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SPECIAL COMMITTEE ON THE
CITIZENS' ASSEMBLY ON
ELECTORAL REFORM

Vancouver

Tuesday, December 14, 2004

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**SPECIAL COMMITTEE ON THE
CITIZENS' ASSEMBLY ON ELECTORAL REFORM**

Vancouver
Tuesday, December 14, 2004

Chair: * Jeff Bray (Victoria-Beacon Hill L)

Deputy Chair: * Kevin Krueger (Kamloops-North Thompson L)

Members: * Blair Lekstrom (Peace River South L)
* Rob Nijjar (Vancouver-Kingsway L)
* Judith Reid (Nanaimo-Parksville L)
Joy K. MacPhail (Vancouver-Hastings NDP)
* Elayne Brenzinger (Surrey-Whalley Ind)

** denotes member present*

Clerk: Craig James

Committee Staff: Jonathan Fershau (Acting Committee Research Analyst)

Witnesses: Dr. Jack Blaney (Chair, Citizens' Assembly on Electoral Reform)
Dr. Ken Carty (Citizens' Assembly on Electoral Reform)
Susanna Haas (Citizens' Assembly on Electoral Reform)
Marilyn Jacobson (Citizens' Assembly on Electoral Reform)
Patrick Lewis (Citizens' Assembly on Electoral Reform)
Don MacLachlan (Citizens' Assembly on Electoral Reform)
Dr. Leo Perra (Citizens' Assembly on Electoral Reform)

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Citizens' Assembly on Electoral Reform

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MINUTES

SPECIAL COMMITTEE ON THE CITIZENS' ASSEMBLY ON ELECTORAL REFORM



Tuesday, December 14, 2004
10 a.m.
Morris J. Wosk Centre for Dialogue
Strategy Room 420
580 West Hastings Street
Vancouver, British Columbia

Present: Jeff Bray, MLA (Chair); Kevin Krueger, MLA (Deputy Chair); Rob Nijjar, MLA; Blair Lekstrom, MLA; Judith Reid, MLA; Elayne Brenzinger, MLA

Unavoidably Absent: Joy MacPhail, MLA

Others Present: Jonathan Fershau, Committee Researcher

1. The Committee received a briefing on the final Report of the Citizens' Assembly on Electoral Reform.
Witnesses
Citizens' Assembly on Electoral Reform
Dr. Jack Blaney, Chair
Ken Carty, Chief Research Officer
Leo Perra, Chief Operations Officer
Marilyn Jacobson, Director of Communication
Don MacLachlan, Associate Director of Communication
Susanna Haas, Project Coordinator and Member Liaison
2. The Committee congratulated the Officials of the Citizens' Assembly on Electoral Reform for the outstanding work they performed in fulfilling the Assembly's terms of reference.
3. The Committee was advised of a congratulatory letter being sent to the Members of the Citizens' Assembly on Electoral Reform by the Chair, Mr. Jeff Bray, MLA.
4. The Committee adjourned at 11:47 a.m. to the call of the Chair.

Jeff Bray, MLA
Chair

Craig James
Clerk Assistant and
Clerk of Committees

TUESDAY, DECEMBER 14, 2004

The committee met at 10:17 a.m.

[J. Bray in the chair.]

J. Bray (Chair): I'll call the meeting to order, if I may. Thank you for your patience while we flew through the storm to get over here. I appreciate that, and I appreciate all the members and also all the staff from the citizens' assembly being here so close to the holiday season.

This will be our final meeting with the members of the citizens' assembly, so I'm looking forward to hearing the briefing on the final report. With that, Dr. Blaney, I will pass it over to you.

Citizens' Assembly Final Report

J. Blaney: Mr. Chair, thank you very much.

My two colleagues to my right, by the way, have always wondered why they don't get "Dr." before their names as well. I said: "There is some pecking order here, you know." [Laughter.]

J. Bray (Chair): It is on the agenda, anyway. They have the "Drs." there.

J. Blaney: I think we should just check out the legitimacy of Ken Carty's PhD. Sometimes when we've done that at universities, we have been surprised, as you may have heard.

K. Krueger (Deputy Chair): Are you glad this is on the record, Ken? [Laughter.]

J. Blaney: It's now a routine thing to do, by the way. When you hire people and they say they've got a PhD, we actually now phone the universities and make sure they do in fact have their PhD. However, that's not what you came here to hear.

We are very pleased to be here. The committee has been very important to us. I indicated that to the cabinet on Friday — that this has been a very helpful committee. I have to say that the two Chairs have always been available. I phoned them quite often about: "Do you think that...?" We just bounce ideas and everything else of that sort. I want to thank all of you on behalf of all the staff and the members.

The other thing you have done is confirmed and reaffirmed our independence. There has never been a suggestion of the way we ought to do things or whatever. That has been greatly valued by ourselves and by the members. So thank you very, very much. For that, we give you the baseball hat, you see.

The staff that are with me today. There's Leo Perra. He's been in charge of operations and administration and finance. Ken Carty, as you know, has been the chief research officer and planned the learning program. Don MacLachlan has worked with Marilyn Jacobson. The two of them have shared the whole matter

of communications, which has been a humongous kind of task in terms of what we are doing. Susanna Haas over there has been the chief liaison with members and has done a whole bunch of other kinds of things as well — helped us recruit people in the very beginning. Patrick Lewis is our editor. We finally realized we needed someone to help us with the report. And Christina Wong is my assistant.

I want to mention the staff members because, first of all, they are an extraordinary staff. They've worked so well together. To pull this staff together as quickly as we have and to have everybody do their job so exceptionally well — and there are several who are not here — is quite amazing.

[1020]

I point this out because this report is the members' report. The staff's job was to assist the members in terms of getting here, all the logistics, learning what they had to learn, coming to learn how they ought to work together and to finally kind of make a decision on a recommendation — all of which.... We had no idea from the beginning what they would do.

I've worked with Ken Carty now for a year and a half. I have no idea whether Ken has a preferred electoral system. The members have no idea of my view as to what is the most preferred electoral system. That wasn't our job. Our job was to help them make their report. This is definitely their report. We helped them write it, but we took it to them at all times, and if it wasn't right, we took it back and did some more rewriting.

It's their report, their recommendation, their decision. I think that if we had worked on it only by ourselves and had not worked with members, it's very likely we would have come up with something quite different. That kind of objectivity and being there to help members was a very, very strong part of, if I may say, the success of the assembly. It is their report. That's why their names are front and centre.

The other thing that I'm very pleased about... I hope this will come across the right way. It's not known, like a lot of commissions, as the Blaney report; it's the citizens' assembly report. That's what Gordon Gibson talked about in the paper this morning. It's the report of the citizens' assembly. That's kind of unusual. That was our intention right from the beginning, and I sure know that it was the Premier's intention as well — that it was going to be the citizens' assembly report. We're proud of our members that they've done it that way.

By the way, I don't know if any of you read or heard or viewed my comments to cabinet. I'm going to just make a few of those comments again but very, very briefly.

You know this is historic. It's never been done before. It's getting a lot of attention around the world, and a number of us have and will continue to give speeches about it. A lot of academics will follow it up. Ken will probably, in the next year or two or more, be writing about it and following it up and doing more research.

It was the first time that ordinary, non-elected citizens have ever undertaken an important public policy question and actually made a recommendation that

will go straight to voters. To be even more specific, this is the first time that voters have ever designed a voting system — ever in the world in any democracy. It would seem quite reasonable to ask voters to go out and design the system by which they would like to elect their representatives, but it's never been done before at all. It's always been done by politicians, or political scientists have made recommendations, and it's gone back to politicians. I'm going to come back to that at the end. The system that has been proposed to you is a voter system. It's designed by voters for voters. I think that's why, in large part, you've got the system that has been proposed to you — because it has been designed by voters. As I say, it's the first time that's ever been done before.

At the very beginning, you, as Members of the Legislative Assembly.... It was unanimously approved — the terms of reference and how this was all to be set up. I have to tell you that you were very prescient, very smart, because you did, I think, all the right kinds of things. If we were asked to redesign this, there are some administrative things that we would probably fix up and change, but the overall design was right on.

In our view, you have set the standard — the new gold standard, if you like — for engaging citizens in some very, very meaningful way. That they were randomly invited was terribly important. Even when we came back to you and asked for two aboriginals for representation, again, they were randomly chosen from those who were randomly invited in the first instance. That random principle was terribly important, because people represented themselves or British Columbia, but they didn't represent any particular organization or group. If we ever do something like this again, that random principle would be important.

The other feature of this that you decided was that there ought to be gender balance. There were 80 men and 80 women. We've commented several times that we don't think that any other element was more important than gender balance for the civil discourse that we had. The members, whether male or female, are very proud of the fact that we had such gender balance.

You gave us an important task that members knew was important, but the fact is that you put a very sharp focus on it. I think that allowed us, then, to complete our job on time, rather than going all over the place and looking at other kinds of things.

[1025]

You gave us independence. I referred to that at the very beginning. We appreciated it. The independence was there all the time. It was real, it was constant, and it was there. I know that a few members were a little bit cynical at the beginning, because governments don't do that. They don't give you a task like this and leave you alone. And we did.

Finally, you gave the assembly a lot of power, which has never been done before — the power to make a recommendation directly to the people of British Columbia. All in all, this has been, as I say, historic. No one's done it before. But if they're going to do it again and they really want to engage citizens in a way

in which they're trusted and in which they'll rise to the occasion and show the kind of commitment that our members have shown, then I think these are the kinds of things that probably need to be put in place.

I'd also like to mention that we did it on budget — as a matter of fact, a little under budget. That was something that we discussed at the beginning. You hired Leo and Cathy, and they never give you enough money, so.... We're very pleased about that.

Now, you know what the assembly's done. You know that at the very beginning, for three and a half months, they learned about various electoral systems. They learned about how to work together. You know that in May and June we had 50 public hearings all around this province. It was really kind of gratifying for everybody to see parts of the province they'd never, ever seen before and to have people come to these public hearings who came not only to make presentations but to have a kind of a town hall thing on things political. We allowed people, then, to basically talk about anything that was political.

Even during that process, we were very impressed at how non-partisan things were — in the public hearings, a few partisan commentaries, but very few. The members of the citizens' assembly themselves were remarkably non-partisan. Hardly any partisan comments were ever within the assembly itself.

Then we came together in the fall to make a decision. Where I'm going to focus the remaining part of my comments.... I think the most important part is to have a discussion with members of the committee to see what's on your minds. The assembly decided that before they would look at various systems in detail to see which one they would like or whether they should keep the current first-past-the-post, they would concentrate on: what were their most important underlying values? What was most important to them in terms of criteria for choosing a system?

These were established, and these were very, very clear before they went to the various systems. Indeed, they were instrumental, in the end, for recommending that we move to a system beyond first-past-the-post, and they were very clear, in the end, for saying that we prefer the single-transferable-vote method as opposed to mixed-member proportional. The values were very clear, and they were used to make their decisions.

There were three. One was that election results ought to be fair and proportional. They asked the question: if there were an election tomorrow in this province or another one and if the party winning the most votes got 40 percent of the popular vote, should it have roughly 40 percent of the seats or 60 percent of the seats? As you know, in B.C. and every other province in this country and even in Canada, if you get about 40 percent of the votes and you win more votes than anyone else, you get about 60 percent of the seats. The members said that's not fair.

They took a look at the results of the 1996 election, where one party got 38 percent of the votes and one party got 42 percent of the votes. You know very well which party had the most seats and had the govern-

ment for five years. Our members said that's not fair. Then we looked at the results of the 2001 election. There was a majority — 58 percent, just about — by one party. Other voters, at about 42 percent, voted for different parties, but they were represented by 3 percent of the seats. The members said that's not fair. They opted for what they call proportionality in election results so that seats in the House would mirror the percentage of votes for that party.

The second value that was very important to them was local representation. They wanted to ensure that even if, for example, in the system they suggested, ridings are kind of knitted together into three, four, five, six or whatever, overall in a region we would not diminish the number of MLAs. If North and South Peace, for example, were put together, we'd still have two MLAs for that region. Whereas there is another system — mixed-member proportional, for example — where it would be possible that in putting those two ridings together, you might have a much larger riding, but you might end up with just one MLA. Having local representation for ridings was very, very important in making their decisions.

[1030]

The third one, perhaps at least as important as the first, was voter choice, or: "Let's have more power for voters." As we went around the province — and we believe we mentioned this to you previously — we heard one thing from everybody regardless of whether they were proposing this system, that system or another system or whether they were there just to participate in the town hall meeting. They felt that parties have too much power over the candidates, that there's too much party discipline.

I remember the mayors of a couple of towns saying: "We elect persons to represent our community to Victoria, but what happens is that they get elected and they represent Victoria to our community." This was very, very prevalent all throughout British Columbia. As our members also participated in community groups, they also picked up the fact that their fellows, whether they were in Rotary Clubs or whatever, felt that there was too much party discipline, that the leaders of the parties had too much control over MLAs — and in particular, of course, the Premier. They felt that they wanted to have system whereby the voter took some of that power, to put in bluntly. There is a transfer of power from the party to the voters, and that was another reason why they decided on this system.

I will conclude by just talking about what happens, for example, when the voter goes into the voting booth. It's going to be very different if this is approved by the voters on May 17. Let's take Vancouver, where now we have ten ridings. It might be five and five. The voter goes into the voting booth, and he or she will see that they'll have probably, let's say, five Liberals, five NDPs, five Greens or whatever. The fact is that it will probably be less than five. If you want to get into that later, I'll tell you.

You're electing five candidates. This time, since I used: "If you're staunch Liberal...." I used that in cabi-

net, so this time let's use the example.... Let's say you're a staunch NDPer. You walk into there, and you look at the five or four NDP candidates that are running. You have to choose your first preference. Your first preference is your most important one. You're asked to rank one, two, three, four, five. You can rank more if you like; you can rank fewer, but people probably will rank one, two, three, four, five. Now, you have four or five NDP candidates in front of you — or Liberal, if you're a Liberal.

Your first vote is very important. What's happening is that the NDP candidates and the Liberal candidates are not just competing against, let's say, NDP against Liberal and Green; they're competing against themselves. Because when you make that first preference and you're voting Blair Lekstrom over another....

B. Lekstrom: Good choice.

J. Blaney: Good choice.

I won't use another example around the table — Mary Smith. When you make that choice, of course, you are choosing amongst the Liberals who are there, and this gives you an enormous amount of power.

Normally, as you know, under the single-member plurality system we've got, the nominating meeting very often for many ridings is where the main competition is. It's not in the election itself. There are many ridings, traditionally.... This election was, I think, anomalous this last time around. Generally speaking, if you were in Point Grey or Vancouver East or whatever, basically, the nominating meeting is the real contest. The election result is pretty well known.

That will no longer be the case. There will be no safe seats. This is where a lot of power has been transferred to the voter. The voter will take a look at these four or five Liberals or four or five NDP or whatever and rank these one, two, three, four. But the voter might do something else as well. The voter might rank the first two choices — of Liberals, let's say, or NDP — but the third choice might go.... I've used the example that Phil Owen might come out of retirement and run as an independent, maybe on the basis of what he's going to do for the downtown east side. Whether this person might be a staunch Liberal or NDP.... "You know, I'm going to give Phil Owen my third preference, because I think he's going to do a really great job for us."

[1035]

Independents, with this system, with the BC-STV.... This system gives independents the best chance, a better chance than any other voting system. Again, whether they're even a staunch party supporter, their third choice might go, and then their fourth choice.... They might give it to the NDP, and the fifth choice: "Hey, I'm going to give this to a Liberal. Even though I'm not Liberal, this time I'm going to do it because this person has really been good about economic issues or whatever." The voter has incredible power. A lot of that power was once held by the party.

I think Gordon Gibson made this point in his article this morning — a very good article in the paper — ex-

plaining this system. When the MLAs are also in government, they will probably have, I think, a greater sense of responsibility to the community. When something is before the Legislature and they say, "Listen. I don't think my constituents are going to quite like this," they may or may not vote with the party, because they know that's where the source of power is. They also know that if they are a very popular Member of the Legislative Assembly, they can run as an independent.

These are two very powerful differences from the current system. Local representation has remained the same — differently laid out but about the same. But if this system is approved, we're going to find two major changes. One is that seats in the House will be proportional to the number of votes. That will be a fairly major change. The second major change is that the voter has more power. Considerable power has been transferred to the voter. That's why I said at the very beginning that this is a system designed by voters. Again, we had no idea what the members would have decided at the very beginning of this, but I suppose, if one thought about it, that if you put a bunch of voters together, they might design a system that has a bias towards power to the voters, and indeed that's what they've done.

You have the report now. Purposely, we made it 16 pages. Actually, it's about eight pages for the recommendation and about another eight pages about process. That was very deliberate. We wanted it to be accessible. We wanted people to read it, rather than 250 pages. It will be mailed to every household in British Columbia in mid-January, the third week in January. In addition, you will receive, as MLAs on the committee, a copy of the technical report, which will be about 250 pages — or 300 pages, Patrick?

P. Lewis: It's 280.

J. Blaney: It's 280 pages, with all the details: instructions to Elections B.C. about counting and whatever, all the details about the hearings, who made submissions and all those kinds of things — probably much more detail than you'd ever want to know, certainly much more detail than we think the citizen wants to know. We're only doing about 1,500 copies of that, but it will be on our website.

That's what we've done. You know most of that, but I did want to highlight, I think, the values that the members used and upon which they based their decisions. All of us here would be delighted to respond to any kinds of questions that you might have.

J. Bray (Chair): Okay. I will open it up now for questions.

R. Nijjar: On page 7 you have a graph. It shows the percentage vote for each party in this last election and therefore the result — how many parties won what seats and what would have happened under this new system, BC-STV. How do you determine what would have happened under BC-STV for this last election?

How could you possibly do that when you don't know what the second, third, fourth, fifth, sixth preferences would have been?

J. Blaney: I'm going to let Ken answer that. I can answer it, by the way, but I will have Ken answer it.

K. Carty: Basically, this system, like other proportional systems, works out so that seat shares are very close to vote shares. Within plus or minus one seat, the seat shares are going to reflect vote shares. In some sense, what you would really get under this system is something that looks very close to what the vote shares would be.

Now, it's quite clear that had this system been in place, the vote shares would have been different — right? People might have voted differently if they knew that the system was going to work differently, but if that's what the vote shares had looked like in any given election, that's about what the seat shares would look like. It might vary by one or two, depending on how particular constituencies worked out. You're quite right. There might have been an extra independent or something elected, but basically that pattern would be pretty close. That's, in some sense, why there are no exact numbers on there — because we're talking about relative proportions and we're talking about the character of the relationship.

[1040]

R. Nijjar: I think, therefore, it would have been more accurate to write it down rather than having a graph to say that the seat share would be more proportional to the vote share in the graph to the left, because this makes it seem like this would be the vote share, which is not actually accurate. It may be accurate to say that the seat share would be more reflective of the vote share, but...

K. Carty: You're right. The text says that. The trouble is that you can't know what the vote share would be in any given election, but had it been that, that's roughly how the seats would have come out. I think that's what we said. Had it been in place in the last election, if that's what the vote share would have been, that's what the seat share would have been as compared to what the seat share was.

I mean, it's to illustrate in a clear way the kind of principal difference in the two systems. One produces proportional outcomes and one doesn't. You know, that's, I think, what is illustrated there. It speaks to the underlying principle, not the details.

R. Nijjar: Can I ask one more question?

J. Bray (Chair): Yes.

R. Nijjar: I guess this question would go to Ken, since you're in charge of research. On page 2, in the very last paragraph of that page, it talks about majority governments of the past, and it says: "We have all seen

ineffective or divisive majority governments, and we have seen progressive and successful minority governments that work through legislative coalitions, particularly the federal governments of the 1960s." It's my understanding that the longest a minority government has stayed in place in Canada, of federal governments, is 18 months. That topic has been a flavour these days because we have our first minority government in quite a while.

I'm just curious. I'm not asking for the whole history of the 1960s, of course, because we'd be here for 50,000 years. However, what kinds of things did you look at when you looked at the governments of the 1960s? Am I wrong to say that the longest we've ever had a minority government is 18 months? It's my understanding that that's what the federal government is telling us now.

K. Carty: The second Pearson government lasted from '65 to '68. In the 1920s we had one from 1920 to 1925 that was essentially a minority. So we've had longer ones.

I think the members talked about the sixties as being the period of these governments that produced the Canadian flag, that produced the B and B royal commission and the transformation of that, that produced medicare, that produced the Canada Pension Plan — this wide range. It was an extraordinarily productive and creative period in our history that kind of set the template. All that came out of minority parliaments.

Members, in fact, often pointed to that, saying that clearly we've had some short-term ones. Joe Clark was not one that you want to maybe repeat every week, but we did have this series in the sixties that in fact has set the template for Canada for two generations. This comes after a section in which they said, "We understand that a big cost is going to be that we're probably going to lose majority governments unless voters vote for them," but they said: "We want to add this comment that suggests that we know they can work, and they have worked in Canada in the past." That's why they wanted this when they pointed to this particular period.

J. Blaney: Mr. Pearson had about five years of a minority government — right?

K. Carty: Yes.

J. Blaney: He had two sets, but he had about five years altogether.

K. Carty: From '63, and then he went to '65, when Walter Gordon talked him into an election because he thought he could win a majority. Then he didn't, so then they went from '65 to '68. Pearson was never a majority Prime Minister and is now rated by historians as maybe one of our greatest Prime Ministers because of what happened in these years.

R. Nijjar: In glancing through this and also in discussions that we've had and documents that have come

forward from the citizens' assembly, it seems to me that in the deliberations and the assessment of the citizens' assembly, a lot of the focus was on the election process itself — that 28-day period. Who are the candidates? How many candidates for each party? We've talked about how there could be multiple members from the B.C. Liberal Party or the NDP party that are competing against each other in one riding. Therefore, you're voting for one particular candidate rather than just the party, because there is more than one.

We've talked and it's in here. It talks about those 28 days of that election period. How much of a focus, how much education, was put on what happens after those 28 days?

For example, it's great to have proportionality, and it's great to have independent candidates to choose from on a list and to be able to support them while you still maybe support the party that you like, but how much of a discussion was there about what an independent voice means in any system in the Legislature, compared to a non-independent voice? And how much of an education was given to the citizens' assembly members about what it means to be a different type of MLA?

[1045]

There is a tier. There's an MLA that is in cabinet — on the government side, of course. There's an MLA that's on the government caucus. There's an MLA that's in the official opposition. There are MLAs that are not in the official opposition but in opposition. Then there are independent MLAs. And they do have different powers.

Quite frankly, my personal view is that I don't know of a system where an independent MLA has any more of a voice in another system than they would under our current system. In the 28-day period that... The proportional and the independent are, I think, great. That's great, but what education was given of what that's going to mean and how it's going to play out?

One of my concerns is that the citizens' assembly members may have thought: "Okay, we have two or three NDP members or B.C. Liberal members or Green Party members to vote for, and therefore, once the election is done, we know what that particular MLA will stand for, because we can question him compared to his colleague." But regardless of the proportional breakdown of the Legislature, either you're on the government side or you're not. If you're on the government side, you're on that government team, and you have a Premier, a cabinet and a caucus. So how would the supposed control of the Premier and the cabinet over its colleagues differ just because there's the proportional difference? Were these kinds of things discussed?

K. Carty: I think they were discussed endlessly. I think you're absolutely right that they are absolutely critical. One of the reasons they wanted a more proportional system, it seems to me from all the debate I heard, was not because they wanted, on election night,

to say, "Oh, the votes translated into seats," but because they wanted a Legislature that over its life would reflect, in fact, the basic views of the assembly and that those voices should be in the Legislature rather than in the streets.

Why I think — and this is what I think Jack was referring to earlier — they like the STV system is because they thought that it came closer than any other system to kind of eroding some of those very differences you've talked about and that it, more than any other system, has a possibility for putting MLAs on a more equal footing.

If you have a system in which MLAs are more sensitive to their local constituents because they have to be.... There are no safe seats, they are more competitive, and party leaders can't say, "We are going to vote this way," with quite the same kind of confidence, because people will say: "No, I'm not, because I'll lose my seat if I do that. I may lose my seat to a fellow member of my own party, but I'll lose my seat." Members can't be pushed around, so there's a little bit of a restriking of the balance. Of course, Premiers are always more important than opposition backbenchers, but there is a restriking of the balance.

In that process, over time caucuses begin to operate differently. They're made up of members who come in a rather more equal way, so the caucuses can, in their own internal affairs, reflect some of those kinds of realities. Is it going to produce a system in which all members are equal every day? Of course not. They're not going to be Premiers; they're not going to be cabinet ministers.

I think members were concerned for precisely the kinds of reasons you identified — that this was, they hope, a system.... There's evidence that it works this way in other places — in the Australian Senate, in the Irish Parliament and other places where the system is used. There is a more level playing field among members, because they have a more equal and more independent political base and the need to nurture it that generates that kind of difference.

I think that in fact those things were at the very heart of their interest in this system. They moved to that themselves because it was precisely those things about making local representation more effective and making their MLAs their own that was driving them.

J. Blaney: Just to add to that, the other comment we heard in the public hearings over and above particular systems, just general kinds of concerns.... I told you about one, and that was about the pervasive effect of party discipline. Almost everybody wanted to see some reduction in party discipline.

The other was that they wanted some reduction in adversarial, confrontational politics everywhere we went — north, urban areas. It doesn't matter. It didn't matter whether they were defending the current system or another system. What they were hoping for was that it would let politics in B.C. be less confrontational, less adversarial.

[1050]

There is some reason to believe that.... The members believe that the system they're proposing has the potential to be less adversarial.

B. Lekstrom: Just a couple of questions for clarification. Going back to when you spoke about the lower mainland and ten ridings.... We'll use that as an example so I can get my head around this. Right now there are ten ridings. People go to the polls, elect ten separate MLAs based on majority of votes.

J. Blaney: Well, in Vancouver they probably will have five and five, so five candidates. Vancouver now has ten ridings. Probably what they'll do there is take five as one kind of riding — five members for one and five members for another.

B. Lekstrom: I guess that's what I'm getting at. Right now there would be ten separate sectors represented in the Legislature with MLAs. Now we're going to separate those ten down into two. There would be two distinct areas of representation and then, of course, five elected representatives in each of those. The amount of ridings.... If this is accepted by the people of British Columbia, our riding map will change significantly. The vision of that is going to be up to Elections B.C. or...?

J. Blaney: The boundaries commission.

B. Lekstrom: The boundaries commission will determine. I'm going to assume this. In the north we now have the South Peace and the North Peace. We would probably have a northeast region, I would have to guess.

E. Brenzinger: Aren't they changing anyway in the next...?

K. Carty: The boundaries will change after the next election under the current law.

B. Lekstrom: Right — or be reviewed.

K. Carty: Yes. Inevitably they change, because populations have moved and so on. As you suggested, one plausible reorganization is that there might be one Peace River district with two members. The assembly recommends that there be no fewer than two and no more than seven. They vary depending on local conditions. There might be four in the Kootenays or something, depending on the populations.

B. Lekstrom: The reason I raise this is that during the last boundaries commission, it was clear — I sat through the hearings in Dawson Creek and listened — that people wanted to maintain two separate ridings, the North Peace and the South Peace. I just want to make sure — I'll go to my next question on the communications strategy — that if people are going to cast

their vote on May 17 on what they would like to see, they would understand that. I haven't heard that discussion yet from people who say: "Well, that system seems to make sense."

Does it mean we actually become one riding or two ridings here? That's the balance I think I raised last time. Somehow — and we can't do it, because it's a boundaries commission issue — people have to be aware that this could change the boundaries of our electoral regions. I think that's going to be important for them to understand when we do this.

The communications strategy. I know this is going out in mid-January. I've just had a chance to go through it briefly. What further communications strategy do we have? I believe members of the commission are individually out speaking to groups, or will be.

J. Blaney: The report itself addresses that matter about the northern and rural communities in terms of the number of ridings they will have. Our recommendation in that regard and some of the concerns that were raised by the northern and rural members.... It's addressed there.

This was a matter of, actually, quite a discussion within the assembly. There was a lot of discussion between the northern rural members and urban members; a lot of accommodation on the part of, I think, urban members for rural members; and a lot of understanding of where they were coming from. It's a good reason — one of several reasons — why the members chose this system as opposed to, let's say, mixed-member proportional. They wanted to ensure that in any given geographical area — whether it's the Peace — they would have the same number of MLAs and wouldn't lose representation from the region. The riding itself may be larger, but it would still have two MLAs. They discussed this quite a bit.

They felt it was important to do that because, of course, they wanted some more proportionality. They wanted fairer election results. Of course, as we've been reminded by the guy to my right, there is no perfect electoral system. There are trade-offs in every one of them. This is one of the trade-offs they made.

In addition to this, of course, our website is still open. It will be open right through to May 17. It has as much information as I think almost anybody would want to have. There's the chair.

B. Lekstrom: And more.

J. Blaney: And more, maybe. This is discussed in great detail. Of course, it even has a link to the boundaries commission and how they make their decisions and whatever.

What else do we have, Marilyn, that's available?

[1055]

M. Jacobson: We're providing all the members with what we're calling a communications toolkit. It would include these four fact sheets; obviously, the final reports; and a couple of presentations they can use —

you know, things they can use when they're out speaking in their communities, talking to their friends or whatever.

Also, in the next couple of days we hope to get packages out to all the media in the province. For the newspapers we'll have some feature stories and, again, fact sheets, photos — you know, things they can use. For the television stations we'll have what they call B-roll, which they could use to create their own stories down the road. We're trying to do what we can do before we close, but we're kind of limited.

J. Blaney: The government will have an education information office. We haven't heard yet exactly what it will do, but there is one. The Attorney General has made a commitment for it. I think we now know the number that it's going to be or some details about it that we can put in our report.

It will give objective information about the current system and what we're recommending. It'll have a link to the website, so those who want to take a little bit of trouble to search a little bit will be able to find a lot more about what we're proposing.

B. Lekstrom: All right. Thank you.

J. Reid: I've got three questions. The first is to do with one of the values, the local representation that was considered to be an important value. On page 8 the wording is confusing to me when it says: "Facilities for access to local MLAs." I'm not sure what "facilities for access" means. If I don't know what it means, it's possible that other people might not know what that means.

J. Blaney: You're probably absolutely right. We could have perhaps put it differently. We do enlarge upon this in our technical report. Essentially, this is talking about a constituency office that.... For example, if there is a region called the Peace, which puts north and south.... That's a huge area. It's bigger than Texas. Already the MLAs are somewhat challenged in terms of keeping in touch....

J. Reid: Oh, they're challenged all right. [Laughter.]

J. Bray (Chair): Despite all the good roads.

J. Blaney: I'm not choosing the right words. Or people like to pick on you, I think.

B. Lekstrom: Oh, I love it.

J. Blaney: The members — the people up north — said that the phone is fine and everything else, but as much personal contact as possible. What we're recommending there is perhaps additional funds for additional constituency offices and trying to find the ways, the infrastructure, by which members can be better in touch with their constituents.

J. Reid: I'd like to follow up with this in trying to think about the reality. I think about my relationship

with my constituents. I have North Nanaimo and Parksville. You develop a relationship with people. Now, if there were a district instead of ridings and a group of three together or something like that, the chances of more people being elected from Nanaimo rather than North Nanaimo-Parksville would quite possibly increase. The people from Parksville — how do they know who their representative is? They might have somebody from Duncan and two people from Nanaimo elected. Who is their local representative? How do they know who that is?

J. Blaney: They will have three representatives. Again, what the parties will do.... I forgot to mention this at the beginning. When they're selecting candidates for this new enlarged area, this region, our hunch is — and the member's hunch was — that they would be pretty careful to ensure that there's diversity amongst those members.

For example, to go back to the Vancouver riding.... No, let's go to yours — for three. You're going to make sure they're not all men, probably, and not all women. My hunch is that if you're the Liberal Party, you're going to try and ensure that the various kinds of regions are not badly covered either. If there are different cultural ethnic groups, I think you'll probably want to make sure that there is some coverage of those, as well, which parties are not quite as obligated to do when they're selecting only one person.

If you do only one, you get individual kind of members all about the Island or in Vancouver or whatever. It's very likely that you might not get the same diversity as a party would try to aim for when they're putting together three candidates. Presumably, parties will take that into account when they're selecting their three members. The other thing, of course, in terms of these facilities is that, hopefully, constituency offices would be placed in such a way that wherever you live in this region, you would have reasonable access to those offices.

[1100]

J. Reid: The reality of working with constituents.... You deal with very complex cases with these individuals, and they spend a lot of time with you. When I think about some of the vulnerable people I deal with, for them to have, first of all, to pick who their representative might be, who they should approach.... And if they're not satisfied, to think they have to repeat that with the other two in case somebody might be more conducive to listening to them, in my mind.... I'm concerned about actually watering down their ability to have a relationship. Instead of somebody saying, "I'm loyal to you," it's: "Well, gee, you're a pain. Go deal with one of the other two that are there."

K. Carty: I guess the experience is that we heard and members heard over and over again in public hearings that voters often didn't feel comfortable going to an MLA who was on the other side of the partisan fence, reasonably or not, and that in their region there

hadn't been someone from their side of the political fence for a donkey's age. Therefore, they felt that they didn't have anyone they could talk to. One of the reasons I think people thought proportional systems were good is that it would ensure that most people would have someone sympathetic to their views that they could go and talk to.

The more general thing — the thing that provoked this comment, which is elaborated on in the longer report that we started with — was that the members heard over and over again from ordinary voters that they thought it would be a good idea if members had more resources to have more offices and have more staff. They were extremely sympathetic to the hard work that members do and really wanted to signal that if you want to vote yourself more resources to be in the constituency, the voters were all for that. I think we heard it and members heard it in virtually every public hearing — that this was something they didn't think members had to chisel on. They valued, actually, that relationship.

J. Reid: Again, the reality of what I think might happen if this comes into effect is that you get a district with three MLAs — one Green, one NDP and one, say, B.C. Liberal. Say the NDP forms government. Everybody's going to go to the NDP person who's in government, rather than sharing that load, as you would see under the present system. "That's your MLA; go to that MLA." People do understand that people in government do have a greater ability to communicate with others in government. Again, that's just the way the system works.

One of my concerns is that it actually could have the opposite effect of putting more pressure on one MLA when you're sharing that. I just wanted to put that as an idea that I've thought about.

K. Carty: That isn't the experience where these systems are used.

L. Perra: Could I just add a very quick one? This feeling or issue existed whether you changed the system or you stayed with the current system. It was the belief that people in the north or some of the other isolated areas.... It was a need that they were expressing to us, regardless of the electoral system that the province had. It's a current issue even under the model that we're operating in.

J. Reid: It's difficult, in dealing with perceptions and dealing with facts. If I interviewed or polled the people that I actually deal with about their satisfaction rating of dealing with their MLA and whether they felt that enough resources were dedicated to their concern, I would expect I'd get a satisfaction rating of probably 80 percent. If I polled the general public, "Do you think that you have access to your MLA?" it might be 10 percent that said they thought so. In trying to develop a system that deals with reality rather than perception.... I know that's, again, the education you're trying to

bring to party members. I'm just expressing some concerns and trying to give examples that, as you further your communication, you might want to think about, because these might be questions that other people develop as well.

[1105]

My second question is mentioned in here. Because this is a document that most people will get, I'm concerned that it isn't well expressed, and that's.... When you're tallying up the votes and once a person has reached the formula to become elected, their surplus votes go to the next.... They then look at the next person for the surplus votes. How is a surplus vote determined? Has my vote already been counted? Is it one of the ones that then becomes off on this side? His vote becomes a surplus vote — that he gets his second choice counted? It's just, again, a question that, as I've read the material, keeps cropping up in my mind. It would have been helpful to see a bit of an explanation, I think, about that. Who determines whether my vote is a surplus vote?

K. Carty: Well, all votes are counted, and there is a description of that process in the longer version and in a lot of the materials that Marilyn is sending out. The reality is that all votes are counted, and then some proportion of your vote goes to your second preference if your first preference has more than they need to get elected. If they've got twice as many votes as they need, then half of your vote stays with your first preference, because that's all they need to get elected, and your other half goes to your second preference.

J. Reid: Who determines which half stays and which half goes?

K. Carty: The preference on your ballot.

J. Reid: Is it random?

K. Carty: No, no. It's not random. All are counted and then the calculation is made.

L. Perra: It's on a fractional basis.

K. Carty: Every vote is counted.

J. Reid: I understand that every vote is counted. Maybe I'm not making myself clear.

J. Blaney: I think I understand exactly what you're saying. If you only require 100 votes and that candidate gets 200, then those 100 votes are transferred at half the value. Everybody who voted for that candidate gets their second preference but at half the value.

J. Reid: At half the value. Okay. So that's one point in the communications or, as you set down, the most frequently asked questions, or however you're going to determine that. I've personally stumbled over that question. I think that's a good explanation, but the way

it's written makes it sound like some people's vote gets to go on and others don't. Again, as an impression, I think that's a concern.

The other question that I have on part of your communication, your deliberation, is with the statement here that under this system that most likely.... Where was it?

J. Bray (Chair): What page are you on?

J. Reid: I'm just trying to remember where I read it. It talked about that it would most likely result in minority governments. Okay. That would be 6.

One of the questions that I'll have to answer and other people will have to answer is that the business community hates uncertainty. In order to build up a strong economy, in order to invest in the long term, business likes a certain degree of certainty. In looking at minority governments around the world and systems that produce minority governments, was anything done...? Do you provide anything to people who ask the question: what effect will a minority government have on the stability of the business community?

J. Blaney: Well, you know, very few democracies in the world use the first-past-the-post system. Very few democracies have what we call artificial majorities. Most of the western European countries — and many of these are actually doing quite well economically: Switzerland, Norway, Sweden, whatever — have governments which have minority or coalition governments all the time. They live with them — Germany, Ireland. This is not uncommon. As a matter of fact, our business community points to Ireland all the time about how well it's doing and how we should copy what they're doing. Well, they have a coalition government.

J. Reid: That's what I'm suggesting is a question that I believe will come up in a lot of people's minds. However you choose to answer that, I think that's a question that will....

J. Blaney: The other part of that answer is that voters will get what they vote for. If they want a majority government, they'll get a majority government. They wanted a majority government last time around, and under this system, they've had a majority government. The thing is that they'll get what they vote for. But coalition governments do work. As a matter of fact, most democracies do work by coalition governments.

Do you want to add to that, professor?

K. Carty: No. You're quite right.

L. Perra: I think the assembly members themselves asked the question, and they answered it the same way.

J. Reid: It's not in this communication piece, and I know that will be a question in people's minds. In or-

der to answer that question, they will have to go to the website and look up further questions. Is that the idea?

J. Blaney: It's answered there but obviously not as fully as you'd like it to be answered.

[1110]

J. Reid: It doesn't talk about, again, the effect on the economy of changing the system. That's a question I know will come to people's minds: what will the effect be on our economy if we move to a different system? I'm just saying that that will be a question. I'm just recommending that however you chose to answer it, I believe it will be a question.

J. Blaney: Okay. Thank you for that suggestion.

E. Brenzinger: I've had the opportunity, actually, to meet with a number of the citizens' assembly members, and I've talked to them in great detail about what different questions have come up. I'm so impressed with the analysis they have done and what they've come out with.

I had four members come to my riding to do a presentation on STV. It was very well done. It's not difficult to understand. They presented it in such a way that it was just so simple. I was listening to the news on the weekend, and I heard Keith Baldrey talk about how difficult it is to understand.

By the way, Don, thank you for coming to that educational process.

My concern is.... I've got a couple of questions on education. Where is it going from here? Does it go back to Elections B.C. or to the government or where? How, besides the book...? The citizens' assembly will be invited by different MLAs of different communities to go out and educate. Is that the process?

You've made it pretty simple in here — how you vote and how it works. To me, it's very simple. I just don't get why the media think it's complicated. How do we go from here to educating the public so that when we do have the vote on May 17, we have informed voters, not just voters that are listening to the nays or yeas in the media? I really want to see that people are educated to understand this system versus the one we have.

J. Blaney: Several things will happen. First of all, the citizens' assembly itself closes its office December 31. The members themselves are no longer members officially or technically, I think, as of December 15.

E. Brenzinger: But they're willing to come out if you want them.

J. Blaney: They are very willing to come out. Well over a hundred of the 160 have organized themselves into some kind of an alumni organization. They're free to do that, like anyone is free to join associations. They are doing it as we speak. They are out at places — Rotary Clubs and citizens groups — talking about the process, talking about their decision and why that deci-

sion was made. A number of us are doing the same kinds of things in a different sort of way. That will go on. We have ambassadors for the decision, so to speak, throughout the province.

E. Brenzinger: But that's voluntary. They are doing this because they want to. What was the government's plan when this came to a finale?

J. Blaney: There are two more things that will happen. The government will set up an education information office. Presumably, that will be in place.... Do we still know?

Interjection.

J. Blaney: We don't know when.

J. Reid: One office?

J. Blaney: It's going to be an office which will maintain our website. Our website will be maintained. The Attorney General's office has guaranteed that. That does provide a lot of information.

Also, there has been started a yes campaign. There is a committee, and there will be at least one. There is a yes campaign. They will try to solicit funds, and they will try to put ads in the paper. They will give talks and everything else. There may or may not be a no campaign. What is important is that there's a good public debate. We had Gordon Gibson in the paper this morning. The press has been pretty good. We've had pretty good debate and a lot of it, at least in the urban press. Perhaps there's not quite so much in the rural press. That's very healthy to have that great debate.

E. Brenzinger: Yes, it is.

I guess what I want to say is that I don't think that this government has planned well for the end of the citizens' assembly's mandate in that the government should have had in place plans to get this information into the high schools, into the community so that people are well educated. To me, this is just a lack of responsibility on the government's part for not following through on this committee.

[1115]

J. Blaney: The Gibson report recommended, basically, that we close down when we're closing down. The government accepted that. The government, I think, did not want to fund no and yes committees. My hunch is that it was a good decision — to let that happen by itself. And it is happening. I think we can't pre-judge it yet. We have to wait another month, well into January and February, to see what's happened.

E. Brenzinger: I think education, especially in the high schools and the universities, is about both sides. We don't even get one side in the schools, but.... I mean, if we're going to come out with a new proposal on changing the whole electoral system, I think it is a

responsibility of the government to make sure people are educated in both areas so they know what the changes are and what's happening. That's all my comment is. Thank you.

L. Perra: Elayne, this document is going to be sent out to all schools. The technical report will be sent out to post-secondary libraries.

E. Brenzinger: And teachers as well? Is this going to...?

L. Perra: Susanna can probably.... This is going to schools.

E. Brenzinger: I'll tell you why. I've talked to many, many high school teachers, and nobody has a clue what's going on.

L. Perra: It's not for lack of trying.

E. Brenzinger: Well, okay. Maybe they'll read *Hansard*.

L. Perra: The CD-ROM will probably be sent out to schools, as well, with the website on it.

E. Brenzinger: I'll make a point of going out to my schools.

K. Carty: The Knowledge Network has made a one-hour documentary about this process which will be broadcast starting in January. That will be on television. That will talk about the process but presumably also the outcome. We don't know what they'll say. That's bound to stimulate some kind of interest. People will say: "Oh, so that's what went on. Well, what did they decide?" You know, I think that as referendum day gets closer, people will start to say, "Oh, now I've got to figure this out," and start paying attention.

E. Brenzinger: Okay. As long as we can do that.

S. Haas: Regarding initiatives for outreach to educators, we've done two mailings directly to social studies departments — specifically secondary, because grade 11 does have this as an element of their curriculum. One announced the citizens' assembly; the second announced the public hearings. Third, we'll be sending out a package just towards the end of December — so teachers will get it when they return from the break — with a few copies of the final report, a classroom resources guide and all the information that's available to teachers on our website, which includes a lesson plan that was developed by a secondary school teacher in West Vancouver, Paula Waatainen.

E. Brenzinger: That's good news.

S. Haas: It is. It provides a chance to find out what an electoral system is, do a bit of your own value iden-

tification and then learn a bit about the different systems, including the one that's recommended.

Finally, as Leo said, we will be sending them resources, which could possibly include a CD-ROM. On our website we will have posted an informative video that explains the recommendation and that teachers will be able to download and broadcast in their classrooms. That's for secondary school teachers. In terms of post-secondary, we're stocking their libraries with as many resources as possible so post-secondary students can do research and, as well, sending out copies to political science teachers who are covering this topic in their classrooms in upcoming semesters.

L. Perra: The householder that goes out will include a little blurb in it about where more information can be picked up from a depository, I guess, that's run by the AG's office or a body such as this.

E. Brenzinger: I think that what I did in my riding I'm going to continue doing, because the average families in my riding who go to work and come home and get this in the mail aren't going to read it and couldn't care less. They don't know who their MLA is. They're not interested. I want to try and get them pulled in. I think it's sad when people don't know who their MLA is or what's going on in the province. I just want to see more education on how politics works out there.

R. Nijjar: I just want to follow up on Blair's question. I'll ask it through an example of Vancouver: ten ridings; a new system with two but five elected in each. How is it determined how many candidates each party can have, or is it unlimited? Could the ballot have 25 names on it? Can the NDP and Liberals have five each? Eight each? How is that determined? Who has the authority over that?

J. Blaney: I think I know the answer to that, absolutely, but I'm going to pass it on to my friend, just in case I might make a mistake. Then I'll tell you whether I had it right or not.

K. Carty: It's nice to be called his friend.

That's up to political parties, as it is now. In some districts parties run a candidate; in some districts they don't.

R. Nijjar: But right now you can only have.... It's one. You know it. It's a limit.

[1120]

K. Carty: You could only have one. You used to be able to have two — or at least federally you could — until the Legislature passed a law saying you could only have one. Parties will run as many candidates as they think make sense.

The experience of most places is that if it's a five-member district and the Liberals think that they're going to win three, they probably won't run five, because it's expensive to run elections and campaigns. So

maybe they'll run four, hoping that if they do a little bit better, they'll get the fourth one. But if they have 60 percent of the votes, they'll think: "Well, we'll probably get about three of the five seats, because that's our share." So they'll make calculations around that.

The Green Party might say: "Well, you know, we'll be lucky to get one, so let's put all our resources behind that one candidate and go all out." So what you'll see is the major parties.... In a five-member district I would think the major parties would probably both run three or four candidates. Minor parties might run one. It's a kind of strategic calculation as to how best you can use your electoral resources — the money you have, the volunteers you have, the energy you have — to be most successful. So parties will become strategic.

In the same way, they'll be strategic about who they nominate. As Jack suggested, they'll nominate people from different parts of the riding geographically, from different groups — men and women in different ethnic groups and age groups in the riding — to try and appeal as broadly as they can so as to try and increase their vote share. That's the experience, really, under any system. Parties make these kinds of calculations.

B. Lekstrom: I just want to touch on the communications aspect in what was being talked about. At the end of the day, I think the assembly has done a tremendous job in all the work they've done in putting together a report. We can't overlook that the onus has to be on the citizen as well. This is about them. We can't direct them on what to do. But the communication issue.... If people are truly interested in change and representative voting systems, they'll come forward, and there is a vast array of information available to them. In talking about having to make sure we get it out if we take this.... People do take it and throw it in the garbage. My first reaction to someone that does that is that they're not really too concerned about the electoral system, in my eyes.

I'm not a person that believes government has to do every single thing. This is about the people of British Columbia making a choice, not about the government of British Columbia telling the people they should make a choice. I don't want to lose sight of that. I think the onus has to be on the citizens themselves. I think that the vast majority of people are going to pay attention to this. They have followed it, I think. Or many people have. I mean, it's talked about in my riding. Again, the amount that we're going to do — and I say "we" as British Columbians, the citizens' assembly, the Attorney General's office — I think is going to be sufficient in the sense that if people want the information, it's going to be there. We're going to get it out to them. It's what they do with it then that we have to.... I think there has to be some responsibility placed on the citizen here as well.

K. Krueger (Deputy Chair): Following up on Judith's question, we had some discussions about this in our last meeting with you. For starters, counting in this

system can really only be done by a computer, not by human beings. Is that correct?

K. Carty: No. People have been using it for generations by counting paper. It takes more than 20 minutes, but you can count them. In fact, this system was designed so that it could be counted. There are complicated bells and whistles you can add to this system that would make it only possible by computer, and the assembly members said: "No, no. That's not a good idea. We want there to be paper ballots that people can see and people can see the process in action."

K. Krueger (Deputy Chair): I think, Dr. Carty, in our last Q and A you had said that once a person passed the threshold and was deemed elected and then the redistribution of ballots took place, everybody's ballots going back in for consideration.... Today you fleshed that out a bit with the percentages. I think you told us that it had to be done by a computer. So you're saying that it can be tabulated by people?

K. Carty: Sure. I mean, there are versions which require computers. There are complicated ways to calculate these percentages, but no, the members were quite clear that that's what they wanted, and the counting rules make it very explicit that it be done on paper.

I think the members all think that by 2009 we're going to be into a more computerized world, but they wanted to make sure that the system they designed could be done by paper and could be transparent and people could watch it be counted.

[1125]

K. Krueger (Deputy Chair): I think that's very important. We have a colleague, Landslide Bill Barisoff, who in 1996 couldn't be sworn in with the rest of us because they finally took a judicial recount, where a judge had to sit down and manually verify the accuracy of the count. A lot of people still don't trust computers and probably won't in 2009. All of us have had some reasons to question their credibility over time.

That's excellent if that's the reassurance that we can give the public — that the count will always be verifiable by human counting, if need be. Undoubtedly, there will be challenges and people who feel aggrieved or at least as if they may have missed on account of a mechanical error.

K. Carty: No. That's right. Members talked quite a lot about that. They wanted to make sure that recounts, if they were necessary, would be clear and transparent and easily done.

J. Bray (Chair): Okay. I'll go to Judith, and then I have my spate of questions.

J. Reid: Just one comment that you made with regard to the greater involvement of parties to actually choose more carefully their slate of candidates. It's just one regret I have with regard to the proposed system.

I'm not running in the next election. The nomination process is going on. There's no party involvement in saying whether it should be a woman candidate or an ethnic candidate or anything else. People have asked me, as a woman in politics, how I feel about the gender balance. My response has always been: "I want the best person to win." I don't care about gender. I want to make sure, if I'm elected, that it's because I'm the best choice.

The idea that parties now have to manipulate more in choosing their candidates rather than just letting the process go and letting it be totally without party dictate, which is what I've experienced in my political life, is a concern to me. Now, whether they do that.... They might not, but to me, the suggestion that this system will push parties more towards manipulating that process is a regret. I suppose I just wanted to bare that.

J. Blaney: To just quickly comment on that, because that was discussed a lot by members, you could describe or characterize it as manipulation or as just choosing to make sure that the candidates kind of represent the diversity of the constituency. Members talked a lot about a number of kinds of groups that are not represented as well as they ought to be in the Legislature. One, of course, was gender.

Ours was a gender-balanced assembly, and they took enormous pride in that fact — that it was gender-balanced. They felt that certain kinds of other groups — aboriginals, for example, and others — were not as represented, even to the percentage of the population, and that ridings of three, four, five, six and perhaps seven parties will be more sensitive. They hoped they would be more sensitive to the diversity of the population. Whether or not that happens, you indicated.... You're right. They may or may not do that. Members were hopeful that they would.

J. Bray (Chair): Okay. I've got some technical questions, but one of the.... By the way, good job on the editing. I think it's a good report.

My understanding is that 1.4 million.... Is that the number that will be distributed?

L. Perra: It's 1.522.

J. Bray (Chair): Thank you, Leo. So it's a very wide distribution. That's anticipated in January, is it?

J. Blaney: In every household. We're going to actually run some ads in some newspapers to tell people it's coming and to look for it, and don't throw it away.

J. Bray (Chair): So this will arrive sometime in January depending on.... Okay.

In the actual report.... In this one you talked about ballots and by-elections but no mention of recall. What was the discussion and deliberation with respect to how an STV system works with respect to our current recall legislation?

K. Carty: Well, recall wasn't part of the mandate, so there was very little discussion about it. There's no reason to think that the current statute couldn't be in place, and a member could be recalled. It could remain in place.

J. Bray (Chair): So if you had a riding that had 120,000 registered voters, then the current legislation of 40 percent of those would be.... I mean, it would be a much larger....

K. Carty: If you collect the required number of signatures, you could recall a member. I mean, it's not a bill that's all that workable right now. We all know that. It doesn't touch on the specifics.

J. Bray (Chair): Okay.

The technical report. How many copies are you anticipating will be published of the actual technical report?

L. Perra: About 1,500. And approximately 900 will be delivered to different people.

[1130]

J. Bray (Chair): That's primarily expected to be used by educators, technocrats, Elections B.C....

L. Perra: Bureaucrats, politicians.

A Voice: All the good people.

J. Bray (Chair): All the good people.

Now, December 31 your office is closed, the doors are locked up, and you all disperse back to your various lives, yet this is potentially setting in motion a very significant change. What was your discussion, either as staff or with assembly members, as to what you've decided gets translated into...? If the population decides yes to BC-STV, what's the accountability measure to make sure that in 2009 the way in which the election is conducted actually matches what the 160 members had envisioned was going to happen and have reported in their technical report? Or is it meant that the technical report will be concise enough that the bureaucrats at, for instance, Elections B.C. or the boundary commission or the AG's or...? There won't be a lot of room for discretionary interpretations.

J. Blaney: The technical reports are sufficiently, I think, detailed for Elections B.C. to prepare legislation in terms of this system, in terms of the sophisticated kinds of mechanisms that are required for its counting and things of that sort. The boundary commission, of course — and Ken knows a lot about that because he's been on boundary commissions — have their own kinds of rules and regulations, but there is sufficient guidance for them in terms of the size of the districts, two to seven, and where they should be — the object being proportionality, so vote for larger-size ridings

when you can. We feel that there's sufficient technical detail there.

Clearly, the government of the day and the opposition both have pledged that should this be approved by the people of B.C., they will enact the appropriate legislation.

K. Carty: It will be tricky, I think, Mr. Bray, because under the current law, right after the next election a boundary commission has to get set up. There is actually a specific numbered date, and it has to get put in place very quickly. Of course, if the Legislature hasn't got around to dealing with, say.... Let's assume there was a positive referendum outcome. They would start assuming on the grounds that the same system is in place. There's going to have to be some kind of fairly quick attention paid to that and, therefore, some amendments and some delay provided for a boundary commission. The new system would have to be put in place. Then the boundary commission would have to go to work.

J. Bray (Chair): Do you proffer that advice in the technical report in some way?

K. Carty: No, but I think the chief electoral officer is quite aware of those kinds of challenges. It's because of the peculiarity that there will be a boundary commission immediately after the next election. There isn't one after every election. It's the way the statute now is.

J. Bray (Chair): Because I do know that the Referendum Act was amended to recognize.... The way it currently works, there's no way you could implement this in the first legislative session after a referendum has passed, so it's good that's been highlighted.

Dr. Blaney, you talked about the fact that you had sort of discussed small technical things that might have worked better from an administrative standpoint for a process like this. Of course, this was an inaugural attempt at something like this. Are you preparing with staff a sort of postmortem that would act as a guide that if this process were to be used again in this jurisdiction or others, any of those lessons learned could be transferred as a postmortem report as well as all the things that people know about how it was set up?

J. Blaney: Yes. They are in the technical report.

J. Bray (Chair): Did the assembly members in your deliberations, recognizing that there may be more what are referred to as minority governments or coalition governments, talk about how Canadian political conventions are absolutely intolerant of government motions ever being defeated versus a system where it's conceivable that outside of confidence motions or money bills, things get routinely defeated — and how that transference might occur? In the rest of Canada, of course, it doesn't operate that way. Was there any discussion with the assembly around those?

K. Carty: There was a kind of instinct to talk a lot about it, but they realized that it was beyond their mandate and that focusing on the electoral system was a big enough challenge. I think they hoped, as Jack said earlier, that a system in which MLAs had sometimes more distinctive and maybe more autonomous political bases would create different relationships within the Legislature, and then those processes would work themselves out.

[1135]

But quite clearly, there is just enormous cynicism out there. I mean, we heard it at 50 public hearings. We had people coming and demanding that laws be passed to abolish political parties. There's just an enormous distrust and cynicism in the public, mostly manifested in their perceptions of party discipline in the Legislature. In some sense it's people who don't understand how the system works, but there's also a kind of fundamental unhappiness with it. Some of that may have fed into the particular system they were concerned with. But they didn't want to speak about that in terms of making recommendations. It wasn't their mandate.

J. Bray (Chair): How does the Irish Parliament work with respect to that scenario? In the U.K., of course, government bills are routinely defeated without the toppling of the government. Is that a similar circumstance in the Irish Parliament?

K. Carty: I haven't looked at it in recent years. For a long time they used this system, and they had majority governments pretty regularly, so it wasn't ever such a big issue. What's different, of course, is that the government caucus works differently. The government caucus doesn't come forward with stuff until there is a broader agreement amongst members, because leaders know they can't push things down the backbenchers' throats with the ease that sometimes happens in this country.

J. Bray (Chair): Let's take, say, a three-member riding that's created somewhere that has historically always gone either to a particular political party or at least to the realm of the spectrum that party has always inhabited. Other political parties might, say, not even put names forward in this circumstance, because of the resources to cover a large riding or because they don't really have much of a chance of winning. Is it possible, under a BC-STV, that if you had a three-member riding, you might actually only get two that ever reach the threshold because of the way people vote and the lack of choice that may arrive? Or is it mathematically possible but practically not possible?

K. Carty: If the third candidate got elected without reaching the threshold, it would be because a lot of people had only maybe voted one preference and just not bothered with the second. People soon figure out that by giving someone the second preference, it can't possibly hurt your preference. It could only say: "If that

person doesn't need my vote, I have a second choice." Voters quickly figure that out, and they use them.

In districts that have been overrun with only one party, a second party might say: "Well, we're maybe only going to run one candidate, but we have a good chance of winning at least one, because the system will be more proportional." They may well have been regularly losing generation after generation but still getting 30 percent of the vote. Finally, maybe with that 30 percent figure, they have a chance of winning one seat.

J. Bray (Chair): Okay. Finally, I know that especially in this report proportionality and this sort of constant proportionality keep coming up. Is that because if you had a four-member riding, essentially the threshold is 25 percent for each of the...? That's how the seats tend, over the course of an election, to match the percentage of votes, because presumably, that's the.... How does it actually work? Mixed-member was clear — 5 percent of the votes, 5 percent of the seats. How does it work in STV, where you get a general proportionality?

K. Carty: Well, if you've got 50 percent of the vote, you're going to have 50 percent of the first preferences. And if it's a four-member district, you're probably going to win two of the four. Someone else has got the other half of the first preferences. They may be divided between two parties, and each of them may have half of them, so they'll each get one seat. It works out in that process.

J. Bray (Chair): Then in over 79 ridings that's why it's not an exact proportionality, but it's a....

K. Carty: But it's very close. That's right. In fact, one of our assembly members did a lot of detailed statistical comparison of STV and mixed-member systems and argued that basically they come out about the same in the wash. But clearly, if the riding sizes are bigger, you can get closer in proportionality.

J. Bray (Chair): Certainly, within a riding proportionality becomes much more of an issue, and then over all, it generally works out that way.

K. Carty: Yes.

J. Reid: In counting out right now, every candidate can see exactly where they ranked, so if somebody ends up with 50 votes, they say: "Hmm, okay. Well, I understand what that means." In this system the results of the election.... Will there be that kind of counting out? For example, in the sample on page 4 with the ballot, will every one of those candidates be able to see how they ranked — how many times they got first, second, third — so that all that will be counted and reported out?

K. Carty: Yes. They'll see how many first preferences they got. Then if they didn't get eliminated, they'll see that they got some second preferences.

[1140]

J. Reid: But even if they got eliminated — this is what I'm saying — will they see how many times they were first and how many times second, third, fourth, fifth and sixth?

K. Carty: Not if you're counting on paper ballots. People don't go and count.... Once you're elected or eliminated, they don't look at your next preference. The Irish actually now use a computer voting system, and you can see the preferences of every voter. You don't know who those voters are. So candidates could figure that out.

L. Perra: Put the vote till you get excluded.

K. Carty: Yeah. You see how many votes you had in the first count and the second count and so on. It's right there where they came from. If you got a lot of second preferences, you can see who they came from. Did they come from one of your running mates, or did they come from an independent running mate or whatever?

J. Reid: Okay. I think that's important information for people.

J. Bray (Chair): Okay. Well, seeing no more questions, first of all, I'd like to thank you, Dr. Blaney and all of the staff, for meeting with us on a regular basis and providing us with such thorough information. I remember when we first convened and we talked about the importance of that open line of communication to keep the process credible and transparent, and I think that's not only been achieved but exceeded. That's due to you, Dr. Blaney, and your staff.

I'd also like to thank all the committee members, because we've had periods of time when we haven't met and then we'd get called to meet, and all members have been really cooperative to come from the various parts of the province to meet. So I'd like to thank staff members.

Craig, I'd like to thank you for being the linchpin to keep us all hooked in to Jack and to these meetings, because it's a huge support — and to Hansard staff, who lugged that stuff over every day and set up over here. Thank you very much.

For committee members, we will probably have one more meeting in the new year where we will be tabling a report in the Legislature, but it'll be a very basic report, just talking about the process. I don't believe that we would have any recommendations per se, because we were an oversight committee as opposed to a recommending committee, so we'll probably have one meeting just to go over our draft report and then table it in the House.

I'm not sure if you've got copies in front of you, but I wanted to let members be aware that on behalf of the committee, I will be sending out, under our letterhead as the special committee, just a congratulatory and thank-you letter to each of the 160 participants of the

citizens' assembly. They've had a link to Jack, and they've had something from the Premier, but I also think it's important that they get acknowledged by the Legislative Assembly, which was the body that actually created them in the first place. It's a basic letter, but it's going to go out. We had a bit of discussion with the Clerk's office. This is the one time that, in essence, we will have their addresses, if you will. But it was felt that there was no issue with sending it directly to participants rather than through the assembly office. So I don't think there are any real issues with that, but we did discuss that aspect.

Otherwise, I'm very pleased to hear.... The website has been excellent; the written material has been excellent. I think the media coverage has been excellent. I sit on a national council that includes federal, provincial and some municipal politicians and federal, provincial and municipal senior-level bureaucrats. One of the issues that we're looking at is the whole concept of democratic renewal, because there are several jurisdictions in Canada that have gone through some exercise, be it royal commissions, offices of electoral reform.

But I can certainly tell this committee that the one constant I've heard from colleagues across the country is that this has been the most dynamic and progressive process and has really captured the imagination. As members know now, Ontario is basically copying this format, which I think speaks volumes to staff and speaks volumes to the actual members of the assembly — that now other jurisdictions are seeing that this is a great way of having participatory democracy and are following suit.

[1145]

I hope that the individual members as well as staff take that as a credit — that other jurisdictions now are going to be doing what you've done. You've blazed the trail, I think, for anybody in the Commonwealth to carry on with this process on any number of public policy issues. So I hope that you take that as a sign of how well you did your jobs. On behalf of the committee, as I said, lastly, I would like to thank you very

much for your dedication and your efforts. We'll be passing that on to each of the individual members. Congratulations.

Let me, on behalf of the committee, wish you great success in your future endeavours. I do know that we will probably be hearing from many of you over the next several months, because as Elayne has said, you will be in high demand to come and speak to various community groups.

We, as British Columbians, look forward to that public debate and to one of the strongest examples of democracy we've seen in this country in some time. Congratulations.

J. Blaney: Thank you, Mr. Chair. I'll be very brief. You said it beautifully, but we must remember that the larger credit goes to the Legislative Assembly for creating this historic opportunity. The terms of reference and everything else were the ones that were followed. The Legislature of B.C. was united in making history. Clearly, the government brought it forward, and it was terribly important.

I'm really proud to be a British Columbian, because we actually were the trailblazers. We have invented a new tool in democratic governance that has been looked at throughout the whole world. The people of B.C., through the Legislature, deserve the credit for doing that.

The members of the assembly were very pleased several weekends ago to have the Premier and the Attorney General here and an opportunity to thank them personally. From all of us: thank you. It's been a great committee to work with. We really appreciate the linkages with the committee and the advice and the openness of the committee. Thank you very much.

J. Bray (Chair): I'll look to committee members to see if there is any other business. Seeing none, I move that we adjourn.

The committee adjourned at 11:47 a.m.