

March 7, 2014

## **The Fair Elections Act – Bill C-23**

### **Impact on the Right to Vote**

Overview prepared by Barbara Spronk  
for the Poverty Free Kitchener-Waterloo Action Group

Bill C-23 was passed in the House on February 4, 2014, without debate, and is now in second reading, i.e., in Committee. In their Press Release, the Government stated its rationale for the proposed changes as follows:

- Cracking down on voter fraud (a response mainly to the Robocalls scandal, but also for calls by Government MPs for 'clean-up' of some irregularities at the polls as revealed in ballot recounts)
- Making election rules clearer and easier to follow (a response to 15 cases of rules-noncompliance in the last election)
- Providing better customer service to voters (focusing – and restricting – Elections Canada advertising to the basics of voting, where, when, what ID to bring; one extra day of advance polls; more and clearer information to disabled voters on the help available to them).

The highlights of the proposed changes:

- Robocall rules: creation of a mandatory public registry for automated election phone calls, increased penalties for impersonation of election officials or other deception aimed at dissuading people from voting.
- Elections Canada role: limited to providing logistical information to voters, no more 'educational' activities.
- Election finances: fundraising for nomination candidates no longer counted as an elections expense, increased limit for individual political donations to \$1,500 per year
- from \$1,200, increase of 5% in local and national campaign spending limits, permitting candidates for party leadership to spend up to \$25,000 on their campaigns.
- Media coverage: end blackout on early results broadcasting

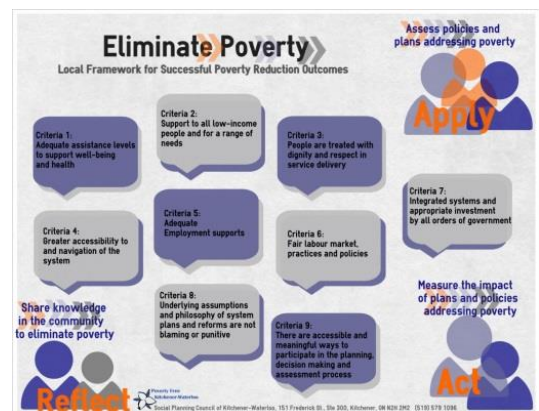


- Enforcement: shifted to Justice Department, with top election law enforcer working for the Government of the day, rather than current situation where the Chief Electoral Officer, like the Auditor General, works for Parliament and stands above partisan politics
- Elimination of vouching: voter notification cards are no longer an acceptable form of ID; no voting without proper identification; no vouching for another person's identity at the poll.

### Concerns Focused According to Criteria for Eliminating Poverty

The proposed changes have caused concern across the country. Of particular concern are the proposed changes to Elections Canada's role and ability to promote voting, changes in enforcement and, changes to what can be used for voter identification.

Using the Local Criteria for Eliminating Poverty the following apply to the proposed changes in the Fair Elections Act:



- Criteria 2 - provide support to all low-income people and for a range of needs – this must include help for voting and to be informed;
- Criteria 3 - ensure that people are treated with dignity and respect at polling stations and in the voting process;
- Criteria 4 - provide greater accessibility to and navigation of the system.

The right to vote is guaranteed by the Canadian Constitution to any Canadian citizen who is over the age of 18. This must include everyone regardless of their circumstance. Our laws should not create barriers to those living in poverty e.g. those with no identity documents or with no fixed address. Anyone facing challenges or barriers should be encouraged and supported to participate fully in the democratic process.



### **Taking Action**

Get informed about the potential impact of changes proposed in the Fair Elections Act and take part in discussions to understand the implications for our democratic society. Write to your local MP to share your concerns.

### **Links for further information:**

*Why the Act could be unconstitutional, Adam Godlenberg*

<http://www.slaw.ca/?s=Fair+Elections+Act>

*The Fair Elections Act Doesn't address the real problems with voting – Globe and Mail, Adam Shedletzky*

<http://www.theglobeandmail.com/news/politics/the-fair-elections-act-doesnt-address-the-real-problems-with-voting/article17134019/>

*Government of Canada Backgrounder: Fair Elections Act – Cracking down on Voter Fraud*

<http://www.democraticreform.gc.ca/eng/content/backgrounder-fair-elections-act-cracking-down-voter-fraud>

*A Review of Compliance with Election Day Registration and Voting Process Rules*

*Includes the Chief Electoral Officer of Canada's Response*

<http://www.elections.ca/content.aspx?section=res&dir=cons/comp/crfr&document=index&lang=e>

*LeadNow petition*

<http://you.leadnow.ca/petitions/stop-us-style-voter-suppression-from-becoming-law-in-canada>





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