everywhere. Is Elections Canada concerned about recovering the documents rather than having them thrown in the garbage?

**Mr. Jean-Pierre Kingsley:** The objective was to ensure that where letter carriers found a package of cards in a garbage can, for example, the day after they were delivered, they would recover them and take them back to the postmaster at the place of work. We had taken the necessary steps to have them sent to the returning officer.

That is what I discussed with Ms. Greene when I met with her recently, and she is prepared to have all cards recovered throughout the country, and to send them to the returning officers. Of course, this will not necessarily work 100% of the time, but I know Ms. Greene well enough to know that we will be able to recover 95% of these cards.

• (1140)

**Mr. Luc Malo:** Thank you very much.

[English]

**The Chair:** Madam Picard.

[Translation]

**Ms. Pauline Picard:** Mr. Kingsley, will the fact that these cards are recovered by the postmaster make it possible to get information about the elector to whom the card was delivered but who does not have the card? Could there be information provided about the fact that an elector has moved? What are you going to do with these cards you recover?

**Mr. Jean-Pierre Kingsley:** At this point, it is difficult to determine exactly who threw the card in the garbage. We need to look into this further. We could also do some studies and write to these people to ask them why they threw their card away. There may be some people who could do some door-to-door work for this purpose. There were not all that many of these cards found. That is perhaps something we could do to get a better understanding about why this is happening. I think your question is extremely relevant, and we will follow up on it. I will come back to the committee to let you know how we can explore this matter further.

**Ms. Pauline Picard:** Very well.

Have you looked at the study on the so-called bingo cards?

**Mr. Jean-Pierre Kingsley:** Yes, I have already replied to the committee in this regard with respect to the three possibilities it suggested.

**Ms. Pauline Picard:** Mr. Blanchet made a presentation a few weeks ago so that my colleagues on the committee would have a very good understanding of how the cards work. Have you seen what he had to say?

**Mr. Jean-Pierre Kingsley:** Yes. I met with Marcel, whom I know very well. He's a good friend. I am very aware of the way the system works in Quebec now. They operate under the procedures set out in the legislation—with two paid individuals. He made a recommendation in which he said that he could make the system work with one salaried person. Personally, I told you that I could do it with one individual. It would cost \$10 million for the whole country. If there were two people, it would cost twice as much.

**Ms. Pauline Picard:** Do you not think that this work could be done by the polling clerk, who assists the deputy returning officer?

**Mr. Jean-Pierre Kingsley:** Mr. Blanchet hesitated to say that he could do that, and he is the only one who has this type of experience. So I do not intend to make a commitment that goes beyond what he has committed to do.

**Ms. Pauline Picard:** I see. Thank you very much.

[English]

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

Mr. Dewar, please.

**Mr. Paul Dewar (Ottawa Centre, NDP):** Thank you, Chair.

Thank you for your presentation, Mr. Kingsley. I just wanted to establish here that, from your presentation and certainly from the previous witnesses we've heard, what we have in front of us could be construed as a barrier to people voting, the way it's presented presently, simply because they have to present photo ID where it wasn't required before.

**Mr. Jean-Pierre Kingsley:** I don't wish to characterize it like that. I wish to alert the committee to what I've found in terms of what you've requested.

**Mr. Paul Dewar:** I'm just establishing from the data you provided that where we have photo ID in what's required, there's an imbalance; I'll put it that way.

**Mr. Jean-Pierre Kingsley:** There is without a doubt something that will be asked that is not being asked now. That of course will impose a form of burden on electors.

**Mr. Paul Dewar:** Okay, that's fair. So we have a burden on voters to provide more than they had to before, we can say.

I'll say this, because I think it should be put on the record: we should be eliminating barriers for voters and citizens to vote, be it in validating who they are or in physical barriers. We've talked about those as well, in terms of people who are disabled. But we should be eliminating barriers for people to vote.

**Mr. Jean-Pierre Kingsley:** And this is what I am attempting to do through the recommendations I've made. I'm also trying to reconcile that with the objective, which I think is understandable, of maintaining the integrity of the electoral process by ensuring that only the people who can vote do vote, and that they can only vote once.

**Mr. Paul Dewar:** Exactly. With that in mind, we established that we want universal suffrage for people who are eligible. Would it not follow along those lines that we should have universal enumeration to ensure that universal suffrage is going to take place? The argument would be that if you don't have universal enumeration.... I won't get into the details of that, but conceptually speaking it's absolutely critical to have universal enumeration so that we can have universal suffrage. Can you agree to that?

• (1145)

**Mr. Jean-Pierre Kingsley:** I think it's very important to have every possible elector on the list of electors. How that is achieved is very important as well. What I've told the committee before, and through the statistics we provide, is that some 94% to 95% of the people are on the lists that we provide. Through the door-to-door enumeration that used to exist, we never achieved more than 95% of electors on the list—never. There were always 5% who were unreachable, even though we knocked on doors. This is throughout the history, and I've mentioned this before.

**Mr. Paul Dewar:** Right. But that's as of 2000, I guess. Didn't we do door-to-door up to 2000?

**Mr. Jean-Pierre Kingsley:** The last time we did door-to-door was 1997, and that's how we established the register; it started from there.

But perhaps I can answer further by saying that in my view it would be worthwhile, if there were an opportunity to check, perhaps at the same time as we do the census in Canada....

**Mr. Paul Dewar:** Gee, you stole my question. Dang!

**Mr. Jean-Pierre Kingsley:** It's called being ahead of the game.

**Mr. Paul Dewar:** Yes, and we require people, legally speaking, to fill out the census. I would like you to turn your attention to it—and you already have—because I personally believe that in terms of this bill, the first thing we need to do is make sure we tighten up the enumeration. I know you have been working on that in your

directorate, but we need to provide resources. We have two bills in front of us that will touch you. They are Bill C-2, in terms of people being appointed based on merit, and Bill C-16, on fixed-date elections. That will hopefully give you more structure to get to that ultimate goal of universal enumeration.

There is also technology and ways of doing that. I believe everyone should have to be enumerated. We shouldn't assume anything, even if they live in a suburban middle-class neighbourhood, in terms of universality of the most fundamental aspect of our democracy, the right to vote and the access to the vote. Every citizen should be treated the same; we should have a universal enumeration, and it should be done, while certainly acknowledging that we have different ways of doing it—the census component or their experience.

On technology, I know people who work in this town. We are ahead of any country, any jurisdiction, in terms of using technology and secure e-mails and that kind of thing. There are ways to do it for people in areas where you know there is not a lot of movement; you establish who they are and where they are.

I will just lead to the point where you mentioned the census data. That's important.

You said “perceived instances of fraud”. Do we have voter fraud in our country right now, as far as you know, in federal elections?

**Mr. Jean-Pierre Kingsley:** I'm not aware.

**Mr. Paul Dewar:** You have the public notice here. It states that a person who votes when not entitled or who votes more than once is committing an offence and is subject to a fine of up to \$5,000, to imprisonment for up to five years. Has anyone been charged under the act in the last three elections for voter fraud?

**Mr. Jean-Pierre Kingsley:** For voter fraud—if you include voting twice, a number of people have voted twice. They've signed compliance agreements with the commissioner to that effect. I can't remember the numbers offhand, but we pursue that at every election. We do checks because of what you just said. Everything is electronic. We can check the lists of electors and those who voted at advance polls and signed documents to that effect. We can pursue that, and we do, through analysis of signatures with the RCMP. That is something we do.

The numbers are not very high, but we do the checks. In some instances the commissioner may decide to prosecute because he feels there was real intent to fraudulently vote twice, as opposed to erroneously voting twice.

I just want to add one thing, Mr. Chairman. We have an agreement with StatsCan to test the consent question for the 2001 census already, so we are working to improve the system.

**Mr. Paul Dewar:** I only have 30 seconds; I am sorry to interrupt.

I presented to committee another option, which is to have a statutory declaration for a person. I'm concerned about the one person, one voucher idea. Something to bring to your attention is that I've submitted to committee that it would be very easy to just declare who you are, where you live, that you meet all the requirements, and sign off. That is just an idea. I don't need comment. That is just something I'm sure you're aware of.

I have ten seconds.

• (1150)

**The Chair:** I'm going to give you a little bit more time because everybody else got some, so you go ahead.

**Mr. Paul Dewar:** That is equitable, Mr. Chair. Thank you very much.

Voter cards seem to be a problem; you're been addressing that, and your report certainly addresses it. What about the idea of having the voter cards in envelopes addressed to people, bearing in mind the cost? If a piece of mail comes to my door and it's not for me, then it's sent back. One of the problems is that these cards are just sitting there, and all the information is public. I could just scoop it up if I wanted to, and take it and use it. That's part of the dilemma for people here. Has the idea of a secure piece of mail been looked at or entertained?

**Mr. Jean-Pierre Kingsley:** I'm expecting a report on this presently to see exactly what the advantages would be, because we are thinking of doing that as well. As soon as I have a reply, I could inform this committee, either through an appearance or through correspondence or both, Mr. Chairman.

**Mr. Paul Dewar:** That would be helpful. Thank you.

**Mr. Jean-Pierre Kingsley:** It is fundamentally a good idea.

**The Chair:** Yes; in fact, I remember we discussed this issue at one of your other visits to the committee. Thank you very much. We will wait for that report.

Madam Jennings is next.

**Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** Thank you.

I'll be splitting my time, so I'll take one minute and give the rest of my time to Ms. Redman.

**The Chair:** Perfect.

**Hon. Marlene Jennings:** I gave notice of motion to the committee asking that you be invited to come and talk about the costs of changes to riding names—how you arrive at the figures, a detailed breakdown. Given that you're here today, I'm asking you the question directly so that the committee doesn't have to deal with the motion. If you do not have the figures with you, I've heard a figure of \$50,000 being floated around. If in fact that's accurate, I'd like to know how you arrived at that—the actual detail, what the costs are, how it breaks down, etc. If you don't have it with you now, please provide it in writing through the clerk to the chair.

Thank you.

Ms. Redman, you have the rest of my time.

**Mr. Jean-Pierre Kingsley:** I have two numbers to give to this committee. It's approximately \$150,000 to replicate all of the related

documents, and to replicate them everywhere on the website, when there are a number of name changes to ridings. On top of that, if the name change involves more than 50 characters, including blank spaces, that flips it into half a million dollars, because we have to rewrite programs. We had not foreseen more than 50 characters for the names of ridings, and that was the longest name at the time. The creativity of people knows no bounds, so I thought I'd mention it.

In terms of the details for the costing, if the committee wishes, I will provide you with detailed costing so that you will know where every penny goes for those estimates.

**The Chair:** I'm kind of convinced that Madam Jennings would like the detailed copies—

**Hon. Marlene Jennings:** Yes.

**Mr. Jean-Pierre Kingsley:** I will provide them.

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

Go ahead, Madam Redman, please.

**Hon. Karen Redman (Kitchener Centre, Lib.):** Thank you, Mr. Chair.

I have other questions too, but I will pick up on one piece of information that I would find helpful in your costing. Can you do a breakdown between whether it was riding-by-riding costing? I'm assuming this is changing maps and relabelling them. If we were looking at bundling six to eight, I would be interested in the cost per riding versus a bundling when, granted, there will be other changes, but there will be some economies of scale. If you can make that part of your report, I think all House leadership on all sides would find that very helpful.

**Mr. Jean-Pierre Kingsley:** I'd be more than pleased to do that.

**The Chair:** Ms. Redman, I'm not going to interrupt your time; I promise I'll give you the time back.

Madam Jennings, are you officially withdrawing your motion before—

**Hon. Marlene Jennings:** Yes, I am.

**The Chair:** Thank you.

Go ahead, Ms. Redman.

**Hon. Karen Redman:** Madam Jennings is so succinct.

I would like to pick up on one of the things my NDP colleague talked about. I know we've talked about your undertaking to do some investigation in Parkdale—High Park and Trinity—Spadina, and it was very much anecdotal information. Whether or not people are charged or whether or not you found bona fide fraud, is part of the investigation looking at refinements that could deal with some of the perceived abuse? Is that part of what you do when you do an investigation?

• (1155)

**Mr. Jean-Pierre Kingsley:** Part of what we're doing is examining the whole process, especially for polling-day registrants, which you identified you would like more information about. That's where I committed. As part of that, if there is any indication of a problem, we've not found it so far, but we've not terminated our review. We're effectively trying to trace every person who registered on polling day to find where they resided on polling day. That's going on now. If there is any indication of any pattern or anything, obviously I will want to look at how we can prevent this from recurring, but there is no indication so far that this is the case. I've committed to reporting back to you on the findings once they're complete. Obviously, if there is anything there, I will also tell you what we intend to do, or what I would recommend if there is a need for a legal change to the statute—what we would be proposing so that this could be prevented. I do want to emphasize that we have found nothing like that so far.

**Hon. Karen Redman:** Do you have any sense of when you will conclude those investigations?

**Mr. Jean-Pierre Kingsley:** At this stage, we're aiming for the end of January to complete the review.

**Hon. Karen Redman:** You're also investigating convention fees. Do you have any sense of when that will conclude and we will have the results of that investigation?

**Mr. Jean-Pierre Kingsley:** Mr. Chairman, that is a matter for the commissioner, not for the Chief Electoral Officer.

**Hon. Karen Redman:** How does the commissioner report back? Does he report through you, to you, or to Parliament?

**Mr. Jean-Pierre Kingsley:** The commissioner does not report to me. The commissioner decides whether to lay charges or whether there's been an infraction about signing an agreement or whether there's a need to amend the report that has been produced. These are decisions that can flow from his investigation into any matter.

**Hon. Karen Redman:** How does that become public?

**Mr. Jean-Pierre Kingsley:** Well, if there's a charge before the courts, that becomes public. If there is an amended report, that becomes public. It's posted on our website as well.

**Hon. Karen Redman:** Thank you.

**The Chair:** Thank you.

Next, Mr. Hill and Mr. Lukiwski. You can decide who goes first.

**Hon. Jay Hill (Prince George—Peace River, CPC):** I think my name was on the list well ahead, so if that's all right with you, I will.

**The Chair:** It's perfectly okay with me.

**Hon. Jay Hill:** Well, thank you. I mean, usually that's the process, unless there's something new, Mr. Chairman, that I'm not aware of.

Thank you for appearing today.

I think it was in response to a question posed by Mr. Owen at the outset today that you mentioned something about how the entire computer system is going to have to be revamped or overhauled or whatever by, I think you said, July of next year—2007. Is that correct?

**Mr. Jean-Pierre Kingsley:** Yes. Would you like me to elaborate, sir?

**Hon. Jay Hill:** If the answer is yes, that's the question I'm asking.

**Mr. Jean-Pierre Kingsley:** The equipment we have in the field is what I'm talking about. There are over 3,000 computers in the field. The supplier contract with IBM Canada is coming to an end. They keep the equipment up to date. This equipment is now finished. Its usefulness has come to an end. They're no longer able to sustain it. As you know, they no longer manufacture what they manufactured seven or eight years ago.

**Hon. Jay Hill:** So are you talking mostly hardware, then, that has to be replaced, or software?

**Mr. Jean-Pierre Kingsley:** It's software as well. We're going to an Internet-based approach, as opposed to the system we have now.

**Hon. Jay Hill:** With this antiquated equipment—I'm assuming it's antiquated, and you're suggesting that by your comments—what happens if there's an election before July and you're in the process of the changeover?

**Mr. Jean-Pierre Kingsley:** The contract with IBM is clear; we check this regularly with IBM. They will keep alive what we have now until that date so there's a seamless switchover.

**Hon. Jay Hill:** So with the problems that many of us have identified, for example, with the lists, what sorts of assurances can you give us on the updates that have been identified and problems that have been identified? Obviously the old data is in the old software. You're going to a new system. You say you have some guarantee from IBM that it's going to be a seamless transition. With computers, I'm often reminded of the old adage, “garbage in, garbage out”.

Of course one of the problems we're trying to address is the inadequacies of the existing list. That's why you hear comments again and again when you appear before us about door-to-door enumeration perhaps, or going back to some targeted enumeration for areas of high transition and that type of thing. Communities such as the community I'm from, Fort St. John, have seen a dramatic increase in growth over the last while. Calgary would be another example, and Fort McMurray, those types of communities. I hasten to think that those lists are already considerably out of date.

What guarantees do you have, first of all, from IBM that they're comfortable there's going to be this transfer of updated data into the new system and that it will be a system that's reliable?

• (1200)

**Mr. Jean-Pierre Kingsley:** May I ask Mr. Molnar to respond?

**The Chair:** Absolutely, of course.

Mr. Molnar.

**Mr. Rennie Molnar (Senior Director, Operations, Register and Geography, Elections Canada):** Thank you.

We should separate the issues. The equipment we need to replace in the summer is the hardware and software we use in the field during an election.

The data we provide at the start of an election actually comes from headquarters. At the start of the election, we take the list we maintain centrally between elections, and we basically chop it up into 308 pieces and ship it to the individual returning officers.

So these are two separate things.

**Hon. Jay Hill:** I have some real reservations about this seamless transition, as you refer to it, to a new system, because we've seen so many examples, especially in government, of spending millions upon millions of dollars on computer software programs that are a disaster, quite frankly. As a farmer, I'm well aware of the problems inherent in the CAIS program. That has become notorious for the inadequacies of that program.

**Mr. Jean-Pierre Kingsley:** We've developed our systems through thorough testing. The Auditor General has verified this and she produced a report in November 2005. We have not had failures in our systems development on the register or on the field systems, and we intend to maintain that.

**Hon. Jay Hill:** So if there's an election, God forbid, in April or something of this year, and we've still got this old equipment, you're confident this old equipment is going to be able to be fired up in 308 ridings, and it will do a good job?

**Mr. Jean-Pierre Kingsley:** Yes, I am, because the system has proven itself. IBM is responsible for maintaining the equipment, and they do it. They've told us this is the end, and that's what we're respecting. That has been part of our plan for some time.

**Hon. Jay Hill:** I'd just say that if you're that confident it can work flawlessly in a spring election, then why are we replacing it? But I'll just let that go.

Thank you, Mr. Chairman.

**The Chair:** Okay.

Madame Picard? Everybody's okay? All right, then we will move to Mr. Dewar.

**Mr. Paul Dewar:** To come back to enumeration, I like the idea of trying to cross-pollinate and coordinate with other agencies, so I look forward to the idea of the census.

In terms of enumeration, you were saying one of the challenges was vouching for someone who might not be present—one is at the door and the other person's not present. What I'm hearing you say is if we're going to have more take on door-to-door enumeration, we should address that issue, and one way of doing that is to have a process whereby one could vouch for someone else who isn't present. Is that what I hear you saying?

**Mr. Jean-Pierre Kingsley:** What I'm recommending is what I recommended before—which was turned down—which is go back to when we did door-to-door by taking the word of the person who's answering the door and saying their spouse is also a Canadian and she or he is also 18 or over and his or her name is such-and-such and the person is registered. That's what I'm saying we should go back to.

•(1205)

**Mr. Paul Dewar:** The committee might consider having a statutory declaration of the person vouching for that person actually signing off, because a person's signature is worth something.

**Mr. Jean-Pierre Kingsley:** That is exactly what we recommended as well—

**Mr. Paul Dewar:** There you go.

**Mr. Jean-Pierre Kingsley:** —that the person would attest in writing to the names being added to the list, attest they are Canadian and they are the person being mentioned and this is their birthdate.

**Mr. Paul Dewar:** Okay.

**Mr. Jean-Pierre Kingsley:** Okay?

**Mr. Paul Dewar:** Okay. I have an amendment to work on, obviously.

In terms of your data, in terms of who has been enumerated and what we know in terms of census data, have cross-tabulations ever been done—not, obviously, right across the country—so we can establish in my riding of Ottawa Centre there are  $x$  number of citizens 18 and over and then we look at our voters list?

I see you nodding, so maybe a little report on that.

**Mr. Rennie Molnar:** When it comes to cross-tabulations, we've done cross-tabulations of counts. We don't have access to census data with names on it, so we haven't done those kinds of cross-tabulations.

In maintaining the national register of electors, we measure the quality of the list by comparing it to those census numbers. We look at the census counts and ask how many people should be Canadian citizens and of voting age in your riding and compare that to how many we've got. Then we publish those quality indicators with the preliminary list of electors at the start of an election, and every candidate should be getting a copy of those numbers.

**Mr. Paul Dewar:** In terms of new Canadians—certainly in my riding there are a number of new Canadians—is there a coordinated process when someone receives their citizenship to register them automatically on the permanent voters list? Does that coordinating function take place currently?

**Mr. Rennie Molnar:** Yes. We've had an agreement since the register was established in 1997 with Citizenship and Immigration Canada. There is a tick box on the citizenship application form such as we have on the income tax form. Some 94% of new Canadians consent to that.

What happens is that a couple of years later, when they receive citizenship, that information is transmitted to us by Citizenship and Immigration Canada. Then those people are added to the national list.

**Mr. Paul Dewar:** Is there a follow-up for those who don't respond, if someone doesn't tick it off? Presumably someone has a list of the people who didn't respond.

**Mr. Rennie Molnar:** Because they haven't consented to the transfer of that information, we don't get it.

**Mr. Paul Dewar:** Okay.

There are a number of my constituents who, for all sorts of reasons—and I'm sure it's provided as an option for them—might not access that. I'm wondering, as an idea, if there is a way to sort out the data of those who haven't been back to you, just to say, "By the way, do you know this is something that would be an option for you, or a right for you, and have you considered it?"

**Mr. Jean-Pierre Kingsley:** I don't think we've considered it. Perhaps we could approach Citizenship and Immigration and ask—perhaps you wish to add something else—ask them to write to the people who said no. We cannot know who said no.

**Mr. Paul Dewar:** Right.

**Mr. Jean-Pierre Kingsley:** They cannot tell us who said no; otherwise, they're giving us data that people don't want us to have. We don't know who they are.

Perhaps we could ask them to please write to those people again. That is something.

I don't know if we've considered that, Rennie.

**Mr. Rennie Molnar:** I don't think we have.

There is also the option for these electors, just as any other elector, to tick the yes box on their income tax form. Once we have that information, we could write to them, and if they confirm their citizenship, we could add them.

Of course with the proposed legislation, with the additional tick box for confirming citizenship, we would be able to add them directly.

**Mr. Paul Dewar:** Thank you.

Thank you, Chair.

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

Colleagues, we're now entering our third round. I'll just remind members that we're now down to three-minute rounds.

Madam Redman, please.

**Hon. Karen Redman:** Thank you, Mr. Chair.

I have two quick issues.

Mr. Kingsley, you asked us, on page 8, to react to the use of personalized cheques as well as utility and tax assessments as proof of identity and residence. That seems like a prudent thing to consider for identification. I'm just wondering, do you foresee any downside to that in any way?

With respect to my second question, you also talked about how it will be somewhat of a challenge to make voters aware that they are now going to need two pieces of ID. Has anyone in your shop turned their mind to a strategic communications plan about how we would comprehensively get this message out to Canadians?

• (1210)

**Mr. Jean-Pierre Kingsley:** With respect to the communications plan, no detailed plan has been prepared. We're waiting for third reading in the House, and then we would do detailed plans.

We have conceptualized that this is something we would have to do as soon as the legislation is passed and then do again when the

election is on, because Canadians have a way of not tuning in until the very last minute. There would have to be sensitization to what will be required. And there has to be simplification. Make it clear that people understand, simply, what it is. Of course we would have to amend all our tools, where we inform Canadians of what is required for them to vote. I think we can do it, but it will require some effort.

On the first question, I do not foresee a downside to using these. I can only see that some people may eventually think that some people are fraudulently producing these things. However, with the basic fact that we would be maintaining the trust in the Canadian electors through this system, I think we would be assured that this is not happening on any kind of a scale.

**Hon. Karen Redman:** If I had a piece of photo ID that maybe had a postal code on it, not my address, and a utility bill saying I am at a certain address, that would to me seem to fill out the whole picture.

**Mr. Jean-Pierre Kingsley:** Having a picture ID with a postal code is very difficult, because that's practically the same as an address. Maintaining that is a problem.

But certainly the idea of photo ID with the name, the person can look at the card and look at the person and say the odds are 95% that this is the same person. To me, that would carry the day.

**Hon. Karen Redman:** Sir, I thought you said earlier that one of the problems was the fact that some drivers licences had postal codes and not actual addresses. I would see this as maybe a way to ameliorate that.

**Mr. Jean-Pierre Kingsley:** I think I said postal box address.

**Hon. Karen Redman:** Not postal code, but postal box is what I meant.

**Mr. Jean-Pierre Kingsley:** Yes, and therefore they cannot establish residence with that.

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

Mr. Lukiwski, please.

**Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC):** Okay, that's a tough question for you to answer in three minutes.

We've heard a lot of testimony about the homeless and the difficulties in enfranchising them to vote, because many of them don't have pieces of identification, photo or otherwise.

One of the motions we brought forward was to encourage your office to target enumeration in areas of high homelessness. But even with that, I foresee a lot of problems, because how do you determine, if someone has no identification, that he or she is even a Canadian citizen? And the level of transiency is so high that they may not be there anyway after you enumerate them.

I'd just like general commentary from you. I don't think that anything we could ever find would be a perfect system to make sure that everyone entitled to vote actually gets to vote, because someone isn't able to demonstrate that they're eligible. I'd like to have your comments, sir, if I could, in the limited time we have left, as to how you would approach the situation to try to ensure that the homeless would have as much ability as any other citizens to cast their ballot.

**Mr. Jean-Pierre Kingsley:** To look at the system that we have now is perhaps the best answer I can provide. That is to say, many homeless people have a health card at least, some piece of ID. They have a health card. They don't have a driver's licence, but they have a health card because they need health services. And a good number of them have that.

On top of that, the system that we have now relies on obtaining either proof of residence from the people who run the shelters where they stayed the night before the election or documents from the soup kitchens where they obtained a meal, as to where they were. And that is what we use to establish residence, which is a very open—

**Mr. Tom Lukiwski:** What kind of a document would suffice?

**Mr. Jean-Pierre Kingsley:** There is a document that we have prepared called a “statement of residence”, which the people who run the shelters can fill out. It's all preset. So we do that already.

We ask returning officers to identify where these shelters are in their ridings and to visit them beforehand, and also to put up posters so that people.... There's a public notice that we put up in shelters where people reside or where they obtain soup services, whatever, and it tells them that this is going on...to get to know who the person is. So we make targeted efforts here to reach out to these people. Because of their transient nature—they're homeless—we ask for those documents very close to the event, so that we know they're there.

• (1215)

**Mr. Tom Lukiwski:** Would it be fair to say then, sir, that in your opinion—and I don't want to put words in your mouth—you're doing as much as you think can possibly be done to ensure that these individuals have the ability to vote, or are there more things you think could be done to give an even higher degree of probability to their casting their ballots?

**Mr. Jean-Pierre Kingsley:** I think we have done, through our efforts, what we could at the time.

I know that there's a report that was published recently in Quebec on homelessness, and I've asked my people to obtain it. It was reported on the day before. It deals with homelessness in Canada in general. I want to make sure that we're up to date on where there is a phenomenon, more precisely, and see if there's anything else we can be doing under the present law, which I think has allowed and does allow homeless people to vote.

**Mr. Tom Lukiwski:** Thank you.

**The Chair:** We are done that round. We will have time to come back.

Now I will go to Mr. Dewar for three minutes.

**Mr. Paul Dewar:** Related to that note, in terms of what's proposed in the bill, we have a proposition that only one person be able to vouch for a person who isn't on the list and allow them to be registered. Presently, do you have any data or any sense of whether this is a phenomenon whereby we have one person vouching for many different people?

**Mr. Jean-Pierre Kingsley:** We've looked at that, and there isn't much of it occurring.

I'm trying to remember the riding in which we looked at this. Was it Trinity—Spadina?

**Mr. Rennie Molnar:** No, it was actually in the by-elections.

**Mr. Jean-Pierre Kingsley:** Perhaps Mr. Molnar could add to this.

**The Chair:** Absolutely, of course.

Mr. Molnar.

**Mr. Rennie Molnar:** One of the things we should make clear is that under the current statute you can only vouch for one person. I just want to make that clear, because I know we've seen some testimony that kind of raises that question.

**Mr. Paul Dewar:** Okay.

**Mr. Rennie Molnar:** We ran two by-elections recently in Repentigny and London North Centre. We wanted to track how often vouching occurred. In London North Centre about 2,800 people actually registered on polling day. The numbers we got back showed that a little over 100 people were vouched for across the riding, and there were basically one or two at each poll. One poll had about 11, but that was a seniors residence. It is really not something we see occur very often, at least based on that analysis.

**Mr. Paul Dewar:** In this bill there's obviously a proposition to change what is presently the case. Just for my own clarification, the change is that the person who is vouching has to be a registered voter on the list—as opposed to more than one person.

**Mr. Jean-Pierre Kingsley:** They must have pieces of ID as well. There are two changes.

**Mr. Paul Dewar:** Okay.

In the first round we were talking about a barrier—you might call it something else—in being able to vouch for someone, compared to the present system. You're requiring further verification of who the person is doing the vouching.

**Mr. Jean-Pierre Kingsley:** There are more stringent requirements proposed on the voucher.

**Mr. Paul Dewar:** Okay.

We heard testimony in the last committee hearings that people in shelters, and in some cases with language barriers, etc., do require help and sometimes require help to get on the list. I would be very concerned about the response from Elections Canada in helping those people, that if all of a sudden we have new criteria and requirements that are more stringent than what we have presently, we would have that thought out.

I personally believe that having a statutory declaration and allowing the present system to exist, if indeed there is no problem that we've identified in terms of the vouching, we should allow it to remain the way it is, particularly if we can strengthen the enumeration process.

• (1220)

**The Chair:** Thank you.

We're over time, so I appreciate that, Mr. Dewar.

I have three names left on my list. We're sort of entering the next round. It's perfectly okay if there are no more questions, but I will then allow those who are still on my list to address our witnesses.

Mr. Hill, please.

**Hon. Jay Hill:** Thank you, Mr. Chair.

Mr. Kingsley, as it should be, a big part of your presentation dealt with this whole idea of what identification should be acceptable, or how difficult you foresee it to be for someone to have acceptable identification at the polls if they're not on the list. I'm just wondering whether there's ever been any cost analysis done on going to a system like they have in South Africa, where every voter has a picture ID card.

Obviously other countries do it; I don't know how many, other than South Africa. I had the privilege of being in South Africa last summer and met with their electoral commission. We went through the whole process they use. I think this has been raised before. They use a voter ID card. The voter must have that specific photo card, plus they ink the person's thumb.

**Mr. Jean-Pierre Kingsley:** There are a number of countries that have very elaborate systems. I think I mentioned Mexico before. They have a 12-character alphanumeric card with a photo, thumb print, signature—everything is on the card, but it's the only document they have for 50% of the population. Brazil also has something that is very thorough.

We have never done a cost-benefit analysis because it has never been contemplated. If the committee wishes, I will undertake such a study to see how much it would cost. Remember, it's costing us about \$6 million now just through databanks to do the updates from older vehicles, from the revenue files, and so on, which is very cheap for what we're achieving. But I think the cost would go up very significantly, to be honest with you, because I know how much it costs in Mexico to do this and maintain it. But it's entirely feasible.

**Hon. Jay Hill:** I would think there should be some way to do it utilizing existing infrastructure, in the sense of making a deal with the provinces. People go to the motor vehicle branch, for example, to get a driver's licence. They have the equipment right there, where you stand there and it takes your picture and prints.

There has to be some way to do it relatively inexpensively. I know that it would be obviously more costly than not having any card, but it would be one way to further address this issue of what is or isn't acceptable. If you had to have a card, and the onus or responsibility was on the individual citizen to go to get their card, then....

**Mr. Jean-Pierre Kingsley:** If we were able to maintain the present update mechanisms to provide cards to people, then it would be much less expensive than what the other countries are doing—I agree with that. Then it would be a matter of making sure that citizens are aware that the card is theirs to maintain up to date. Certainly we would be able to do it at much less expense.

That is a scenario we could develop further, if this committee at some stage would wish to have that done.

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

Mr. Reid, please.

**Mr. Scott Reid:** Thank you, Mr. Chair.

It's three minutes this time, is that right?

**The Chair:** Yes.

**Mr. Scott Reid:** Okay.

I wanted to deal with two matters, Mr. Kingsley.

You had mentioned in earlier comments that you had made a recommendation regarding the requirement to have ID at home when enumeration is occurring. We hadn't followed up on that. I think I'm expressing that badly, but I'm referring to a comment you made earlier.

Could you explain—briefly enough so I get a chance to ask the second question on a different subject—what it was you actually proposed?

**Mr. Jean-Pierre Kingsley:** Under the present law, when we do revision, we knock on doors. If the person who answers the door is not already on the list, we offer the option to register. To register, they must provide ID to us, which did not exist before when we did door-to-door enumeration. As well, if they have a spouse and a child or someone else living with them who is a Canadian and is 18 and above, they can register them only if they can provide proof of ID for these people at the door.

What I recommended to you is to do away with that, get the person who is registering these other people to sign the form at the door to say that they are registering these people who are resident at that address, who are Canadians, and provide the dates of birth. Joe Blow signs and has legal responsibility for that, because there is an attestation on the form. That's what I was recommending in order to increase the efficiency of the door-to-door targeted revision.

• (1225)

**Mr. Scott Reid:** Do you recall where you made that recommendation, so we can dig it up?

**Mr. Jean-Pierre Kingsley:** It so happens that we brought along the report. It's recommendation 2.4 of "Completing the Cycle of Electoral Reforms", which is dated September 2005, I think. It was considered here, and you rejected it.

**Mr. Scott Reid:** Okay, I'm just marking that down.

In my remaining very brief period of time—because our chair is very precise about these things—you've made a very generous and I think very appropriate promise to come back to the committee regarding the identification documents that you would consider acceptable for us to look at.

The obvious concern I have is just a practical one. It's not inconceivable that the time period necessary for all this to happen after the bill is passed, between then and when an election occurs, could be somewhat tight. I guess I'm expressing a preference, rather than asking a question. But I think you can see that in order to make this happen, to ensure that it does happen, given the fact that it's a minority government and these things can fall apart quickly, it would be awfully nice if we could try to deal with this—assuming the bill goes through—quickly, rather than slowly. I guess that's also a message to the rest of the committee, because I thought we would extend an invitation to you.

I just wanted to express that sentiment.

**Mr. Jean-Pierre Kingsley:** Perhaps, Mr. Chairman, as soon as third reading occurs, I will prepare a document that fits in with the scheme of the bill, and table it with the committee as soon as I can.

**Mr. Scott Reid:** That would be very helpful.

Thank you.

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

Mr. Preston, and a final question from Mr. Dewar. Mr. Preston, please.

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Just to move forward, again, thank you. Your presentation was very thorough this morning, so it helped to answer a lot of questions I didn't have to ask.

On the vouching, I was certain that was the case, that we currently have on law that only one person can vouch for one person. So the changes that we're making in this are simply that they must be one person who now resides in the polling division of the person they're vouching for. Is that the change?

**Mr. Jean-Pierre Kingsley:** They must be on the list already, and they must have pieces of ID themselves.

**Mr. Joe Preston:** They must be able to prove the same thing, as if they were voters.

**Mr. Jean-Pierre Kingsley:** Those are the two changes from the present system.

**Mr. Joe Preston:** You showed us letters you presented, even, about how to sign people up, whether it's at a shelter, or as you mentioned, a kitchen, or anything to that effect. We had letters where people were signing people up. Would that not be somebody vouching for more than one person?

**Mr. Rennie Molnar:** The letters we were referring to are, for example, letters we would get from a shelter administrator providing proof of address for homeless people. They are just used as proof of residence if those people need to register on polling day. So they are not vouched for in the sense that they've provided identification—a health card perhaps—saying this is who they are. Those letters serve as proof of residence, and then we register them.

**Mr. Joe Preston:** So on that letter it says that this person showed me identification to prove who he or she is.

**Mr. Rennie Molnar:** It says, "I"—the person who administers the shelter—"know this person, and I can confirm that he or she resides here."

**Mr. Joe Preston:** I'm not questioning, of course, the professionalism of anybody who runs our shelters, but it sure sounds like we're vouching for more than one person.

**Mr. Rennie Molnar:** It's attesting to residence.

**Mr. Joe Preston:** Okay.

That's all I have, thanks.

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

Go ahead, Mr. Dewar.

**Mr. Paul Dewar:** Mr. Chair, I thank Mr. Preston for his question, because that's where I was going in terms of how this would work.

We had Mary-Martha Hale, who is the chair of the Alliance to End Homelessness, and she was concerned about some consequences of this bill. Just to follow up on Mr. Preston's questioning, how would this work for the people she deals with, as you understand the bill?

We have people who are homeless. They can establish that they were indeed at this shelter or at a shelter. They have the bona fide paper that says they were in fact there, signed off by the administrator of the shelter. And then what happens to them, according to what you understand from this bill?

• (1230)

**Ms. Michèle René de Cotret (Director, Legislative Policy & Analysis, Elections Canada):** At the moment, let's deal with registration, but it's the same for voting. According to my understanding of the bill, at the moment, to register, you first have to have a government-issued document providing your address and identity and photo. They don't have that, so they immediately go to the second tier.

**Mr. Paul Dewar:** Correct.

**Ms. Michèle René de Cotret:** At that point, you would have to produce two documents, each of which proves your identity and residence. The letter from the shelter is one of these documents. You'd need another one.

**Mr. Paul Dewar:** Presently they don't need that.

**Ms. Michèle René de Cotret:** At the moment, the way the statute is written, no.

**Mr. Paul Dewar:** They just need that letter from—

**Ms. Michèle René de Cotret:** That letter from the shelter, at the moment, proves residence. They also need a piece to prove identity.

**Mr. Paul Dewar:** They need something of some sort.

**Ms. Michèle René de Cotret:** They need their health card or something.

Assuming that they only have one piece, this is when we get to the third mechanism, which is swearing an oath, then having a person who is on the list of electors for this riding and has himself or herself proof of identity and residence vouch for this person.

**Mr. Paul Dewar:** Thank you.

I think we all understand what that means, then. The present practice, and what we're talking about, will be a fairly arduous process. As we heard testimony about the other day, which was explained further today, we now are talking about having someone who would have to sign off on the fact that a person has residency in a shelter, and then a person who is on the voters list with ID would accompany that person to vouch for him if he didn't have the second piece of ID, as he has now gotten to that third tier.

**Ms. Michèle René de Cotret:** Actually, if they don't have two pieces of ID, they don't need any. They go immediately to the third level.

**Mr. Paul Dewar:** I'm sorry. Thank you, yes.

Thank you very much.

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

I hope everybody will indulge me, if I could have three minutes.

I want to ask the witnesses a question. A number of witnesses have been very cooperative with an incredible amount of useful information.

An observation was made by one of our witnesses in an attempt to help folks deemed to be homeless to obtain sufficient identification to allow them to vote in elections. This individual had assisted approximately 350 to 400 statutory declarations. Some of the examples of what they deemed to be sufficient to identify the person were things such as a rent receipt—which would probably make them not homeless, but that was something they did say—as well as anything in their pockets, such as a prescription.

My concern was that another witness had offered that these folks sometimes were subject to theft. Even if they did have identification, often it was stolen, or they suggested it was stolen. I suspected and asked the witnesses that it would make sense that the prescriptions would probably be stolen too.

Given the testimony that some statutory declarations are being signed using such things as a prescription bottle in somebody's pocket, does that create any concerns that this is a legitimate identifier?

• (1235)

**Ms. Michèle René de Cotret:** I think it was Ms. Bradford who told you they are accepting statutory declarations on the streets in Vancouver. The lawyer who accepts the oath still has to have some degree of comfort that what the person is swearing to is true, that when they are saying this is my piece of identification, they have a

certain responsibility as lawyers to be comfortable that what is being said to them is true.

**The Chair:** I am not a lawyer and I don't know what is sworn to by the lawyers.

Another statement or testimony was that some of our homeless folks can spend 15 to 45 days at a centre. Are you comfortable that in a 15- to 45-day period somebody could have comfort in knowing that person not only to be that person with a prescription bottle, but to be a Canadian citizen?

**Mr. Jean-Pierre Kingsley:** What is at stake here is the lawyer's professional reputation, because if it can be demonstrated this is not the case, that lawyer is going to be in trouble.

**The Chair:** I wasn't trying to get to that answer. I don't want to get anybody in trouble or lead to anything. I just wanted to make sure you're comfortable. That is what I'm saying. You're comfortable for those reasons.

Thank you very much. It is unusual for the chair to ask questions like that, but I hope people will indulge me that privilege.

On behalf of the committee, I would like to thank the witnesses for coming today. Mr. Kingsley, today was a great day for all of us. It is a pleasure to have you here. We seem to pull you from your duties quite often, and I appreciate your indulgence. Mr. Molnar, thank you for your information. Michèle, we certainly appreciate your coming out, and on behalf of the committee we thank you very much.

Colleagues, we have a little business to attend to. If I can take a 30-second break in the meeting, we can go in camera to discuss future business.

The witnesses are dismissed with our gratitude.

The meeting is suspended for 30 seconds.

*[Proceedings continue in camera]*

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