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SPECIAL COMMITTEE ON ELECTORAL REFORM

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Tuesday, January 25, 2022 — 1:00 p.m.

Chair: Kate White

**SPECIAL COMMITTEE
ON ELECTORAL REFORM**

Members:

Kate White, Chair
Brad Cathers, Vice-Chair
Hon. John Streicker

Clerk:

Allison Lloyd, Clerk of Committees

Witness:

Joanna Everitt, Professor of Political Science, University of New Brunswick

EVIDENCE**Whitehorse, Yukon****Tuesday, January 25, 2022 — 1:00 p.m.**

Chair (Ms. White): I will now call to order this hearing of the Yukon Legislative Assembly's Special Committee on Electoral Reform.

Allow me to introduce the members of the Committee. I am Kate White, chair of the Committee and Member of the Legislative Assembly for Takhini-Kopper King. Brad Cathers is vice-chair of the Committee and the Member for Lake Laberge, and finally, the Hon. John Streicker is the Member for Mount Lorne-Southern Lakes.

This Committee was established by the Yukon Legislative Assembly on May 26, 2021. The Committee's purpose is to examine electoral reform and report to the Assembly its findings and recommendations. In our study of potential changes to the voting system, the Committee is seeking input from subject matter experts.

Today, we have with us Joanna Everitt. Dr. Everitt is a professor of Political Science at the University of New Brunswick in Saint John and the past president of the Canadian Political Science Association. She is currently a senior visiting fellow with the Electoral Integrity Project, run out of Queen's University and the University of East Anglia. She specializes in Canadian politics, electoral politics, gender and identity politics, and voting behaviour in Canada.

She is the author and co-editor of six books and has published over 50 articles in national and international journals and edited collections. She has been a consultant to Elections Canada, Elections New Brunswick, and the federal Leaders' Debates Commission and has presented recommendations regarding electoral reform to the New Brunswick Commission on Electoral Reform in 2017, the Canadian Parliamentary Special Committee on Electoral Reform in 2016, and the New Brunswick Commission on Legislative Democracy in 2005.

We have asked Dr. Everitt to speak to us about the challenges that governments face in enacting electoral changes and other opportunities for achieving these goals. We will start with a short presentation by Dr. Everitt and then Committee members will have the opportunity to ask questions. We will now proceed with Dr. Everitt's presentation.

Ms. Everitt: Thank you very much for having me today. It gives me great pleasure to come to speak to you about electoral reform. You have a lot of really great people talking to this Committee over the next few days and so I am going to try not to duplicate what they will be speaking to you about. I imagine, you know, that you have a good background already for the most part in terms of what electoral reform means and the value and the purpose of our electoral system in transferring votes into seats.

I want to highlight — so that we all remember that there are two key aspects of this. One is selecting the parties who govern and the second is selecting the individuals who represent us.

Now, most electoral reform is driven by those who have concerns that there is often a disconnect between the percentage

of votes received by winning parties and the percentage of seats that they win. So, our system — a single-member plurality system or first-past-the-post system, as we teach in our Canadian politics classes all the time, or any political science classes — tends to reward large parties and punish small parties. The larger parties get more seats than the votes that they actually win and the small parties, whose support is distributed across a number of different ridings, don't get as many seats. The system also tends to reward parties whose support is regionally concentrated. As a result, it is typically the smaller parties — or those who have been penalized by our system, who advocate for more proportional options and more electoral reform — that would see a more balanced distribution of votes and seats. But it is also promoted by those who see proportional representation systems, or mixed-member systems — proportional systems — as being better at ensuring the election of diverse groups of individuals — so, women, indigenous peoples, and racialized minorities. So, a lot of the push for electoral reform has come from groups representing these identities because often our legislative assemblies really lack those voices within them.

Part of the reason why electoral reform is seen as something that is valuable for these groups is that it is often more difficult for a party to argue that all of their top candidates, when they have to present a list in a PR system or a list in a mixed-member system — it is difficult to argue that all the top candidates are men, whereas in a single-member plurality system, the decision as to who the party runs as a candidate is chosen within each of those ridings, and the best candidate wins and it is possible — not really reasonable but possible — that all 70 percent or 80 percent of the best candidates are men.

So, it is this last factor that is of most interest to me, in terms of electoral reform, because I have always been interested in questions of identity and it was this that drove me in my earlier days of looking at electoral reform to advocate during the discussions in New Brunswick in the mid-2000s, switching to a mixed-member electoral system.

However, I have actually become a little disillusioned with the opportunities for success for electoral reform. I have observed the challenges that various jurisdictions have faced over time in achieving electoral reform, and so I have begun to take a slightly different approach. Yes, if you ask me which system might be best in terms of addressing some of our concerns, I would argue that a mixed-member system might be the most appropriate and most effective way to achieve more proportionate votes, seat balances, and to encourage parties to nominate more women, indigenous, and racialized candidates.

However, what I am going to talk about today are some of the challenges that our legislatures in provinces or territories face in actually succeeding with electoral reform. There are significant obstacles to achieving this reform and I am now, as a result, prepared to think about other ways to potentially tinker with our system to achieve the same results.

So, as I noted, you have lots of other experts to talk about options for reform. Let me spend a little bit of time speaking about what the challenges are and what alternative options we might consider. Then I am happy to go back to the electoral

reform during the questions and answers, but for now, this is what I think that I can contribute to the conversation.

First, what are some of the obstacles to actually reforming our system? Well, the first, I would argue, is government commitment. Governing parties often campaign on electoral reform, but they win with their single-member plurality system and, in fact, it is not really in their interest to switch to a different system. They tend to be the ones who have been big winners and therefore it is to their advantage. So, sometimes it is difficult to ensure that a government continues to move forward on this and there are lots of examples of governments who campaign on it and then drop it when they realize the difficulty of achieving it.

Second — and I think that this is really one of the challenges — even if the government is committed, the public is often very confused about what it means. Past experiences show that ad campaigns and referenda campaigns have not really been able to fully bring the public onside with regard to electoral reform. They are familiar with our single-member plurality system, first-past-the-post system, and not with mixed-member systems or PR systems or alternate vote systems or whatever options reform commissions tend to put forward. As a result, they don't always support it and that is the most difficult aspect of it, I think.

Third, this shows up through the fact that we now seem to have a political convention that, if you are going to go so far as to actually reform the system, you might actually need to have a referendum on reform. We have seen this in many different places where provinces commit to having a referendum and these referenda typically fail — or if they do achieve a certain level of support, the levels are too low for the governments to feel comfortable moving forward. So, that is a really significant burden on achieving electoral reform that I think governments need to be aware of.

Fourth, I would argue that the Canadian political culture is not as compatible to a proportional representation system, or an MMP system, as other countries. Yes, other countries have reformed and moved to these systems, but there is something about the Canadian political culture, I think, that makes this very, very challenging. First, our voters, I think, have a greater attachment to their MP or their MLA than in other places. Part of this has to do with the fact that we are such a big country — that regionalism, territorial representation, is very important to Canada. Our identity is based on where we live and so we tend to give high priority to territorial representation, rather than to ideological representation or gender representation or other sorts of representation.

Our constituencies in Canada are much larger than elsewhere. So, you know, in Britain you would have these constituencies that would be really quite small, but here — I mean, I am speaking to people in the Yukon — you know how big your constituencies are. Even in New Brunswick, it is very hard for someone like me, living in Saint John, to imagine that someone from Fredericton could be representing me — this might be the case in the PR system — or in Miramichi. New Brunswick, as a whole, is smaller than some of the ridings that you have in the Yukon. So, this is going to be a real challenge,

I think. If you want to get your population to support this, how willing will they be to say: “Okay, I am prepared to have people who are not from my area representing me”? — which is often the case in a PR system and even in a mixed-member system, which I would argue, you would probably need to have more seats than you have right now to make it work successfully.

Parties are different in Canada. There are differences between them, but those differences are not as ideologically distinct as they are in Europe or elsewhere, and so people are not driven in the same way by ideology in terms of how they vote here. So, the idea that someone who has a particular idea is representing me, as opposed to someone who is coming from where I am from is representing me, is a lot harder to bridge here in Canada than it might be. So, that political culture that we have is something that, I think, is going to be a challenge.

And so, I would argue that proportional systems don't really address voters' identification with their representatives. This could change, but it would be a major cultural shift, in my mind.

So, given these factors, if electoral reform is not going to succeed, are there other ways to achieve the goals of better representation within our current institutional structures? I would argue that, yes, there are. Lots of change can be made through simple legislative reforms that don't require major system overhaul or the potential failure in territorial referendum.

I want to get you to think about these as alternatives, not to stop you from moving legislation forward on electoral reform, but to think also about if that is not where you're going, how you can actually achieve these goals.

First off, you need to identify what the goals are that you want to achieve. Why is it that electoral reform is actually on the table? Is it because you want to have a greater diversity of voices and that you have small parties that are not getting represented? Well, one of the ways that we have done this in the past to try to encourage this greater diversity of voices is ensuring that those parties have resources to participate in the election. So, electoral financing legislation, spending limits, public funding, rebates, and per-vote subsidies are all ways that you could actually change the current election financing legislation to make it possible for smaller voices to have a better chance of being successful. Things like fixed-date elections so that parties and candidates can plan and make their decisions to get their candidates lined up to be ready and prepared, as opposed to being in a situation where decisions about elections are solely at the hands of the governing party.

If the goal is better translation of votes to seats, are there ways that this can be done without sort of a full-fledged overhaul of the electoral system? I would argue that actually ranked ballots is something to consider. It is not perfect, but it is better than our current system. I don't actually think that a ranked ballot system requires a major public referendum to approve. I think that it is something that is a tweak to our legislation. It is simply changing the ballot information, not changing the system. Others may disagree with me, but this is my position on it.

It is kind of similar to like when we started putting party labels or if you were to put candidates' photos on ballots. You could just instead change your ballots as to who is your first choice, second choice, and that then — when you don't have a winning candidate with 50 percent of the vote — could allow someone to drop off and their second-choice votes would be distributed to others so that you have a better chance of having people's choices represented.

This is likely to result in a more diverse legislative assembly in terms of parties but also potentially in terms of individuals and in terms of better representation of diverse identities. One of things, I think, and I am really, really proud of my province of New Brunswick for doing, is that they have now built incentives into their public financing legislation to incentivize parties to run diverse candidates in winnable ridings. We have always had per-vote subsidies — well, not always, but since the late 1970s, this has been part of what has happened. Each party, based on the number of votes they received, got a certain subsidy from the provincial government. It was never very much; I think that the total bucket of money that is available for this is \$700,000 in each election campaign, but it helps to support parties between one election and another. It covered the cost of maintaining the ongoing activities of parties, which can be a real challenge, particularly for smaller ones, as I noted earlier.

So, when I was talking to the last Commission on Electoral Reform in 2016-17, here in New Brunswick, I was encouraging them to think about these subsidies as a way of incentivizing parties to look at more diverse candidates. That is actually one of the recommendations that they made and the Liberal government of Brian Gallant at the time went: "This is great. We don't have to do a major overhaul; we can just tweak our current legislation." So, right now, New Brunswick is the only jurisdiction in Canada to have this — one of the few in the world that has it in this particular form. And so, each vote that a woman candidate gets equals 1.5 of what a male candidate gets. The benefit of this is that it incentivizes parties to run women and other candidates, depending on how it is set up, in winnable ridings, in ridings where they are going to get more votes. A lot of parties will nominate women, but they will nominate them in sort of swing ridings or in ridings which they are not as likely to win in, and this then incentivizes them to choose candidates in those ridings where they are more likely to get votes. It is not a lot of money and after the 2018 election, it really didn't make much difference in terms of the monies that the different parties got because they all, actually, did a better job in terms of running candidates. But, in the 2020 election, it is quite interesting. The Liberals and the NDP did not run as many women candidates in that election. The Conservatives actually ran more, and so the Conservatives ended up getting more money as a result of these incentives — this per-vote subsidy — than the Liberals and the NDP.

It basically doesn't require parties to behave in a particular way; it incentivizes them. It still gives them the ability to decide who they want as their candidate, but it gives them incentives to think a little bit more widely as to who those individuals might be. If you take a look at our seats in the Legislative

Assembly in New Brunswick, it has created a more diverse Legislative Assembly.

I would also argue that there is a lot that could be done in terms of creating more family-friendly legislatures. Now, this is not electoral reform, but if part of the goal is to have more diverse individuals in your Assembly, creating ways to make it easier for people to look at this as a career that they could actually get involved in is really important. So, being very clear and creating clear guidelines about what is acceptable and unprofessional behaviour — that is misogynistic, homophobic, racist, ableist, or other harmful or belittling ways — is really something that could be done, rather than who is involved. Develop a legislative policy on maternity, paternity, parental, adoption, or caring leaves.

As I said in a presentation I made to the New Brunswick legislature last spring, this pandemic is putting a lot of pressure on people and we have learned, through the need to have virtual hearings or meetings, that it is possible to run our governments in slightly different ways — in ways that make it possible for people to have kids at home or deal with aging or ill family members — and so, we could be a little bit more creative in how we create our structures to make it more accessible to people. Providing childcare resources for MLAs with young children and introducing greater predictability in the scheduling of legislative assemblies — there is lots that can be done. I really encourage you to think about those sorts of things as possible ways of potentially broadening the appeal of the job of an MLA to more people.

So, I guess what I would say is that there are a lot of things that you can be doing that are legislative tweaks that may achieve the goals that you may want to be addressing with electoral reform. They may not go as far as you want, but given the hurdles and the challenges that electoral reforms often face and the fact that we have been attempting to reform our electoral systems since the early 2000s across the country in different provinces and at the national level and none of these attempts have been successful — as I said, I have become a little bit more institutionalist and now look at ways that we can tweak our current institutions to get the same results without having to go for a full-fledged system overhaul.

I am going to leave it at that and answer any questions that you might have about what I have had to say or about how electoral reform was actually dealt with in New Brunswick.

Chair: Thank you so much, Dr. Everitt. I speak for myself when I say that I feel like you have blown my hair back and so I do appreciate that very much. The Committee came up together with four questions. Some will be more relevant, I think, than others and I will leave it up to my colleagues to decide whether or not they choose to ask that, but with that, I will give Mr. Streicker the first opportunity.

Hon. Mr. Streicker: Thank you, Madam Chair, and I really appreciated the presentation.

I have a whole bunch of questions that I want to follow up with, based on your suggestions about how to create other ways to improve the system, but I will start with the questions that we had prepped.

In New Brunswick's case, can you just give us a sense of how that process rolled out, what the challenges were? You have noted that across the country, it had challenges, but just from your perspective, how did that process evolve? And any lessons — even toward the suggestions that you made, if you can draw those same conclusions, that would be fine.

Ms. Everitt: Let me begin by saying that the first round of discussions was in the early 2000s, when Bernard Lord, the Conservative leader at the time, our premier at the time, set up a legislative democracy commission to take a look at democracy in New Brunswick. Part of it was electoral reform, but there were other aspects — change — that were being looked at. They went full out. It was a royal commission. He had a bunch of academics from across the country — some of whom you are listening to today or this week — who made presentations, looked at different aspects of democracy in New Brunswick, and made recommendations as to how it could be improved. There is a series of books that came out — sorry, a book that was produced — looking at it with a number of chapters based on these academic responses, and the government took those recommendations, the commission identified things that they wanted to do, they made the recommendations, and then, oh, there was an election. The Conservatives lost and the Liberals came in. They then had to choose what they wanted to do. They picked and chose; they said that they were going to do some stuff. A few things got done; fixed dates were introduced, but that was about it.

Then, okay, 10 years later, you now have the Liberals back in office again — Gallant. We had the federal Liberals who were pushing for electoral reform and provincial Liberals sort of riding on their coattails saying that: “Okay, electoral reform — we are going to do that”, and they tried to set up a commission. The Conservatives weren't that interested in participating, but we ended up with a committee that was set up. It was not a legislative committee; it was a committee of representatives from all parties in other areas that held hearings in the month of January 2017. They heard from people like myself — from Paul Howe, who will be speaking to you. They made their recommendations and that went to the government. The government said: “We have a year and a half before another election. What can we do in that year and a half? Oh, we'll go with the incentives because it is easy and it's quick and we can say we have done something.”

I am not sort of knocking them at all for doing that, but it is hard; it is really hard. That is why I think it is very difficult to make change. So, not much else got done in terms of electoral reform, despite those two different rounds of hearings over the two different decades, in terms of making change. Fixed dates — and unfortunately, our premiers have not paid attention to those fixed dates — and the incentives, which we have now gone through two elections with.

Chair: Thank you, Dr. Everitt. Just to remind everyone on today's webinar, in order to make this easier for Hansard, if you could give me an opportunity to identify the next speaker so that they are also able to record that.

Mr. Cathers, have you got a question?

Mr. Cathers: I think that you already answered one that we had on the list here, but the next one I would just ask is: What is your perspective on how a potential electoral system change might apply to a jurisdiction with a small population, like the Yukon? I guess just, in light of your presentation, could you elaborate on how some of the other alternatives that you identified might potentially apply here as well?

Ms. Everitt: Sorry for the last time, jumping in.

I think that one of the biggest challenges that the Yukon faces is that you do have a small Legislative Assembly — 19 members. So, if you were to be thinking about a mixed-member system, it would be kind of difficult. I could envision it being, okay, down to 10 constituencies perhaps, which have territorial space to them — so 10 members being selected from a constituency and then another nine or others that would be identified proportionately as top-up seats or something like that, but I would imagine that it would — you know, you are talking about very large constituencies, in terms of geographic spaces, not in terms of numbers but very large — because the idea behind a mixed-member system is that some of the seats are territorially based — you know, ridings that we have like now — and then, based on what the popular vote is, you would top up those seats. Say, for example, you had 10 ridings that were territorially based and in those 10 ridings, the Liberals got six of those seats and the Conservatives got four of those seats and the NDP got one of those — that's not right — three and one. But the Conservatives actually got more votes than should have warranted the three seats, and then those other nine seats would be used to sort of top up the Conservatives seats, such that they were based on more proportional numbers than the NDP seats. But that becomes difficult because who do those other seats represent? Who did they represent? They represent the whole territory, not specific geographic areas, which goes back to my point that we like to have geographic areas that represent us, someone we can go to and say: “You're my MLA and I have this issue. Please deal with it.”

So, I see that as being a real challenge and you may need to think carefully about the number of seats that would be appropriate in the Yukon, if you went to a mixed system.

If you went straight-out proportional, where the whole territory — all the votes come together and you don't worry about seats anymore and each party then says: “Okay, here is my list of 19 candidates.” The Conservatives get, you know, 40 percent or 50 percent of the vote and then 50 percent of the top eight or nine candidates on their list get elected. The NDP get 30 percent of the vote — the top five people on their list get elected. Then you don't have that territorial sort of link. Then, it is just a list created by the central parties. Again, from my perspective, that could be a real issue for Canadians who like to have someone they can point to — “This is my MLA”.

Those are things that I think you need to think about, that pose real challenges, particularly when you are talking about a legislative assembly the size of the Yukon. If you had — in New Brunswick, we have 48 seats or something like that; I think it's 48 — it's easier. You could say, “Well, there are 30 seats that are territorially based and then the other 18 are top-up seats.” You could potentially do it regionally and it becomes

kind of complicated, but I think that would be the real challenge that you would face going into a mixed-member system or proportional system. If you were to go to an alternate vote, ranked-ballot system that I suggested, where you have: This is my top candidate, this is my second-choice candidate, and this is my third-choice candidate — if the person who got the most votes in that constituency didn't get 50 percent, the person with fewer votes could drop off and then those votes get redistributed, you would still have your local constituencies and that would be an easier thing to do with the number of seats that you had. Does that make sense?

Chair: It does; it does. The great news is that folks can watch these videos online and go back and re-listen, if required, but it has been very helpful. I think that, at this point — so, Dr. Everitt, the questions that we had come up with were more based on when people were talking about their own systems, but because today you have broadened our conversation to include opportunities, I think that what I will do is invite members to start thinking about that.

Mr. Streicker, do you want to start with that?

Hon. Mr. Streicker: Yes, thank you, and I will build on Mr. Cathers' question and try to build it across, Dr. Everitt, to what you were discussing in terms of those other types of initiatives to improve the system.

So, in the Yukon, we are a large geography with these 19 ridings, but we also have a unique situation where roughly three-quarters of the population lives in one city and one-quarter of the population, more or less, lives outside. Then the ridings get even larger again and then local representation becomes another issue.

Could you sort of talk back about that in terms of both electoral reform but also with respect to your suggestions? For example, where you talked about financing incentives, about how that would play out, given our realities here, and the other ideas that you had around family-friendly supports, things like that. How might that play out? I will also ask, as you are thinking about that, sort of that notion of inclusion for us. We also have here — it is the traditional territory of 14 predominantly self-governing First Nations and how that might play into some of your thinking.

Ms. Everitt: Typically, as I make my cases, it is about electoral reform and diversity. It is to places where you actually don't have a good match between the portions of the population and the number of members. The Yukon, actually, is quite good in terms of the number of women whom you have elected and the number of indigenous candidates you have elected. There is a relatively proportionate representation that you have there, but that is not to say that it is always going to be the case. These incentives that I have talked about are really, really relevant in places like New Brunswick where we are still way behind everybody else in the country, or close behind everybody else in the country, in terms of the number of women in our Legislative Assembly and way off in terms of other sorts of representation.

But I think that the point you initially raised about the imbalance between the rural and the urban voters in the Yukon is a really challenging one to grapple with. Past courts have

ruled that the right to be represented, you know, that one vote equals — should be the same across the country — have basically come down and said that: Yes, but there is also that need to have that territorial representation that is there. There is some fudge room around that, but within a reasonable difference, the ridings can be within a reasonable difference. Nationally, I can't remember what it was, but I have a feeling that it was like 15 percent to 20 percent — that variation from one riding to another at the national level. So, each time that we have a regional distribution — a boundary distribution — there is sort of: How big are the ridings? How small can they be? — and there are certain things that mean some places could be very small, but what you are facing is: What is that balance? What is that philosophical value that you, in the Yukon, place on the difference between a geographic representation and the diversity that may come in a huge, huge riding versus the one vote that equals one vote everywhere across the region, which would mean that your urban centre would have almost all the seats and there would be very few outward.

I think that is a really important discussion and I know that there was recently a boundaries commission that was raising this and did some research. I think that it is something that only the legislative body can actually decide upon. I think that is something that your legislature needs to have a really good discussion about what your values are. You can make some proposals about that and use that to move forward and then allow the balancing act afterward to be in the hands of boundary redistribution commissions, because those are usually selected individuals who have some real expertise and are arm's length from political parties who are making these — based on the best assessments they can and who try to get input from others — but that decision about: What is the difference between what you would accept in one riding — is it 12,000 people? Is it a 10,000-vote difference from one riding to another? Is it at 50 percent? Is it at 25 percent? In New Brunswick, they legislated that it was a five-percent variance several years ago that you could have, which has made it really difficult as some ridings have grown and as the rural ridings have lost voters. So then, you have this real tension between the urban and rural, like you have, but nowhere near as challenging.

I think that is the key thing. In terms of the incentives, in terms of the diversity of the populations that you have, that is a real challenge. I don't really have solution to it and all I might say is that what you want to have are as diverse voices around your table — around your Legislative Assembly — as you can because everyone brings a different perspective. And as you are making decisions about what is best for the territory, you want to make sure that you have those different perspectives there because better policy comes out with diversity because there is a better sense of what people are experiencing and how those policies impact different groups of different populations. I could never speak to the impact a policy might have on someone who is in a very rural area because I have never lived in a rural area. I only understand what a policy might have in terms of my own experiences in an urban centre. I might sympathize, but to really understand the differences, I won't know. So, having someone who is from that background, from

that area, will make it a better policy that reflects the general public, as opposed to a small group of people.

So, let's find that philosophical balance — I don't have an answer for you.

Chair: Thank you, Dr. Everitt. It would be fascinating if you were able just to give us the exact answer of what we were looking for. I think that you hit the nail on the head when you talked about the difference in either philosophies or priorities, but in comparison to the Yukon with the 19 ridings, in some cases, our ridings far exceed what would be considered the acceptable bend, but we have prioritized that representation because even though a small portion of the territory lives outside of the City of Whitehorse boundaries, their experiences are drastically different and trying not to lump them all together has been important.

Mr. Streicker and Mr. Cathers, I am just going to ask a question, if I may, before I pass it over.

Dr. Everitt, one of things you talked about was legislative changes that could incentivize either that diversity or that opportunity. So, you are right, right now, Yukon's Legislative Assembly is pretty representative, but it is not guaranteed that it be that way, right? Each party recruits candidates in a different way, prioritizes people and puts them in ridings.

So, can you talk about how some of those changes that were made in New Brunswick actually caused some of those switches? You talked about the per-vote subsidy, but are there other changes that happened that led to some of those changes that you saw in the New Brunswick situation?

Ms. Everitt: I think that the jury is still out on the impact of those incentives. I think that they have made a slight difference, but because of the nature of the last couple of elections, it is kind of hard to tell. When the legislation was passed in spring 2017, it then took effect in the 2018 election, but by the time the legislation was passed, parties had already identified a lot of their candidates and so it didn't have quite as much impact as we might have thought. Some parties did a little bit better and others did not. In fact, I remember having a conversation with someone here in my own riding who is responsible for identifying and recruiting candidates for one of the parties and he actually didn't realize that was there. This was half a year before the election and so, I am like — okay, he was an MLA, and it was voted upon, but I don't think that everyone fully knew that was what was taking place or how it would be used.

Then in the 2020 election, it occurred in the fall of 2020 — we had anticipated an election in the spring, but with COVID coming, everything got pushed back. The government was working together with the opposition. People were not anticipating an election and then an election was called in the summer. The Higgs government saw an opportunity; even though it was supposed to be a fixed election date, he went for it at a period where it looked as if we might be good. New Brunswick was in a good situation; it might be safe to hold an election, and so we did. But the Liberals and the NDP were not prepared; they were still scrambling for candidates come election time and so they were not able to use this to their advantage, and so the Conservatives actually gained about

\$10,000 as a result of that election because they had their candidates signed up, they nominated more women, and those women were successful, while the Liberals and the NDP lost some of the money that they would have otherwise had in past years because they were not as successful in recruiting candidates.

So, I think that might have been an election which made the parties go: "Oh, this can be used in this way" or "Oh, we better start thinking about this in this way to make sure that we don't lose in the future." So, I think that it will be the next one that really tells us how much of an impact that legislation has.

The problem in New Brunswick is that the bucket of money is not very much. As I said, it is about \$700,000. That is a fair bit of money, but at the same point in time, it is not a lot of money when you talk about what could be used by parties in between election campaigns and how much money they need to run offices and things like that. So, really, you need to have a little bit more; in New Brunswick, we would need to have more than that to make it a real incentive, as opposed to something which they just need to be aware about.

I think that the key beauty of the incentive legislative is that it leaves it in the parties' hands. The parties still have a choice as to who they want to run. They get to choose their candidate; they get to recruit their candidate. They can be a little more careful about who they recruit or target with this incentive, but they don't have to. So, if the Conservatives, who have traditionally not been as good about recruiting women as the other parties, don't want to, that is perfectly fine. If they want to, which they did in the last election, and they get elected, they are benefiting from that. The party that actually has been benefiting the most has been the Green Party in New Brunswick because they have traditionally been more likely to nominate women candidates. The NDP, in 2018 did, but in 2020, they were not as well-organized and they were not as successful. It does leave a certain degree of decision-making in the parties' hands, but it can be a useful incentive. It was based on per-vote subsidies that had been part of the political culture in New Brunswick since the late 1970s, so it wasn't a big change, but even per-vote subsidies are an important part. It allows parties to benefit in ways that they might not have. In others, it allows a diversity of voices.

Even if you are not thinking about diversity of the candidates themselves, trying to encourage and support a diversity of parties — when we introduced election finance legislation in Canada in the 1970s, it really made a big difference. It gave the small parties an opportunity to actually fundraise in a way that was different because they could get tax credits for it. It gave them rebates for the monies that they were spending for election campaigns and then, in some places, it gave them the per-vote subsidies that allowed them to have this money seeing them between one election and another. I think that is a really important thing to think about, as well, as a way of diversifying the voices that are out there.

Chair: Thank you, Dr. Everitt.

Mr. Streicker, I interjected there, but do you have a follow-up question?

Hon. Mr. Streicker: Thank you, Madam Chair.

On the incentives, I just want to explore it a little bit more. You have used the example from New Brunswick, where you talked about a differential incentive based on women candidates. Are there other ways that can be used to promote diversity or inclusion? Like maybe in New Brunswick, because I know that you have this linguistic duality and maybe that was something. Again, any suggestions that you could have for us in our jurisdiction. I am also curious how it works if you are independent as a candidate and what difference that makes, because it does seem like the voting system has an impact on whether independents have a shot or not.

Ms. Everitt: The per-vote subsidy is linked to votes and it is important to note that — I'm sorry, did you want to introduce me?

Chair: I am working on this, Dr. Everitt, but it is such a good conversation that I don't want to interrupt, but I just have — Dr. Everitt, if you will.

Ms. Everitt: My apologies, once again.

The per-vote subsidy — it is important to note that it is linked to votes and not to candidates, because there are a lot of places that will say: "Oh, you have run so many candidates, you will get a higher rebate or higher subsidy or whatever." But it is easy for parties to run these candidates — women or indigenous candidates or other underrepresented individuals' identities — in ridings where they are not going to win. So, again, you end up with the white men getting elected. There is nothing wrong with white men, but it shouldn't only be white men who get elected.

Whereas when you link it to the votes, then the parties have incentive to run those candidates in ridings where they are going to get more votes because they will get more money for more votes. So, that is where, I think, the New Brunswick situation is actually quite unique — unique in Canada. I think that there is only one other country in the world that has linked it in that way. There are a lot of other places that have got some of this government-funded/public funding — gender-based public financing rules — but this one, I think, has the potential to make some difference. But it could be used for other groups; it could be linked to indigenous candidates, if that was an issue. It could be linked to racialized candidates as well if you wanted to make sure that you had a better representation.

In New Brunswick, you mentioned the French-English division. One of the advantages that the francophone population, the Acadian population, in New Brunswick has is that it is kind of territorially based and so it is very hard for an anglophone to get elected in northern New Brunswick because northern New Brunswick is predominantly French, and that is where most of the Acadian MLAs are coming from. They are represented in proportion to the percentage of the population of New Brunswick in the same way that, in Québec, most of the people who are being elected are Québécois, francophone.

So, when you have an identity that is territorially based — and the indigenous population in the Yukon may be part of that — but when you have an identity that is territorially based, it is easy for it to be represented. When you have an identity that is spread across the region equally, as with the case for women, it

becomes more difficult. You can't just say that only women are going to be elected — running in this particular riding.

Chair: Thank you, Dr. Everitt.

Mr. Cathers, do you have a question?

Mr. Cathers: You have been talking a fair bit, Dr. Everitt, about the per-vote-subsidy type of model. Could you just clarify for those of us who aren't intimately familiar with the New Brunswick system: Is that calculated just based on those candidates who were successful in getting elected, or is that calculated on total candidates across the province?

Ms. Everitt: All candidates. Basically, if I am correct, what happens is that Elections New Brunswick says: "Okay, here are all the candidates; here are the votes that they got. For each candidate — over all, we have this amount of money divided by X votes — X number of dollars per vote. Oh, okay, those votes that are going to women count 1.5 more than those votes that go to men." So, it is the winning and losing candidates; it is not just those who have won who are benefiting their party; it is all candidates who are running. It goes back to Mr. Streicker's point earlier about the independent candidates. Unfortunately, this is for parties and sustaining parties from one election to another, and so independent candidates don't benefit from the per-vote subsidy. They would still get their rebates and things like that if they got a certain portion of the vote through public funding, but in terms of the subsidies, it is designed to support parties between election campaigns.

Chair: Before I hand it back to Mr. Cathers, for perspective, what is the population currently of New Brunswick?

Ms. Everitt: Around 750,000 is what we usually target it at.

Chair: Thank you. Mr. Cathers, do you have a follow-up?

Mr. Cathers: Thank you, Madam Chair, and thank you, Dr. Everitt. I do appreciate also that you mentioned just comparing the respective size of New Brunswick and the population and the potential challenge that creates for some of the alternative models, as it comes down to issues like whether it means, if you are trying to have the system more reflective of the party balance, potentially a reduction in local representation or puts you in a situation of increasing the size of the Assembly.

I would ask if you had any additional thoughts on that challenge and what the pros of change are versus the downsides to changing to a different system.

Ms. Everitt: I think that we have — we have been moving in recent years to thinking that smaller assemblies are better, but I don't necessarily think that is the case. I don't have a big issue with the idea of increasing the size of a legislative assembly. I think that there are some real weaknesses with small assemblies. First off, one person can make a big difference in terms of the numbers. If you are on the government side — if I'm not mistaken — all the government members are in Cabinet because there are so many responsibilities that need to be taken. So, who on the government side is in the back benches? Who is there to say: "Wait a second. Do we really want to be doing this? Is this smart for us?" Everybody on the government side — and I am

not talking about one party or another — everybody on the government side is conscious of the fact that they can have the perks that come with the office of a Cabinet minister as long as they are toeing the party lines. Small legislative assemblies make for even stronger party discipline. That means perhaps less diversity and ideas within those parties.

In Canada, at the national level, we have 338 seats, and even that can mean that there is a pretty good chance that a government back-bencher can get into Cabinet or into a parliamentary secretary's position. So, are they really going to speak out against some of the things that their party is doing that might reflect their constituency better? Probably not. They are going to be more inclined to toe the party line, and so one of the reasons why we have such strong party discipline in Canada has to do with the size of the legislative assemblies.

In Britain — now, admittedly Britain has a much, much larger population — but they have about 200 more seats in their Legislative Assembly. There are hundreds of back-bench MLAs on the government side who knew they were never going to get to Cabinet, so they could do whatever they want. Their vote is still important, but they can say: “No, no, no — don't do that. I disagree.” Can you really do that if you are on the government side in the Yukon because of the size of your Legislative Assembly? I think we have a tendency to think that: “Oh — we are saving money. We are doing a better job; we are smaller because we have a smaller Legislative Assembly because we only have X number of people that are representing.”

But I think you need to think about that because there is a real trade-off. I am not opposed to increasing the size and that might actually be one of the ways you deal with that urban/rural split. You continue to have the ridings representing the rural components of the province but add a few more of those urban seats in order to have a balance. I don't know. Nineteen is small. I think 48 in New Brunswick is small — it becomes very difficult.

Kudos to all of you for all of the work that you have to do, because even if you are small, you still have all the tasks that a larger assembly would have to do to look after the interests of your public. That is all I will say on that one.

Chair: We appreciate that. I am aware of the time. Mr. Streicker, do you have a final question?

Hon. Mr. Streicker: Sure, and I really appreciate all of this. It is interesting to consider it in the context of here.

By the way, if we went for the population representation, if we compared to New Brunswick, we would have two and a half seats.

Ms. Everitt: Yes, I know.

Hon. Mr. Streicker: My question, Dr. Everitt — earlier you mentioned the ranked ballot. You said that this may be a way to get there. One of my thoughts around the ranked ballot is that, in a typical three-party system on a spectrum, it might advantage the party in the middle of the spectrum, and so that is one of the reasons that I wasn't sure that it did everything. It has some upsides, but I am wondering if you can talk about the downsides, from your perspective, of something like a ranked ballot.

Ms. Everitt: I think that is one of the downsides, but that is not to assume — you shouldn't just assume that the Liberals, who we often assume are the party in the middle, will get the votes from the NDP or get the second choice from the Conservatives. They often do, but often the votes go back and forth across those lines, and you might want to talk to — I know that you have Peter Loewen coming later in the week. He has been doing a lot of work around voting and voting behaviour, but it is not a guarantee that the middle party is going to get the other votes, because there are differences — I think similarities in some of the ideological bases of the parties to the left and parties to the right have to do with ideas of community and responsibility that are not always linked to economic values. Someone could vote typically NDP and then have their second choice as the Conservatives, but I do think that there is something to be said about the middle party benefiting slightly more, which might have been why the Liberals, federally, were interested in that as an option, as opposed to the other parties who would prefer to see a different type of system. That is one of the challenges.

Chair: Just before we wrap up, is there a final word of advice or caution or encouragement that you would like to offer us here in the Yukon?

Ms. Everitt: Yes, all the best. Again, in an ideal situation, electoral reform would work and there are systems that are better than ours, but ours is not bad in comparison to other systems around the world. The fact that we have multi-parties in a single-member plurality system is pretty amazing because most systems only have two, like the Americans or even in Britain to some extent. The fact that we have the representation that we do, under the system that we have, is actually pretty good. I mean, we are not high in comparison to other places that have mixed-member or proportional systems, but we are much higher than other places that have single-member plurality systems.

So, in Canada, we have managed to make it work to some extent, but it is very difficult, I would say, to achieve electoral reform. If that is the route that you want to go, recognize those challenges, but also keep in mind how some of the goals that you want to achieve with this electoral reform might be achieved in other ways.

As I have said, I have become somewhat cynical about electoral reform being successful and so I have started looking at these other ways of doing it, which are tinkering around the edges but moving, in my mind, in the right direction.

Chair: Thank you so much, Dr. Everitt.

Before I adjourn this hearing, I would like to say a few words on behalf of the Committee. First, I would like to thank the witness, Dr. Everitt, and I would also like to thank the Yukoners who are listening and watching this hearing. Several more hearings with experts from across the country are scheduled for this week. Transcripts and recordings of the Committee's hearings will be available on the Committee's webpage at www.yukonassembly.ca/scer.

The Special Committee on Electoral Reform will soon be launching a survey to collect feedback from the public and the

Committee also intends to hear from Yukoners at public hearings in the future.

With that, this hearing is adjourned.

The Committee adjourned at 2:00 p.m.