

The fall 2018 Referendum on Proportional Representation

A submission to

The Honorable David Eby

Attorney General of British Columbia

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Victoria, BC, V8W 9E2

email:

[REDACTED]

by

[REDACTED]

Principle:

All voters are equal and should have an equal opportunity to influence the laws that govern us and determine our future.

This informs our choice of electoral system and rules for campaign financing.

¹ A member of Citizens for Voter Equality [REDACTED]
and active in studying electoral systems and promoting electoral
reform at the federal, provincial and municipal levels since [REDACTED]

[REDACTED]

Referendum Questions:

The referendum should consist of two parts:

Part 1 should give the voter a choice between the present system or an unspecified proportional system. The question could be

For electing Members of the Legislature would you prefer (put any mark in one box)

(a) A proportional system, one in which the values of the MLAs accurately reflect the values of the voters, or

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(b) The system used now, called first-past-the post, in which each electoral district elects one MLA.

☐

Part 2 should give the voter a choice between the two (or three?) most favoured proportional systems. The question could be:

For electing Members of the Legislature using a proportional system would you prefer (put 1 for your first preference and 2 for your second; if you have no preference put any mark in both boxes; if you are opposed to a proportional system leave both boxes blank)

(a) A **mixed member system** in which some MLAs are elected by first-past-the-post in single member electoral districts, and other MLAs are elected using lists of candidates in the order chosen by the voters,

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(b) **Multi-member electoral districts** in which between 2 and 7 MLAs are elected in each district using preferential ballots counted using the single transferable vote, as recommended by the 2004 B.C. Citizens' Assembly on Electoral Reform.

☐

If more than two options are listed the voter should be asked to rank them, and counting should be by instant run-off or a Condorcet method.

Campaign Financing:

- (1) Elections BC should be given the main task of providing accurate information to the public about the various electoral systems. It should be given a generous amount of money to do this, at least \$2 per B.C. resident, maybe more. It should publicize the 2004 B.C. Citizens' Assembly on Electoral Reform and its recommendations.
- (2) Elections BC, or some other independent organization, should monitor advertising and other public statements for specious arguments, deceit and lies; any person or organization found promoting these should be banned from further statements and campaigning, with the possibility of fines and jail time.
- (3) No government subsidies to individuals or organizations
- (4) Campaign advertisers spending more than \$50 should be required to register with Elections BC as usual, and file an expense report after the referendum, as usual.
- (5) Campaign contributions should be limited to individual registered voters only, and limited to an amount that nearly everyone can afford, something like \$50-\$100. To be clear, there should be no union or corporate donations.
- (6) Campaign expenses must be limited to those contributions received under (5). Any person or group exceeding this limit should be fined an amount equal to ten times the excess spent, and the option of jail time.

[REDACTED]

From: [REDACTED]
Sent: Wednesday, February 28, 2018 11:54 PM
To: [REDACTED]
Subject: Submissions to How We Vote
Attachments: ERRE Submission - [REDACTED] - 2016-09-20.pdf; Each citizen is entitled to be represented in government - [REDACTED].pdf; Holding a Successful Electoral Reform Referendum - [REDACTED].pdf

Hi,

I'd like to submit the following 3 submissions to the **How We Vote** process, as individual submissions.

1. **Each Citizen is Entitled to be Represented in Government**
2. **ERRE Submission**
3. **Holding a Successful Electoral Reform Referendum**

If you have any questions, please contact me.

Thanks.

[REDACTED]

Former Member, BC Citizens' Assembly on Electoral Reform

[REDACTED]

Submission to accompany Committee appearance:

Date: Tuesday, September 27, 2016

Time: 4:00 p.m. to 5:15 p.m.

Place: [REDACTED]

Special Committee on Electoral Reform

Comité spécial sur la réforme électorale

Member, BC Citizens' Assembly on Electoral Reform
[REDACTED]

STV

More than just proportionality

As a former member of the **BC Citizens' Assembly on Electoral Reform**, I remember listening to a presenter during one of our public hearings.

He said:

"Everyone can't win an election. Someone wins and someone loses. That's how it works."

Old Style Democracy: The point of FPTP and MMP constituency elections is to find a single representative for all the voters in one geographic area, even if the MP doesn't represent the point of view of 40% to 70% of the voters.

STV Democracy: The point of STV is to make sure that:

Every voter has an equal say in the laws and policies which affect them.

This requires that all voters have an MP of their choosing and every MP represents about the same number of voters.

All voters win, not just those who vote for the plurality winner.

Democracy can, and should be, for all of us equally.

Why STV for Canada?

STV already has Voter Legitimacy

- The **BC Citizens' Assembly on Electoral Reform** has been the most extensive examination of electoral systems, by voters, in the history of Canada.
- 160 randomly chosen voters spent 11 months studying electoral systems, consulting with voters through 50 public hearings, 383 presentations and 1603 written submissions, and deliberating about which electoral system best fulfils our shared values and principles.
- To decide between STV and MMP, the Assembly designed the best STV and MMP systems we could imagine. We then voted.
- STV got 80% and MMP got 20%.
- We then put STV up against FPTP.
- STV won with 93% support. **A very strong consensus.**
- 97% of Assembly members choose to recommend STV to our fellow voters.
- In the BC Referendum, STV got 57.7% support overall and over 50% in 77 of 79 districts.
- 57.7% was deemed a failure because midway through the Assembly process, the BC Legislature imposed a double 60% threshold, instead of the expected 50%.

STV is probably the only Charter compliant electoral system.

- The BC Assembly didn't directly consider the Charter in its deliberations. However, it's interesting that many of the values held by the Assembly are expressed in the Charter.
- **Section 3 – Democratic Rights of Citizens**, as interpreted by Justice Beverley McLachlin in a 1991 Supreme Court Reference, seems to prohibit single-member districts.
- Firstly, McLachlin states:
"Ours is a representative democracy. Each citizen is entitled to be represented in government. Representation comprehends the idea of having a voice in the deliberations of government."
- In the last 2015 First Past the Post election, 51.7% of voters didn't vote for the winning candidate. These

9,095,616 voters have been excluded from our democracy by our current electoral system.

- They simply don't have any say in the laws and policies which affect them. They are not "represented in government". (See Chart 1)

- Conclusion #1:

In order to represent multiple points of view in a district, there needs to be multiple MPs.

- Secondly, McLachlin goes on to say:

"A system which dilutes one citizen's vote unduly as compared with another citizen's vote runs the risk of providing inadequate representation to the citizen whose vote is diluted."

- In any two single-member districts of the same size, a candidate can be elected with a 30% or a 70% plurality. This results in MPs who represent vastly different numbers of voters with their single voice and single vote in Parliament. (See Table 1)
- This results in some voters having more than twice the Legislative Power of other voters.
- This is clearly, "A system which dilutes one citizen's vote unduly as compared with another citizen's vote."
- Conclusion #2:

To ensure "relative parity of voting power," the electoral system must elect MPs (within the same province) with approximately the same number of votes.

- Justice McLachlin also observed:

"the Canadian tradition [is] one of evolutionary democracy moving in uneven steps toward the goal of universal suffrage and more effective representation."

- Section 15 – Equality Rights, states:

"Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

- When choosing an electoral system, are there any reasons to treat voters unequally?

Why the BC Citizens' Assembly Chose STV

STV is an amazing democratic innovation.

- The BC Assembly chose the best system it could find, not just the easiest to sell.

STV reduces Exclusion and "False Representation".

- On average, in FPTP & MMP, about 50% of the voters in a local district don't vote for the winning candidate. This results in constituency representatives that falsely represent half their voters.
- This means that only half of the people in every single-member district are actually getting any representation at all, let alone "Local Representation".
- STV, by providing local proportionality and MPs who are each elected by the same number of voters, results in much less false representation and a significant increase in the number of voters who are actually represented in the way they would choose.

Enhanced Local Representation

- Multi-member districts make local proportionality possible. This ensures that several points of view will be represented from each district to Parliament. This is especially important in remote areas which aren't very well understood in other parts of the country.
- Even in large rural districts, adding three districts together makes it possible to add a significant component of local proportionality and dramatically reduce false representation.
- The effectiveness of local representation increases everywhere with STV, including sparsely populated rural districts.

Communities have more than one point of view; they need more than one MP.

- As a group, your local MPs will form a (formal or informal) "Local Caucus", taking a basket of ideas from your district to Parliament.

- Communities are built by all of its members. To be successful, all of these ideas need to be expressed and heard, so that the policy that helps build and protect the entire community is chosen, rather than the policy that only serves a plurality of the voters.
- This caucus will be able to forcefully represent local interests in both government and opposition.

Local, Multi-Party Caucuses can take a united stand on important local issues.

- MPs from different parties, but from the same district, might come together and take a united stand on issues that are important to the local area; for instance, the closing of a hospital.

No more disappearing MPs.

- During their term of office, it won't be possible for your MP to just take off to Ottawa and re-appear, back in your riding in four years, for the next election.
- When one MP goes back to the district to discuss issues in the local papers, or in public forums, the other MPs will have to scurry back to the district to get their faces in front of the voters. They are going to be discussing local issues. What they learn, they will take back to Ottawa.
- Sometime, they'll be cooperating on issues that are important to everyone in the district, sometimes not. But there will be a continuing discussion about local issues, something that doesn't happen now.
- With Single-Member Districts (FPTP & MMP): There's very little discussion during the term of office because there's only one local MP. With MMP, the regional MPs will be spending time where it counts for them, with the party power brokers, not with the voters.
- With Multi-Member Districts (STV): MPs are going to be in your neighbourhood, discussing issues, because of competition between MPs in between elections; not just in the few weeks before the election.

Getting things done with your MP.

- If voters have a particular issue that needs to be addressed, there will usually be an MP from the government and MPs from opposition parties that they can go to. They can make their case to both sets of MPs.

- With STV, voters will almost always be able to find an MP who has a sympathetic ear, to address their concerns.

Independents have a real chance to get elected.

- In Ireland, almost 8% of their TDs are independents.
- Well known local people can get elected, especially with "next preferences". Extremist candidates will have difficulty getting elected because of the need for next preferences, which they're unlikely to get.
- This provides a practical way for MPs to dissent from their party's policies and not commit political suicide at the same time. They will be able to leave their party and still get elected as an independent in the next election.

STV Counting System

- The STV counting system tries its best to make sure your highest preferences get elected.
- STV doesn't just look at your ballot, throw it in a pile and then forget about you.
- Almost all voters in Canada would get representation they find acceptable in Parliament.
- After stacking all the ballots up with the first preferences, the counting system picks up your ballot and ask how you would like to proceed.
- If your candidate has received more votes than she needs, the counting system uses only the amount of your vote needed to elect your candidate, freeing up a portion of your vote to help elect subsequent preferences. In this way, your vote is not wasted and you don't have to vote strategically.
- If your first choice doesn't stand a chance of winning, the counting system will ask who your next preference is, and your vote will be transferred to that candidate.
- This counting process continues until all the seats are filled and the most preferred candidates in the district are elected.
- Because STV electoral districts have multiple-members, even if your ballot gets stuck on a candidate who can't get elected, it's reasonable to assume that you will have an MP available to

represent you from a party that reflects your point of view, and that you can support.

- The STV counting system is more involved than that of FPTP's. However, the added care and attention given to your ballot is worth the extra algebra that a computer handles so easily.

Strategic Voting – Not needed.

- The best strategy for an STV voter, is to vote honestly, because strategic voting doesn't work in STV.
- There is no strategic voting except to vote for your first preference first, your second preference next and not actually voting for someone who you don't want to get elected.
- Strategic voting with FPTP and MMP is difficult and prone to errors because it requires you to know how your neighbours are going to vote, in advance.

There will be more female candidates and a greater diversity of candidates.

- With STV, political parties can't do the same thing that happens in single-member districts right now, where they put up the most likely person they think will win; who too often happens to look like a middle aged white guy. They're going to have to put up more people from diverse backgrounds and more women, or they will lose votes.
- Multi-member districts make it possible for political parties to adopt voluntary quotas, or for Parliament to require a quota.
- Unlike MMP, STV reduces systematic discrimination against women and others, in all districts, for all candidates.
- Female candidates won't be stuck in districts in which they don't stand a chance of winning. They'll be running in all districts, where they actually can get elected, without the need for closed, zippered lists.

STV doesn't discriminate like FPTP & MMP against women and others who want to become constituency or government MPs.

- Because MMP systems retain the single-member constituency districts, they also retain the discrimination that single-member districts create.

Most government members come from MMP constituency seats. This combination hurts women. The women MMP adds will likely end up in opposition.

- In STV's multi-member districts, the major parties will have the greatest requirement to provide diversity in each district. They will also be the most likely to form government. This helps women to get into government and into Cabinet.

Under STV, all MPs are the same type.

- All STV MPs from each province will represent essentially the same number of voters. All STV MPs are elected using the same electoral system. All STV MPs are equal.

STV creates the possibility of different kinds of constituencies.

- Right now, constituencies are just geographic. With STV, there can be different types of constituencies. They might relate to the environment, the arts, health care, cultural relations, social or business issues.
- If women's representation is important to a voter, they can select all women, from different parties, or even zipper their own vote.
- Instead of portraying yourself as a one dimensional, right-wing or left-wing person to the voting system, voters can portray themselves in a multi-dimensional way.
- For instance, a person might portray himself, or herself, as fiscally conservative first, an environmentalist second, socially progressive third, and a health care advocate fourth. These preferences can either be with one party, or across party lines.
- This multi-dimensional sketch of who you are will be put on your ballot and then counted. The counting system will take this into account when it counts your ballot.

"Next Preference Votes" are important and will be sought out by most candidates.

- This means that there will be a tendency to avoid attack ads and confrontational election campaigns which will turn off voters whose second preferences a

candidate needs. Candidates will have to rely on issues more than smear tactics.

- Extremist candidates, who cannot gain second preferences, will find it more difficult to get elected.

More stable investment climate.

- With reduced severity of policy swings, home grown and external investors will have less risk and will be more willing to invest in Canada. Unpredictable changes of business, labour, resource, and manufacturing regulations scare away investment.
- When a government uses incentives to attract investment and then those programs are discontinued by the next government, jobs leave the country.

Accountability

- The only mechanism a voter has to “hold their MP to account” is to withhold their vote in the next election.
- This mechanism is only available to 50% of voters under FPTP and MMP local elections.
- With STV, accountability is available to many more voters, because almost most voters will have elected someone with their vote.

Absolute power corrupts absolutely.

- Because the Prime Minister will have to reach across party lines for support, and there will often be more than one party represented in Cabinet, it will be less likely that ill considered ideas that pop into the Prime Minister’s head will actually see the light of day.
- There will be someone else in the room to add balance to the decision making process.
- Through coalition governments and increased MP accountability, STV will tend to reduce the power of the Prime Minister’s Office and the political parties in determining what government and party policy will be.
- This power to influence policy will tend to devolve to MPs and to Parliament, where increased levels of discussion and deliberation can lead to better policy development.

Parties will retain strength to provide structure to political system.

- Political parties will still remain strong, continuing to provide a useful structure to our political system and culture. However, they will have to be more in touch with the voters.
- Political parties will lose some power, especially around the final candidate selection process, but even this will allow the parties to clear out the dead wood, with help from the voters. This will actually help the parties.
- If a party is to remain dynamic and relevant, and in power, it will need to change with the times. Unfortunately, it may be difficult, within a party, to get rid of powerful people who are holding the party back. The voters can help the parties in this rejuvenation processes.
- More dynamic political parties will lead to a nimbler policy development process, which is important in a rapidly changing world.

STV provides stability for MPs.

- With FPTP elections, there tends to be electoral sweeps. One party will take all, or most of the seats in a region. The other parties are wiped out. Many hard working, knowledgeable, and popular MPs lose their seats. What a waste.
- Within STV’s multi-member districts, MPs will be mostly protected from these sweeps.

MPs will have more power.

- MPs run for office because they want to work constructively for their communities, but find, once they’re elected, that their ability to make a difference is curtailed by party and government pressures.
- MPs will be under increased pressure by the electorate to perform for them. All MPs will have to be more forceful within their party. As a result, party policy will be modified by MPs to better reflect voter’s values and desires, rather than the thoughts of a few back room party officials or their party leaders.

Voters will have more power.

- When voters have more power, MPs will demand more power within their political parties and in Parliament.

STV is simple to use.

- Without the need to vote strategically, voters will confidently vote for, and get their desired result.
- Preference voting accurately reflects how we normally think about things. This is my favorite, this is my next choice, and that is last. We do it all the time.
- Preference voting is simpler to use than plurality voting because you don't have to figure out how to vote effectively and accurately in a strategic way.

STV isn't all that hard to understand.

- STV is different and it's new to us. But we learn about new things all the time.
- If people in Ireland, Malta and Australia can understand and use STV, people in Canada certainly can.

STV will increase voter turn out.

- When you know your vote won't be wasted, and that you'll actually elect someone, you'll be more likely vote.
- Democracy is served when more of us vote. This will happen when we expect, and actually get, the representatives we voted for.

Chart 1

Single-Member Districts ➡ Voter Inequality ➡ Lack of Proportionality

Single-Member Districts

In a single-member district (SMD), only a single point of view can be represented by the single MP. Other points of view are unavoidably excluded from Parliament.

To represent multiple points of view, there needs to be multiple MPs in a district.

SMDs are the root of most electoral ills, including: voter inequality, lack of proportionality, severely ineffective local representation, lack of choice, regionalism, systemic discrimination against women, unstable government policy, etc. ...

Un-Equal Legislative Power of Voters

This chart shows that Canadians who voted federally in 2015 will have vastly different amounts of influence over the laws & policies which affect them between 2015 and 2019.

■ Excluded Voters

Percent: 51.7 %

Total: 9,095,616

Range: 3,495 - 47,590

■ Represented Voters

Percent: 48.3 %

Total: 8,485,494

Range: 5,618 - 47,552

Thousands of Voters in Each District

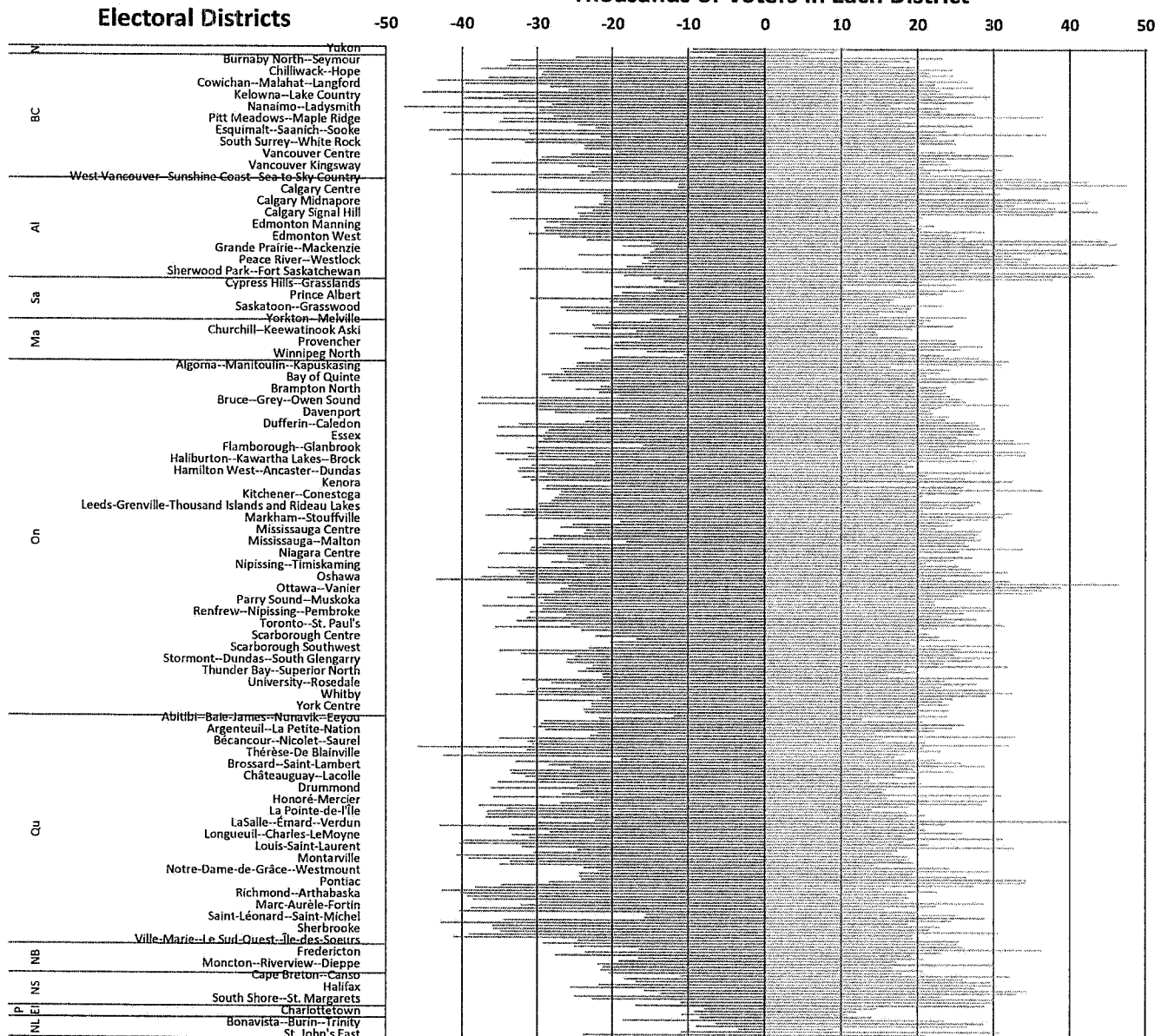


Table 1
The Problem with Single-Member Districts (2015 – 2019)

(Single-Member Districts are part of the following electoral systems: FPTP, IRV, MMP, MMM)

Jurisdiction	Excluded Voters	Represented Voters	Comments
Canada (338 MPs) Total = (%)	9,095,616 = (51.7%)	8,485,494 = (48.3%)	This table summarizes the extent of three of the fundamental errors created by our current FPTP electoral system:
Range: Least to most Voters / MP		5,618 – 47,552	
Ratio: Least to most Voters / MP		1 : 8.46	
The North (3 MPs) Total = (%)	25,497 = (49.8%)	25,677 = (50.2%)	1) Some MPs claim: "I represent everyone in my district." Nice sentiment, and surely well meaning, but it's simply impossible and fundamentally dishonest. An MP can't honestly speak both for and against an issue. An MP can't vote for some-thing with their right hand and against it with their left. It can't be done.
Range: Least to most Voters / MP		5,618 – 10,887	
Ratio: Least to most Voters / MP		1 : 1.94	
British Columbia (42 MPs) Total = (%)	1,335,685 = (56.5%)	1,029,091 = (43.5%)	2) Exclusion of 51.7% of voters from democratic representation: On election night, over half of voters are excluded, for the next four years, from having a say in determining the new laws and policies which will affect them. They will not be represented in Parliament by an MP they voted for.
Range: Least to most Voters / MP		16,094 – 37,070	
Ratio: Least to most Voters / MP		1 : 2.30	
Alberta (34 MPs) Total = (%)	768,689 = (39.8%)	1,161,952 = (60.2%)	3) The Legislative Power of voters varies greatly, even for those who actually voted for their MP: When our MPs speak and vote in the House, or provide constituency services, they do so on behalf of as few as 5,618 voters or as many as 47,552 voters.
Range: Least to most Voters / MP		19,157 – 47,552	
Ratio: Least to most Voters / MP		1 : 2.48	
Saskatchewan (14 MPs) Total = (%)	269,468 = (48.8%)	282,405 = (51.2%)	Jurisdiction: To be fair, the constitutional allocation of seats by province, and the near impossibility of changing the constitution, forces us to accept some of the huge variation in the number of voters represented by each MP. But even within each province, the number of voters shared by each MP can vary by 2, 3 or 4 times.
Range: Least to most Voters / MP		10,300 – 26,315	
Ratio: Least to most Voters / MP		1 : 2.55	
Manitoba (14 MPs) Total = (%)	283,190 = (47.1%)	318,623 = (52.9%)	Excluded Voters: Voters who didn't vote for the winning candidate don't have an MP representing their point of view in Parliament. <u>They have zero Legislative Power.</u> This exclusion lasts for four years, until the next election. Many voters have been excluded this way for decades.
Range: Least to most Voters / MP		14,469 – 31,993	
Ratio: Least to most Voters / MP		1 : 2.21	
Ontario (121 MPs) Total = (%)	3,374,919 = (51.7%)	3,155,098 = (48.3%)	Represented Voters: Voters who actually voted for the MP elected in their district.
Range: Least to most Voters / MP		10,918 – 46,542	
Ratio: Least to most Voters / MP		1 : 4.26	
Quebec (78 MPs) Total = (%)	2,497,766 = (58.9%)	1,743,648 = (41.1%)	Is there a better way? Why, yes. It's STV. To represent multiple points of view from a district, there needs to be multiple MPs. With an average of 5 MPs in a district, almost all voters can have an MP they voted for.
Range: Least to most Voters / MP		12,778 – 39,965	
Ratio: Least to most Voters / MP		1 : 3.13	
New Brunswick (10 MPs) Total = (%)	214,022 = (48.4%)	227,764 = (51.6%)	Using quotas, instead of plurality, every MP will be elected by about the same number of votes, hence representing the same number of voters.
Range: Least to most Voters / MP		16,656 – 36,534	
Ratio: Least to most Voters / MP		1 : 2.19	
Nova Scotia (11 MPs) Total = (%)	198,812 = (38.0%)	324,816 = (62.0%)	
Range: Least to most Voters / MP		23,161 – 34,377	
Ratio: Least to most Voters / MP		1 : 1.48	
P.E.I. (4 MPs) Total = (%)	36,482 = (41.7%)	51,002 = (58.3%)	
Range: Least to most Voters / MP		10,521 – 14,621	
Ratio: Least to most Voters / MP		1 : 1.39	
N. & L. (7 MPs) Total = (%)	91,086 = (35.5%)	165,418 = (64.5%)	
Range: Least to most Voters / MP		8,878 – 30,889	
Ratio: Least to most Voters / MP		1 : 3.48	

“Each citizen is entitled to be represented in government.”

McLachlin J. – Reference re Prov. Electoral Boundaries (Sask.), [1991] 2 S.C.R. 158
Supreme Court of Canada

It is our contention that Canada’s current **Single-Member Plurality (SMP)** electoral system is not compliant with the **Canadian Charter of Rights and Freedoms**, as interpreted by the **Supreme Court of Canada**¹.

There are at least four aspects of SMP which seem to be in contravention of the Charter:

1. **“Each citizen is entitled to be represented in government”².**

Single-Member Districts make it impossible for more than one point of view from a district to be represented in the House of Commons. In the 2015 federal election, 51.7% of voters didn’t vote for the candidate who won. These 9,095,616 voters are not represented in government.

Solution: To represent more than one point of view from a district, there needs to be multiple MPs representing the voters in a district.

2. **“... deviations from absolute voter parity may be justified on the grounds of practical impossibility or the provision of more effective representation.”³**

Plurality Voting decreases parity between voters. This unjustifiable reduction of voter parity results from some MPs being elected with as little as a 30% plurality and other MPs being elected with a 70% plurality, even when there is the same number of voters in their district.

Solution: To ensure that there is parity between voters, there also needs to be parity of voters being represented by each MP. Winning candidates should be determined in such a way that each MP will represent about the same number of voters.

3. **“Every citizen of Canada has the right ... to be qualified for membership [in the House of Commons].”⁴**

Single-Member Districts make it impossible for candidates who do not represent the plurality opinion in their district to get elected. This effectively excludes many citizens from ever becoming a member of the House of Commons.

Solution: By having multiple MPs from a district, candidates with different points of view might get elected, wherever they live.

4. **“Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination”⁵**

Single-Member Districts result in structural discrimination against women and diversity. When political parties nominate a single candidate in a district, there is a measurable tendency to nominate more males and more candidates of the dominant cultural group.

Solution: In multi-member districts, political parties can nominate multiple candidates, making it possible to nominate a more equal number of female candidates and more diversity.

¹ Reference re Prov. Electoral Boundaries (Sask.), [1991] 2 S.C.R. 158. & Figueroa v. Canada, [2003] 1 S.C.R. 912, 2003 SCC 37

² Reference re Prov. Electoral Boundaries (Sask.), [1991] 2 S.C.R. 158.

³ Reference re Prov. Electoral Boundaries (Sask.), [1991] 2 S.C.R. 158.

⁴ Canadian Charter of Rights and Freedoms, Section 3, Democratic Rights.

⁵ Canadian Charter of Rights and Freedoms, Section 15(1), Equality Rights.

Key Questions and Concepts

The Myth of the Universal MP: Can a single MP represent everyone in their district?

To answer this question, we might examine why we vote. We vote because candidates are different from each other. This is why we have elections. To be able to represent everyone in their district, an MP would have to be able to vote for legislation with their right hand, and against the same legislation with their left hand.

We vote because we want a specific candidate to become our MP. Here are some personal results we may want:

1. My MP is someone who I chose, not someone who was assigned to me.
2. My MP will vote in support of the Prime Minister I want in the next government.
3. My MP will vote in support of the Party I want to form the next government.
4. My MP will vote to support of the policies I like.
5. My MP sees the world from a perspective I share.
6. My MP understands where I'm coming from.
7. My MP knows my local issues, facts and concerns.
8. My MP will take my issues to the deliberations in the House of Commons.
9. My MP will advocate and argue from my point of view, and for my wellbeing, in the House of Commons.
10. My MP may be a partisan from a political party I like, or support.
11. My MP will strategically be the most likely to defeat the candidate(s) I fear or dislike.
12. My MP is not any of the other candidates.
13. My MP has some personal attributes which I like.
14. My MP is my best option of a good, or a bad, lot.
15. My MP will be someone I trust.
16. I will be able to hold my MP accountable at the next election, by withholding my support.
17. I will feel comfortable going to my MP for constituency services.
18. My MP will be capable of addressing my constituency service needs.
19. My MP will be likeminded when addressing my constituency concerns.
20. My MP will see constituency services from my point of view.

It's clear that a single MP cannot represent everyone in their district. To represent multiple points of view, there must be multiple MPs in each district.

Is there an alternative electoral system which is much more Charter compliant? Yes, there is at least one electoral system which has:

- **Multi-member districts**, so that multiple points of view can be represented from each district.
- **Equal number of voters represented by each MP**, to maintain voter parity between MPs.
- **A fair counting system**, which tries to give every voter a representative they actually voted for and also maintains voter parity.
- **Democratic Legitimacy**. The BC Citizens' Assembly on Electoral Reform recommended STV, which has these attributes.

Did the House of Commons ERRE Committee examine the S.C.C. 1991 Saskatchewan Reference? Apparently not. It was completely missing from their final report.

Did the House of Commons ERRE Committee examine the S.C.C. 2003 Figueroa v. Canada case? The final report does reference Figueroa, but it completely missed what it said about our democratic rights.

Is the House of Commons capable of legislating an electoral system which is Charter compliant? Apparently not. Changing the electoral system is in neither any governing political party's interest nor in the interest of many individual MPs.

Holding a Successful Electoral Reform Referendum

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What would a successful referendum look like?

1. Credible, fully detailed electoral system choices.
2. Trustworthy and complete information package.
3. Every voter can make a fully informed decision not based on fear or lack of information, or a general sense of confusion.
4. All voters should be able to make a competent decision based entirely on the information package which comes with the Ballot.

What is the purpose of this referendum?

To honestly find out which electoral system informed voters want.

Referendum Question

There's plenty of talk about having a two-stage question; DON'T DO IT. There will be unintended consequences.

Two Option Ballot

1. Don't have a "Yes" vs "No" question.
 - a. This gives an unfair advantage to one of the sides.
 - b. And it lets voters keep their info level to either Yes or No, not even knowing the names of the systems.
2. If there are two options, voters should put a mark beside the electoral system they want.
3. The choice shouldn't be between FPTP and "PR". PR isn't an electoral system.
4. The choice should be between FPTP and a fully-designed system.

Three Option Ballot

Recommendation: DON'T have a two-stage preferential ballot. Don't do this:

Stage 1: FPTP vs PR

Stage 2: BC-STV vs MMP (or other alternate systems)

Some voters may turn down all PR systems rather than get the PR system they really don't want, thus never getting to the second stage.

Without knowing which PR system they might get, some voters might play it safe and stick with FPTP. Even though most voters might prefer one of the PR systems, FPTP could win by poor ballot design.

Recommendation: If there are three options, a single-stage preferential ballot should be used.

Alternative Electoral System Development Process

The process which determines which electoral systems to put forward, and the contents of the **Ballot Package** must be:

1. Transparent, legitimate, authoritative, voter-based and utilize actual electoral system experts.
2. Systems should already be in use somewhere in the world.
3. If STV is chosen, use BC-STV as recommended by the BC Citizens' Assembly on Electoral Reform.

Clear Language

Develop or adapt a common Glossary of Terms and Concepts.

"PR" is not an electoral system. "PR" shouldn't be on the ballot.

The choice isn't between FPTP and PR, it's between FPTP and one or two very particular electoral systems which are proportional.

Open Lists or Open Lists? For some, an "Open List" is a party ordered list which is open to being modified by voters. For most, an "Open List" is a list ordered only by voters and not parties at all.

Recommendation: Use "Party-Ordered List" instead of "Closed List".

Use "Voter-Ordered List" instead of "Open List".

Use "Hybrid List" for party lists which can be modified by voters.

Things to take off the table

There are some electoral system attributes which very few people are considering and would be hugely unpopular. These attributes and issues are constantly coming up as reasons not to adopt a PR system.

1. All Party-Ordered Lists – aka closed, hybrid, flexible and "open lists".
2. Increasing the number of MLAs.
3. Province-wide lists.

Proponents: To have, or have not?

Recommendations:

1. Don't fund proponents. Do we really want \$500,000 of taxpayer money going to a proponent who may just use it to be untruthful to the public?
2. Keep the money and use it for a comprehensive, authoritative and complete education program.
3. Information should accompany the **Ballot Package**.
4. Government should be the proponent for all options.

If you are determined to have Proponents, beware of proponents which have:

1. History of making false or misleading statements.
2. History of saying that it's too complex, so vote No, rather than providing truthful information so that voters can make an informed decision.
3. History of using fear to stop the learning process even before it's begun.
4. History of saying a lot of confusing things and then saying that the whole thing is just too complicated, so just say No.

Funding of Proponents

Some people are suggesting that the government should support the two sides up to \$500,000 each.

If there are three options on the table, shouldn't three sides get funding?

But seriously, don't give Proponents a penny.

Financing and spending during referendum

Recommendations:

1. Spending by corporations and unions should be zero.
2. Individual voters should be able to spend an amount almost everyone can afford; \$100 - \$200.

Risk management – Bad proponents disenfranchise voters

1. What if one, or both, of the proponents do a terrible job?
2. What if the goal of one, or both, of the proponents is to make the other side lose, not based on making the case, but based on, false information, misleading statements, un-true memes, and campaign tactics, like creating fear and confusion.
3. How fair to voters would that be?

Ballot Package

Goal of ballot package:

To make sure that every voter has sufficient, high-quality information to make an informed decision in their best interest when they vote.

Information must go beyond system mechanics and include: effect on governance, representation, accountability, and constituency services.

The Ballot Package must:

1. Work for those who need all the details as well as those who only need the highlights.
2. Address other issues:
 - a. On-line Support
 - b. Ballot integrity
 - c. Accessibility
 - d. Language
 - e. Disabilities

Preliminary Mailing

A visually branded notification so that voters will be on the lookout for upcoming ballot package, to reduce the number of **Ballot Packages** which are thrown out immediately as junk mail.



How much space is needed?

An example to look at:

The Final Report of BC Citizens' Assembly on Electoral Reform

- Format: 8.5" x 11"
- Number of pages: 16 + heavier cover

What a Ballot Package might look like

Stapled inside at spine	Actual Ballot with return envelope.
Front cover – Outside	Visually branded to identify it and keep it out of trash.
Front cover – Inside	Description of how Ballot Package has been transparently, prepared and why it should be trusted.
Page 1	What this is all about. What to do. How to vote.
Page 2 – 3	Basic values. Summary of options
Page 4 – 5	FPTP – What it's all about. How it works. System details.
Page 6 – 7	FPTP – Q & A, the good and bad.
Page 8 – 9	Alternative #1 – What it's all about. How it works. System details.
Page 10 – 11	Alternative #1 – Q & A, the good and bad.
Page 12 – 13	Alternative #2 – What it's all about. How it works. System details.
Page 14 – 15	Alternative #2 – Q & A, the good and bad.
Page 16	General Q & A
Back cover – Inside	Extra recourses and links
Back cover – Outside	Happy BC pictures? A system scorecard with spaces for notes.

Packages should have alternative electoral systems in randomized order to keep it fair.

What to do about the BC Citizens' Assembly on Electoral Reform and its recommendation?

Use it. Don't hide from it.

Dealing with submissions.

1. Don't just have a staff person summarize and add information to metrics.
2. Pull out submissions with substance and send them directly to the attorney general staff for their own review.

Supreme Court Reference Questions

1. Can a single MLA represent everyone in the district where they were elected?
2. Do the single-member districts of FPTP provide representation to all?
3. Can political parties run for office?
4. Do safe, single-member districts compromise an individual's right to run?

[REDACTED]

From: [REDACTED]
Sent: Wednesday, February 28, 2018 6:42 PM
To: [REDACTED]
Subject: Submissions for Electoral Reform Consultation
Attachments: Submission to BC government on Electoral Reform (Feb 28, 2018).pdf; SMPP for BC (February 27, 2018).pdf

Greetings!

Attached, please find two submissions for your Electoral Reform consultation:

- * Submission to B.C. government on Electoral Reform
- * Single Member Party Proportional (SMPP) for B.C.

The first submission offers 16 recommendations for the electoral reform referendum and 4 additional recommendations to improve our democracy that do not involve electoral reform.

The second submission is a proposal for Single Member Party Proportional (SMPP): a simple, fair, proportional electoral system for B.C.

Single Member Party Proportional (SMPP):

- * is a simple, fair, electoral system in which nearly “every voter counts”
- * produces highly proportional results
- * does not require any change to existing ridings
- * does not change how MLAs are elected
- * does not change how many seats each party gets
- * involves only a slight change to the existing ballot
- * can easily be adopted in time for the next provincial election

Given these benefits, SMPP is offered for consideration as a replacement for our current First-Past-The-Post electoral system.

I hope these submissions help you with your electoral reform referendum.

[REDACTED]

Submission to B.C. government on Electoral Reform Referendum

Thank you for this opportunity to share my thoughts on the upcoming electoral reform referendum.

I commend the government for quickly taking steps to improve our democracy:

- Introducing legislation to ban corporate and union donations in provincial and municipal elections and limit individual contributions to \$1,200
- While the taxpayer subsidies to the political parties are extremely generous compared to other jurisdictions, they will be phased out in 5 years
- Introducing Bill 6 which provided the legislative framework for the referendum on electoral reform
- Going with a binding referendum rather than a non-binding plebiscite
- Requiring only a simple majority for the referendum
- Using a mail-in ballot to reduce the cost of the referendum
- Agreeing to respect the referendum results regardless of how many people vote

This submission addresses the following issues:

- The Question
- Campaign Funding
- The Process and Timeline
- Additional recommendations to improve our democracy not related to electoral reform

Executive Summary

This submission offers the following recommendations:

Recommendation #1: Have a simple mandate question, with no PR options listed, and a preamble to provide context (similar to that proposed by Fair Vote Canada in their submission).

Recommendation #2: Recommended question: "Do you support adopting a proportional voting system in which each party's share of the votes in the legislature equals their share of the votes in the election?"

Recommendation #3: If PR options are included on the ballot, include Single Member Party Proportional (SMPP) as one of the options. (A proposal for SMPP is included with this submission).

Recommendation #4: Launch the referendum campaign as soon as possible, ideally in March or April, to avoid the summer months and the municipal elections in October.

Recommendation #5: If the referendum campaign cannot be launched and completed before summer, launch it immediately after the municipal elections in late October.

Recommendation #6: Establish a Proponent Group and an Opponent Group for the referendum and provide \$500,000 in public funding to each group.

Recommendation #7: Set a spending limit of \$1,000,000 for each group and set stiff penalties for violating this limit.

Recommendation #8: Have the new campaign finance rules apply to the referendum and have these come into effect on March 1st.

Referendum #9: Political Parties should be considered third parties and campaign spending limits on third parties should apply to each political party within each electoral district.

Recommendation #10: Consider passing "Truth in Advertising" legislation for the referendum with stiff penalties for spreading false or misleading information.

Recommendation #11: After the referendum is completed, have Elections BC call a sample of randomly selected voters from those who submitted a ballot to confirm that they did, in fact send in a ballot. This extra security measure will help deter the possibility of people using other people's ballots to vote more than once and will further ensure the integrity of the mail-in ballot process.

Recommendation #12: If the referendum is successful, set up an Independent Commission to evaluate and recommend viable PR options for B.C. The selection and operation of this Independent Commission would be similar to B.C.'s 2005 Citizen's Assembly on Electoral Reform but should also include electoral reform experts and political party representatives to ensure all key stakeholders are part of the deliberations.

Recommendation #13: Consider testing up to three possible proportional voting systems over the course of the next three provincial elections and then hold a validating referendum in 2030 to determine whether voters prefer one of these systems or our current electoral system.

Recommendation #14: To achieve Recommendation #13, the Independent Commission should be instructed to:

- recommend, at most, three proportional voting systems as possible alternatives to our current electoral system;
- recommend at least one PR option that does not require redistricting that can be adopted in time for the 2021 election; (one possible option that does not require redistricting is Single Member Party Proportional (SMPP); see proposal for SMPP included with this submission);
- recommend up to two additional PR options that may require redistricting; such redistricting to be done by the next Electoral Boundaries Commission in 2023

Recommendation #15: Consider conducting an online vote prior to the next provincial election to allow voters to express their opinion on the proportional voting systems recommended by the Independent Commission.

Recommendation #16: If the government has any concerns about the constitutionality of any proposed electoral systems, refer these to the Supreme Court for an opinion as soon as possible.

The above recommendations all pertain to the current electoral reform referendum. Below are some additional recommendations on ways the government could improve our democracy that do not involve electoral reform.

Recommendation #17: Amend the Recall and Initiatives Act as follows:

- for Initiatives, require the signatures of 10% of registered voters province-wide, with a 10% majority in each of B.C.'s six main regions (Cariboo, Lower Mainland, Kootenays, North, Okanagan and Vancouver Island);
- amend regulations to make canvassing easier and limit funding so the process cannot be controlled by vested interests with deep pockets;
- if an Initiative is successful, it triggers an automatic, binding referendum requiring a double majority to pass: a majority in the Lower Mainland and a majority in the rest of the province;
- for Recalls, if 30% of registered voters sign a petition, it results in a secret-ballot recall vote requiring a simple majority of votes cast to remove the MLA

Recommendation #18: Consider adopting a "People's Veto" as follows:

- once a Bill has passed Third Reading, there is a 60-day period before it receives Royal Assent;
- if, during this 60-day period, at least 10% of registered voters express opposition to the Bill; it will return to committee for amendment or be subject to a referendum to pass;
- if at least 10% of registered voters do not express opposition to the Bill during the 60-day period, it receives Royal Assent;
- the "People's Veto" could be waived for urgent, time-sensitive legislation such as funding approval for emergency relief, etc.

Recommendation #19: Explore ways to reduce party control of MLAs:

- allow MLAs to defeat bills or budgets without toppling the government; if a bill or budget is defeated it would trigger a separate, explicit Non-Confidence Vote that would need to pass for the government to fall;
- make all votes, except for an explicit Non-Confidence Vote, free votes and allow all MLAs, including Cabinet Ministers, to vote according to the wishes of their constituents;
- allow MLAs to vote on appointments to Cabinet and committees;
- institute proportional representation on committees (if a party gets 40% of the votes during the election, they get 40% of the members on committees);
- implement a system to allow voters to comment and vote online on upcoming bills; this system could also be used for the "People's Veto" recommendation above;
- consider adopting "fractional voting" to allow MLAs to better represent different opinions in their riding; if 60% of constituents support a bill and 40% oppose it (as determined by a poll, online survey, focus group or other method), the MLA casts 0.6 of their vote for the bill and 0.4 of their vote against the bill.

Recommendation #20: Establish a Parliamentary Budget Officer for B.C., independent of government and reporting to Parliament, with adequate staffing and funding.

The Question

Recommendation #1: Have a simple mandate question, with no PR options listed, and a preamble to provide context (similar to that proposed by Fair Vote Canada in their submission).

Recommendation #2: Recommended question: "Do you support adopting a proportional voting system in which each party's share of the votes in the legislature equals their share of the votes in the election?"

Designing an alternative to our current electoral system is an important undertaking that takes time to do properly. There are only 9 months remaining to the November 30th deadline for the referendum. The 2011 Referendum on the Harmonized Sales Tax took 4 months (from enabling legislation to mail-in of ballots). That would leave only 5 months to consider feedback from the online consultation, evaluate and select possible PR options, and develop appropriate educational materials for each option. That is not enough time to do this properly. The only way this could be done in time is through a Parliamentary Committee. This would be rushed and, since all of the political parties have strong vested interests in electoral reform; putting politicians in charge of recommending possible electoral systems would likely undermine public confidence in any options suggested. Given these considerations, a simple mandate question, with no PR options listed, is the only option that is realistically feasible by November 30th.

So I recommend a simple mandate question with a preamble to provide context.

The submission by Fair Vote Canada proposes an excellent sample preamble.

But what should the mandate question be?

The goal of the electoral reform referendum is to provide voters with an opportunity to indicate if they support adopting a system of proportional representation.

The goal of proportional representation (PR) is to correct the distortions that result from our First-Past-The-Post (FPTP) electoral system so that each party's share of the votes in the legislature matches their share of the vote during the election.

To achieve this goal, many proposals for PR attempt to change the electoral system to produce seat counts proportional to each party's share of the vote: Mixed Member Proportional (MMP), Single Transferable Vote (STV), Local PR, Flexible District PR (formerly Rural-Urban PR), Dual Member Proportional (DMP), etc.

But there are PR options that don't require changing the electoral system or adjusting the seat counts for each party: Single Member Party Proportional (SMPP), Proxy Voting, Direct Party and Representative (DPR), etc.

A number of submissions have suggested a mandate question along the lines of "Do you support adopting a proportional voting system in which each party's share of the seats equals their share of the vote?"

There are three problems with this question:

- It introduces a subtle bias in the question: a focus on seats introduces a bias in favour of PR options that require changing the electoral system over those that achieve PR through changes to the legislative voting process;
- It obscures the true objective of PR as described above;
- Focusing on seats introduces an unnecessary partisan component into the ballot question; the referendum then becomes about which political parties would win and which would lose under PR rather than being about whether changing to a proportional voting system is better for voters and for our democracy.

For these reasons, I recommend a simple mandate question along the lines of:

“Do you support adopting a proportional voting system in which each party’s share of the votes in the legislature equals their share of the votes in the election?”

This simple mandate question has a number of important benefits:

- it reflects the true goal of proportional representation (PR): to ensure that each party’s share of the votes in the legislature matches their share of the vote during the election;
- it avoids the bias and partisan aspect of a question that focuses on seats;
- it allows for both types of PR options (those that adjust seat counts and those that don’t);
- if the referendum does not pass, it avoids needlessly developing various PR options for consideration on the ballot;
- most importantly, a simple mandate question shortens the time needed for the referendum campaign (if the ballot question does not ask voters about PR options, it is not necessary to design materials for those PR options); this allows for an earlier referendum;
- an earlier referendum, if successful, allows more time to develop, select, and implement a new system before the next election (see the Process and Timeline section below for more on this)

Recommendation #3: If PR options are included on the ballot, include Single Member Party Proportional (SMPP) as one of the options. Single Member Party Proportional is a simple, fair electoral system that produces highly proportional results with only a slight change to the ballot. It does not require any change to existing electoral districts, does not change how MLAs are elected or how many seats each party wins, and can easily be adopted in time for the next provincial election. A detailed proposal for SMPP is included with this submission.

Process and Timeline

Bill 6 imposes two important time constraints on the government:

- hold a referendum on electoral reform by November 30, 2018
- if the referendum is successful, implement a new proportional electoral system in time for the 2021 election

These two time constraints largely dictate what is and is not possible in terms of process options.

In terms of process, there are 4 main phases to bringing in a new electoral system for 2021:

- Referendum Phase: referendum campaign (approx. 4 months: the 2011 Referendum on the Harmonized Sales Tax (HST) used a mail-in ballot and took about 4 months);
- Evaluation/Selection Phase: to recommend new system/legislative review (approx. 15 months: B.C.'s 2005 Citizen Assembly on Electoral Reform took 19 months but this could be tightened to about 15 months);
- Redistricting Phase: an Electoral Boundary Commission (EBC) redraws electoral districts/boundaries (a minimum of 15 months: the 2015 EBC, a regular redistricting, took 18 months but could be tightened to about 15 months; the 2008 EBC, which drew up 20 new electoral districts for BC-STV and 83 new Single Member Plurality electoral districts, took about 29 months);
- Election/Pre-Election Phase: Prepare for and conduct election (approx. 4 months to produce educational/electoral materials and train elections personnel on the new system).

This is a very tight timeline totaling about 38 months and each phase is dependent upon the preceding phase (Elections BC can't design materials until a new system is approved and that can't start until the referendum passes). So there is little room to adjust the timeline.

The next general election is scheduled for October 16, 2021. Working backwards from there, we can map out an approximate timeline as shown below:

Activity	Time required (approximate)	Required start date (approximate)
Election/Pre-Election Phase (Elections BC): June-October 2021		
Election Day	1 day	Oct. 16, 2021
Writ dropped/general election campaign period	4 weeks	Sept. 19, 2021
Pre-election education on new electoral system	4 weeks	Aug. 19, 2021
Develop education materials/train elections personnel on new system	3 months	June 1, 2021
Redistricting Phase (Electoral Boundary Commission): March 2020-May 2021		
Approve final boundaries	2 months	April 1, 2021
Design Electoral Districts/boundaries (Electoral Boundaries Commission)	12 months	April 1, 2020
Appoint Electoral Boundaries Commission	1 month	March 1, 2020
Evaluation/Selection Phase (Independent Commission): December 2018-February 2020		
Approval of legislative review/recommendations	2 months	Jan. 1, 2020
Legislative review of Independent Commission's report/recommendations	2 months	Nov. 1, 2019
Deliberations/recommendations/submit report (Independent Commission)	3 months	Aug. 1, 2019
Public Consultations (Independent Commission)	3 months	May 1, 2019
Preparation/education (Independent Commission)	2 months	Mar. 1, 2019
Application/selection of members	2 months	Jan. 1, 2019
Legislation to create Independent Commission	1 month	Dec. 1, 2018
Referendum Phase: March-June 2018 (to avoid summer holidays and municipal elections)		
Tabulate/publish results	1 week	June 25, 2018
Voting packages mailed/returned (immediately after municipal elections)	5 weeks	May 21, 2018
Campaign period (Proponent and Opponent groups)	5 weeks	April 16, 2018
Legislation to launch campaign period	4 weeks	March 19, 2018
Review/publish results of online consultation	2 weeks	March 1, 2018

As mentioned above, this is a very tight timeline totaling about 38 months. As of March 1st, there are just over 43 months to the next provincial election and summer/winter recesses of the legislature cut into this time. So there is a very tight timeline to adopt a new electoral system in time for the next election; especially if that new system requires redistricting. And almost all of the PR options that have been proposed so far do require redistricting.

Now let's look at some recommendations for each the 4 phases outlined above.

The Referendum Phase

Recommendation #4: Launch the referendum campaign as soon as possible, ideally in March or April, to avoid the summer months and the municipal elections in October.

Recommendation #5: If the referendum campaign cannot be launched and completed before summer, launch it immediately after the municipal elections in late October.

The referendum campaign needs to launch as soon as possible to meet the above timeline. A simple mandate question, without PR options, allows for an earlier launch, since there is no need to develop PR options for the ballot. It is also advisable to avoid running the referendum campaign over the summer (which could adversely affect participation rates) or during the municipal elections. So I recommend launching the referendum campaign as soon as possible, preferably in March or April. If this is not possible, consider launching the referendum campaign immediately after the municipal elections in late October.

Recommendation #6: Establish a Proponent Group and an Opponent Group for the referendum and provide \$500,000 in public funding to each group.

Recommendation #7: Set a spending limit of \$1,000,000 for each group and set stiff penalties for violating this limit.

Recommendation #8: Have the new campaign finance rules apply to the referendum and have these come into effect on March 1st.

Referendum #9: Political Parties should be considered third parties and campaign spending limits on third parties should apply to each political party within each electoral district.

Recommendation #10: Consider passing "Truth in Advertising" legislation for the referendum with stiff penalties for spreading false or misleading information.

Recommendation #11: After the referendum is completed, have Elections BC call a sample of randomly selected voters from those who submitted a ballot to confirm that they did, in fact send in a ballot. This extra security measure will help deter the possibility of people using other people's ballots to vote more than once and will further ensure the integrity of the mail-in ballot process.

Most of these recommendations don't require elaboration but here are some comments:

- Although Proponent and Opposition Groups have not been formally established, the campaign has already begun; and funds are already being spent without any limitations since it is outside the campaign period;
- So I suggest the referendum campaign officially begin March 1st to impose some control over the process (legislation can backdate the campaign start to March 1st);
- I suggest some type of "Truth in Advertising" legislation to prevent the false and misleading information being used by Opponents;
- The 2011 Referendum on the HST provided valuable experience conducting a mail-in referendum. The process included a number of safeguards: a confirmation envelope, a secrecy envelope, unique tracking codes to prevent duplicate voting, etc. One potential area for abuse is people using someone else's voting package and voting more than once. There should be stiff penalties for impersonating another voter and Elections BC should call randomly selected voters from submitted ballots to confirm that it was they who, in fact, voted.

Evaluation and Selection Phase

Recommendation #12: If the referendum is successful, set up an Independent Commission to evaluate and recommend viable PR options for B.C. The selection and operation of this Independent Commission would be similar to B.C.'s 2005 Citizen's Assembly on Electoral Reform but should also include electoral reform experts and political party representatives to ensure all key stakeholders are part of the deliberations.

Recommendation #13: Consider testing up to three possible proportional voting systems over the course of the next three provincial elections and then hold a validating referendum in 2030 to determine whether voters prefer one of these systems or our current electoral system.

Asking voters to vote on an electoral system they have never experienced is like asking a person to buy a car without a test drive. There are a number of viable proportional voting systems for B.C. Let's give voters a chance to "test drive" some of these systems by holding the next two or three elections under different electoral systems and then holding a validating referendum that allows voters to indicate if they prefer one of these systems or the current one.

Recommendation #14: To achieve Recommendation #13, the Independent Commission should be instructed to:

- recommend, at most, three proportional voting systems as possible alternatives to our current electoral system;
- recommend at least one PR option that does not require redistricting that can be adopted in time for the 2021 election; (one possible option that does not require redistricting is Single Member Party Proportional (SMPP); see proposal for SMPP included with this submission);
- recommend up to two additional PR options that may require redistricting; such redistricting to be done by the next Electoral Boundaries Commission in 2023

The main PR options that have been proposed include Mixed Member Proportional (MMP), Single Transferable Vote (STV), Local PR, Flexible District PR (formerly Rural-Urban PR) and Dual Member Proportional (DMP). All of these proposed options require redistricting. Combining existing electoral districts into multi-member districts (as proposed in STV and Local PR) or pairing existing electoral districts (as in DMP) still require redistricting. Any PR option that requires redistricting faces a very tight timeline if it is to be adopted by the next election. Given this, the Independent Commission should be instructed to recommend at least one proportional voting system that could be adopted in time for the 2021 election; preferably one that does not require redistricting. Single Member Party Proportional (SMPP) is one option that meets this requirement.

Redistricting Phase

The above timeline assumes that redistricting is required. Picking a PR option that requires redistricting creates a very tight timeline and unnecessary duplication; since redistricting will be required in 2023 after the next census. So I recommend that we adopt a system for 2021 that does not require redistricting (such as Single Member Party Proportional). This alleviates the time crunch and makes it much easier to adopt an electoral system in time for the next election. The Independent Commission can still recommend up to two other PR options that may require redistricting; which would be done by the 2023 Elections Boundary Commission. These would then be adopted for the 2025 and 2029 elections. A validating referendum could then be held in 2030 to determine if voters want to go with one of the new systems or revert back to FPTP. The 2031 Electoral Boundaries Commission would then create the new electoral districts for whichever system is selected.

Recommendation #15: Consider conducting an online vote prior to the next provincial election to allow voters to express their opinion on the proportional voting systems recommended by the Independent Commission.

Recommendation #16: If the government has any concerns about the constitutionality of any proposed electoral systems, refer these to the Supreme Court for an opinion as soon as possible.

Other Recommendations

The above recommendations all relate to the current electoral reform referendum. In the Executive Summary I offer some additional recommendations on ways to strengthen our democracy that do not involve electoral reform (see page 3).

Single Member Party Proportional (SMPP)

Several of the recommendations in this submission refer to Single Member Party Proportional.

Single Member Party Proportional (SMPP) is a simple, fair, electoral system that achieves proportional representation (PR) with minimal change to our existing electoral process. SMPP is a proportional voting system that adds “top-up votes” in the legislature to achieve proportional representation among the parties. SMPP offers many benefits:

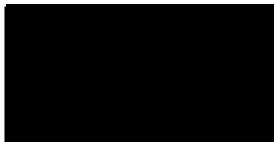
- it is a system in which “every vote counts”
- it does not require redrawing electoral districts, ranking candidates or complex formulae for determining who gets elected
- it does not change how MLAs are elected or how many seats each party wins; which makes it far less threatening to political parties than other PR options
- it requires only one small change to our existing ballot so it can easily be implemented for the 2021 election, as promised by the government

A proposal with full details on Single Member Party Proportional (SMPP) is included with this submission.

Conclusion

Our electoral system is the foundation of our democracy. It determines how the wishes of the voters are translated into political power and public policy. Considering possible changes to our electoral system is a very important undertaking and doing it properly takes time. This submission offers a number of concrete recommendations to assist with this process. It also includes a proposal for Single Member Party Proportional (SMPP), a simple, fair electoral system that produces highly proportional results with only a slight change to our current ballot. It is a viable option that deserves serious consideration. This submission also provides a draft timeline and offers recommendations to ensure the government can adopt a new electoral system for the next election should the referendum succeed. This submission also recommends “test driving” up to three possible proportional voting systems over the next few elections and holding a validating referendum in 2030 to allow voters to indicate if they prefer one of these systems or our current one.

I hope these recommendations will assist you as you move forward with the electoral reform referendum.



Single Member, Party Proportional (SMPP): A simple, fair, proportional electoral system for British Columbia

by [REDACTED]

[REDACTED] worked on The People's Platform, a unique citizen engagement process, during the 2014 municipal election in Hamilton, Ontario as well as the 2015 federal election. This led [REDACTED] to found The People's Forum, which seeks to further democratize the public policy process by inviting Canadians to come together to debate and decide what we want to see from our elected representatives. He is a member of Fair Vote Canada and has been an active advocate for electoral reform. [REDACTED] has also worked as a Deputy Returning Officer at a number of federal, provincial and municipal elections; giving him a bird's eye view of our electoral process in action.

Summary

Single Member, Party Proportional (SMPP) is a simple, fair, electoral system that achieves proportional representation (PR) with minimal change to our existing electoral process. SMPP is a proportional voting system that adds "top-up votes" in the legislature to achieve proportional representation among the parties. It is a system in which "every vote counts". It does not require any change to existing electoral districts, ranking candidates or complex formulae for determining who gets elected. It does not change how MLAs are elected or how many seats each party gets; making it far less threatening to political parties than other PR options. SMPP produces election results that are highly proportional and closely match how voters voted. It requires only one small change to our existing ballot and can easily be implemented for the 2021 election. Given all these benefits, SMPP is a strong, viable PR option for B.C. and deserves serious consideration to replace our First-Past-The-Post electoral system.

There are two ways Single Member Party Proportional (SMPP) can be designed:

- with top-up votes
- without top-up votes

SMPP with top-up votes is presented below and SMPP without top-up votes is covered in Appendix A.

Here is how Single Member, Party Proportional (SMPP) with "top-up votes" would work:

- Electoral districts remain unchanged and voters still elect a single member to represent them
- Voters cast 2 ballots: one for their preferred party and one for their preferred candidate (This is the only change that SMPP makes to our existing electoral system; see Appendix C for a sample ballot)
- The "candidate ballot" is used to determine who wins the riding: the candidate with the most votes is elected MLA (same as now)
- The "party ballot" is used to determine how many House Votes (HV) each party gets in the legislature: if a party gets 30% of the vote in the election, it gets 30% of the House Votes (HV) in the legislature
- Under SMPP, the number of House Votes (HV) is increased by 50%

- Each riding would have 1.5 votes; 1 vote held by the local MLA and 0.5 top-up votes which are pooled with the top-up votes from other ridings and divided among elected MLAs in a way that produces proportional representation among the parties
- BC currently has 87 MLAs/votes; so, under SMPP, BC would have $87 + 50\% = 131$ House Votes
- Note that these are votes, not MLAs; the legislature would still have 87 MLAs but those 87 MLAs would have 131 votes divided among the MLAs based on each party's share of the vote
- A party's House Votes (HV) are divided into two parts:
 - Member Votes (MV): equal to the number of MLAs the party elected
 - Top-Up Votes (TUV): the remaining House Votes that are not MLA votes ($TUV = HV - MV$)
- Let's look at an example
- The table below shows the 2017 election results for B.C. under SMPP (with "top-up votes"):

Party	%	Adj. %	House Votes	MLAs (Member Votes)	Top-Up Votes
Liberal	40.36	41.40	54	43	11
NDP	40.28	41.32	54	41	13
Green	16.84	17.28	23	3	20
TOTAL	97.48	100.0	131	87	44

- B.C. MLAs currently have 87 votes in the legislature so, under SMPP, this increases to 131 House Votes
- The Liberal Party got 40.36% of the vote in B.C. and elected 43 MLAs (49.4% of the 87 MLAs/votes)
- Notice that the Liberals, NDP and Green Party combined got 97.48% of the votes. The remaining 2.52% of votes were cast for independents that did not get elected or for minor parties that did not elect any MLAs. SMPP includes an adjustment for these votes, otherwise 2.52% of the House Votes would be "lost" (i.e. not assigned to any party's MLAs).
- The Liberal Party's vote is adjusted to 41.40% ($40.36 \text{ of } 97.48 = 41.40\%$)
- So the Liberal Party would get $131 \times 41.40\% = 54$ House Votes (HV)
- The Liberals elected 43 MLAs so they get 43 Member Votes (MV) and $54 - 43 = 11$ Top-Up Votes
- The NDP got 40.28% of the vote (41.32% adjusted) and elected 41 MLAs (47.1% of 87)
- So they would get $131 \times 41.32\% = 54$ House Votes: 41 Member Votes (MV) and 13 Top-Up Votes (TUV)
- The Green Party got 16.84% of the vote (17.28% adjusted) and elected 3 MLAs (3.4% of 87)
- So the Green Party gets $131 \times 17.28\% = 23$ House Votes: 3 Member Votes and 20 Top-Up Votes
- The table below compares the 2017 election results under First-Past-The-Post and under SMPP
- Notice that SMPP with "top-up votes" produces results that are nearly perfectly proportional:
 - Liberals: 40.36% of the vote and 41.2% (54 of 131) of the votes in the legislature
 - NDP: 40.28% of the vote and 41.2% (54 of 131) of the votes in the legislature
 - Green Party: 16.84% of the vote and 17.6% (23 of 131) of the votes in the legislature

	2017 B.C. election under FPTP			2017 B.C. election under SMPP		
	% of vote	MLAs	% of seats	% of vote	MLAs	% of House Votes
Liberal Party	40.36	43	49.43	40.36	43	41.2
NDP	40.28	41	47.13	40.28	41	41.2
Green Party	16.84	3	3.44	16.84	3	17.6
TOTAL	97.48	87	100.00	97.48	87	100.0

- The only remaining item is to explain how the Member Votes and Top-Up Votes get cast
- It is fairly straight forward but let's use an example to illustrate how this would work
- The NDP MLAs have 54 House Votes (HV): 41 MLAs (MV) and 13 Top-Up Votes (TUV)
- Let's say 33 NDP MLAs support a bill and 8 Liberal MLAs are against it
- Then, 80.5% of the NDP MLAs are for the bill (33 of 41) and 19.5% are against (8 of 41)
- So 80.5% of their Top-Up Votes ($13 \times 80.5\% = 10.47$ TUV (rounded to 10)) are cast for the bill and 19.5% of their Top-Up Votes ($13 \times 19.5\% = 2.53$ TUV (rounded to 3)) are cast against the bill
- So the NDP MLAs would cast 43 House Votes for the bill (33 MV + 10 TUV) and 11 House Votes against the bill (8 MV + 3 TUV)
- The House Votes for MLAs of the other parties for/against the bill would be calculated in the same way
- A bill would need a total of 66 House Votes (of 131) to pass (50%+, same as now)

Benefits of Single Member, Party Proportional (SMPP):

- it is simple: voters cast 2 ballots - one for their preferred party and one for their preferred candidate
- SMPP gives voters more choice by allowing them to vote for candidates and parties separately
- there is no need to rank candidates or parties
- electoral districts remain unchanged (no need to redraw boundaries)
- MLAs are elected in the same way they are now (no complex formulae required to determine winners)
- other than a slight change to the ballot, the electoral process stays exactly the same as now
- it is fair: if a party gets 30% of the vote, they get roughly 30% of the votes in the legislature
- nearly every vote counts (in determining how many votes each party gets in the legislature)
- voters elect a single, local MP from their riding, same as now (no need to select multiple members)
- SMPP produces results that are closely aligned with how voters voted
(SMPP produces the most proportional results of any electoral system except for pure PR)
- it provides for regional representation: Top-Up Votes ensure every party receives votes in the legislature from every region in which they received votes, even if they did not elect any MLAs from that region
- it eliminates the need for strategic voting
- SMPP is likely to increase civility and collaboration between parties since, unless it wins a majority of the vote, the government will need the support of other parties to pass its legislation
- SMPP prevents fringe or single-issue parties from getting votes in the legislature since a party needs to elect at least 1 MP in order to get votes in the legislature
- SMPP could easily be implemented for the 2021 election
- SMPP achieves the 3 main things that many people appearing before the ERRE Committee said they want from their electoral system: that it be simple, that it be fair, that it retain local representation
- SMPP is an electoral system that could increase voter participation and political engagement
- SMPP does make any changes to existing ridings and does not change how, or how many MLAs, get elected, so it is far less threatening to political parties/candidates than other PR options

SMPP is a uniquely “made in Canada” system that reflects our values of equality and fairness

What are the drawbacks to Single Member, Party Proportional (SMPP)?

- Single Member, Party Proportional (SMPP) is an electoral system with very few drawbacks
- Under SMPP voters still elect only 1 MP (despite possible advantages to multi-member systems)
- SMPP does not directly address electing more women or groups currently under-represented in the legislature (most PR options don’t)
- However, this can be addressed in other ways: improving the nomination process, providing incentives to parties that achieve gender equity in their nominations, other diversity initiatives, etc. One of the quickest and easiest ways to ensure more women are elected to office is to require political parties to nominate more women in ridings that are considered “safe”
- Introducing “top-up votes” could be considered a change to our “constitutional architecture” and thus require a constitutional amendment. The government could ask the Supreme Court for an opinion on this question. This could take up to a year, which would still allow time to implement SMPP for 2021
- SMPP’s main drawback is that, if a party elects fewer MLAs than they should have based on their share of the vote, SMPP compensates for this by awarding the party more Top-Up Votes but not more MLAs
- For instance, the Green Party received 16.8% of the vote in 2017
- With 87 MLAs being elected, under a proportional system, the Green Party should get 14-15 MLAs instead of the 3 they elected
- Having 14-15 MLAs would make it easier for the Green Party to assign MLAs to various committees and perform other legislative functions
- Under SMPP, the Green Party would still elect only 3 MLAs, but those 3 MLAs would control 23 House Votes or 17.6% of the votes in the legislature
- While this ensures the Green Party has a proportional share of the votes in the legislature, the party still only has 3 MLAs instead of the 14-15 they deserved to elect
- However, the goal of electoral reform is to adopt an electoral system that is fair, ensures that every voter counts and produces results that reflect how voters voted; not to adjust seat counts for any particular party
- SMPP achieves these goals, and other benefits, with minimal change to our voting process
- Appendix A provides an alternative way to design SMPP, without “top-up votes”. However, the “top-up votes” approach is considered more appealing; since the alternate approach results in some MLAs having more than 1 vote each and some MLAs having less than 1 vote each

Where did the idea for Single Member, Party Proportional (SMPP) come from?

- One of the main criticisms of our current First-Past-The-Post system is that it is not fair: parties can get less than 50% of the vote but win more than 50% of the seats, giving them 100% control in the legislature
- So nearly all proponents of electoral system want to see a system that is fair/proportional: if a party gets 30% of the vote during the election, it should get 30% of the votes in the legislature
- Most proposals for electoral reform try to achieve fairness and proportionality through changes to the electoral process: under these systems, if a party gets 30% of the vote it gets about 30% of the seats
- But there is a simpler solution: leave the electoral process as is and create greater fairness and proportionality through changes to the voting process in the legislature
- Several years ago I came up with a system I called Proportional Parliament Voting System (PPVS)
- It uses the “top-up votes” approach described above
- I submitted a proposal to the Special Committee on Electoral Reform that recommended PPVS, as well as Multi-Member, Personal and Proportional (M2P2), as alternates to our First-Past-The-Post system
- Then I read the transcript of the ERRE’s consultation town hall held in Toronto on Sept. 21st, 2016
- A man named [REDACTED] recommended the Direct Party and Representative (DPR) system
- I checked out their website (www.dprvoting.org) and was surprised to see that DPR was very similar to the Proportional Parliament Voting System (PPVS) I had come up with
- I did an analysis of how DPR/PPVS would work in Canada
- I discovered a few problems with DPR, but all were easily addressed with some modifications to DPR
- The result was a modified version of DPR for Canada that I decided to call Single Member, Party Proportional (SMPP); this term distinguishes it from DPR/PPVS and succinctly describes the system
- Initially, SMPP was designed as described in Appendix A (without “top-up votes”); this approach results in some MPs having less than 1 vote each (if their party is over-represented in the House of Commons) and some MPs having more than 1 vote each (if their party is under-represented)
- However, after getting feedback from several MPs who expressed concern about MPs having differing numbers of votes, SMPP was further modified to add “top-up votes” (as envisioned in PPVS)
- I did a detailed analysis of both forms of SMPP for the 2015 federal election
- This analysis found that both design options produce results that are highly proportional and very closely reflect how voters voted in each province and nationally
- This proposal looks at how SMPP could work for provincial elections in British Columbia
- To see how SMPP could work for federal elections, please visit <http://pr2019.com>

How does SMPP compare to other proportional representation (PR) options under consideration?

- Single Member Party Proportional (SMPP) is not a “perfect” system, no system is
- However, it is simple, fair and produces highly proportional results with minimal change to our existing electoral system

- Other PR systems that have been proposed are:
 - Mixed Member Proportional (MMP)
 - Single Transferable Vote (STV) or a variation called Local PR
 - Flexible District PR (formerly called Rural-Urban PR)
 - Dual Member Proportional (DMP)
- These are all possible alternatives to replace First-Past-The-Post (FPTP)
- However, these systems all face some serious challenges:
 - Political opposition: all of these systems require redrawing ridings and redesigning our electoral system and pose serious re-election risks to Liberal and NDP MLAs (under a system of PR, the Liberals would lose 8 MLAs (43 to 35 with the same 40.4% of the vote) and the NDP would lose 6 MLAs (41 to 35 with the same 40.3% of the vote); also many MLAs may resist these systems because they would require MLAs to campaign in larger, redrawn and/or multi-member ridings
 - Time constraints: it would take approximately 38 months to redesign the electoral system, redraw the ridings and produce educational/election materials. As of March 1st, there are just over 43 months to the next election and summer/winter recesses of the legislature reduce that to less than 31 months. And it will be several months at least before the government launches the referendum campaign. All of these PR options require redistricting which means it is unlikely that any of these can be adopted in time for the next provincial election, realistically speaking.
 - Potential to fail in a referendum: each of these options involve considerable change to what voters are accustomed to; this increases the chances that these PR options could be defeated in a future validating referendum (human nature being what it is, the more different an electoral system is from what people are accustomed to, the greater the chance they will reject it)
- Single Member Party Proportional (SMPP) is better positioned to face these challenges:
 - Under SMPP, each party would still elect the same number of MLAs as under First-Past-The-Post
 - There would be no change to existing ridings or to the current electoral system and consequently, SMPP does not pose the re-election risks to MLAs that other systems do; which makes it far more attractive to current MLAs
 - This makes SMPP far less threatening to the Liberal Party and the NDP and to their MLAs
 - Since SMPP does not make any changes to existing ridings and involves only a slight change to the ballot, educational materials could be produced quickly and easily for the referendum
 - Since SMPP is simple, fair, produces highly proportional results and involves minimal change to our existing electoral system, it is more likely to succeed if on the ballot in the upcoming referendum
 - If it were to succeed in the referendum, SMPP could easily be adopted in time for the 2021 election
- For these reasons, I feel Single Member Party Proportional (SMPP) is a more attractive option both for the political parties/MLAs as well as for the general public and, consequently, has a better chance of being adopted in the upcoming referendum than these other options
- In summary, Single Member Party Proportional (SMPP) is a simple, fair electoral system that produces highly proportional results with minimal change to our existing voting system; it can easily be implemented for 2021 and it is likely to face far less political and public opposition than MMP, STV or Flexible District PR, formerly called Rural-Urban PR (for the reasons mentioned)

Appendices

The attached Appendices provide further details on Single Member Party Proportional (SMPP).

Page 2 shows the results of the 2017 B.C. election under SMPP **with** “top-up” votes.

Appendix A shows how the results for the 2017 B.C. election under SMPP **without** “top-up votes”

Appendix B provides additional design suggestions for SMPP.

Appendix C shows a sample ballot for SMPP.

Appendix D shows SMPP in action. Our current First-Past-The-Post (FPTP) system has produced distorted results in all 31 B.C. elections since 1903 (the first election with political parties). To see how SMPP performs, we look at 4 sample elections under FPTP and under SMPP with “top-up votes”. It is worth noting that even though the selected examples produced highly distorted results under FPTP, the results under SMPP with “top-up votes” are still highly proportional. And SMPP produces these highly proportional results without any change to the election results: each party still elects the same number of MLAs as under FPTP. As these 4 examples show, SMPP with “top-up votes” produces highly proportional results without any change to the existing voting system.

List of Appendices

Appendix A: 2017 B.C. Election results under SMPP without “top-up votes”

Appendix B: Other design ideas for Single Member Party Proportional (SMPP)

Appendix C: Sample Ballot for Single Member Party Proportional (SMPP)

Appendix D: SMPP in Action – How SMPP can address distortions under First-Past-The-Post

2017 B.C. election results under Single Member Party Proportional (SMPP) without “top-up votes”

As mentioned at the start of this proposal, there are 2 ways that SMPP can be designed:

- With “top-up votes”
- Without “top-up votes”

We have explored what the 2017 B.C. election results would look like under SMPP with “top-up votes”.

Now let’s see what the 2017 B.C. election results would look like under SMPP without “top-up votes”.

SMPP without “top-up votes” uses weighted voting to adjust for distortions in seat totals under FPTP:

- If a party is over-represented in the legislature (their party won more seats than they should have based on their share of the vote), then each of that party’s MLAs will have less than 1 vote in the legislature to correct for this distortion
- If a party is under-represented in the legislature (their party won fewer seats than they should have based on their share of the votes), then each of that party’s MLAs will have more than 1 vote in the legislature to correct for this distortion

The table below shows what this would look like for the 2017 B.C. election:

	Liberal Party	NDP	Green Party	Total
% of vote	40.36 %	40.28 %	16.84 %	97.48 %
Adjusted %¹	41.40 %	41.32 %	17.28 %	100.00 %
Votes earned	36.02	35.95	15.03	87
MLAs elected	43	41	3	87
Votes per MLA (VPM)	0.84	0.88	5.01	

¹ See explanation of “Adjusted %” on page 2

Here’s how SMPP without “top-up votes” would work:

- The B.C. legislature currently has 87 MLAs (or 87 legislative votes)
- The Liberal Party got 41.40% of the votes (adjusted), so they get 41.40 % of the legislative votes
- So the Liberal Party gets $87 \times 41.40 \% = 36.02$ legislative votes in the legislature
- However, the Liberals elected 43 MLAs; more than they deserved based on their share of the vote
- To correct for this, each Liberal MLA will have $36.02 / 43 = 0.84$ votes in the legislature

- The NDP got 41.32% of the vote (adjusted), so they get 41.32% of the legislative votes
- So the NDP gets $87 \times 41.32\% = 35.95$ legislative votes in the legislature
- However, the NDP elected 41 MLAs; more than they deserved based on their share of the vote
- To correct for this, each NDP MLA will have $35.95 / 41 = 0.88$ votes in the legislature
- The Green Party got 17.28% of the votes (adjusted), so they get 17.28% of the legislative votes
- So the Green Party gets $87 \times 17.28\% = 15.03$ votes in the legislature
- But the Green Party only elected 3 MLAs; less than they deserved based on their share of the vote
- To correct for this, each Green party MLA gets $15.03 / 3 = 5.01$ votes in the legislature
- By weighting the vote for each party's MLAs, each party's share of the legislative votes is nearly identical to their party's share of the vote in the election
- **SMPP without** "top-up votes" achieves nearly perfect proportional representation between the parties by weighting the votes for each party's MLAs based on the party's share of the vote
- **SMPP with** "top-up votes" achieves nearly perfect proportional representation between the parties by adding "top-up votes" to correct for each party's under-representation or over-representation in MLAs

Other Ideas for Designing a Single Member, Party Proportional (SMPP) Electoral System for Canada

There are several other design features that could be considered with SMPP:

- If a candidate runs as an Independent or without any party affiliation and is elected as an MLA, he/she would receive 1 vote in the legislature (same as now)
- In the event of a by-election, the Top-Up Votes for each party would remain unchanged; even if a different party were to win the by-election. However, the winning party would have one more Member Vote (MLA) and the losing party would have 1 less Member Vote (MLA) than before
- Since voters vote for their candidate and party separately, a party should not need to run candidates in every electoral district to have their party listed on the party portion of a ballot
- It is recommended that, if a party runs candidates in at least 20% of the electoral districts in a province, the party be listed on the party portion of all ballots in that province
- SMPP could also allow for the election of leaders from minor parties: if a minor party receives at least 3% of the vote province-wide, the Party Leader is awarded 1 vote in the legislature
- 3% of the vote may not seem like much, but with 1,974,014 votes cast in the 2017 B.C. election, a party would need 59,220 votes to qualify for a vote in the legislature
- This threshold is high enough to prevent fringe parties from qualifying for a vote
- For instance, in the 2017 election, the Libertarian Party got 7,838 votes, the most of any minor party; but still well shy of the 3% threshold. All the other minor parties combined received only 41,911 votes, still well shy of the 3% threshold
- On the other hand, consider the Green Party: in 2001, 2005 and 2009 they got 8.2% - 12.4% of the provincial vote but did not elect any MLAs. This level of support is well above the 3% threshold so, under SMPP, the Green Party Leader would have earned a vote in the legislature
- A maximum of 2 votes in the legislature can be awarded to Party Leaders who do not elect any MLAs (this is to prevent diluting the voting power of those parties that did elect MLAs)
- If more than 2 minor parties each get more than 3% of the vote province-wide, the 2 Party Leaders with the highest share of the vote would be elected and get 1 vote each in the legislature
- One of the criticisms of FPTP is “wasted votes”: votes for losing candidate are basically “wasted”
- However, the same happens when votes are cast in the legislature
- Suppose 60% of an MLA’s constituents support a proposed bill and 40% oppose it (This could be determined through a survey, opinion poll, constituent assembly or other method)
- If the MLA votes for the bill, the 40% of constituents opposed are not represented in that vote
- If the MLA votes against the bill (possibly due to a whipped vote by the Party), the 40% opposed are represented but the 60% majority who support the bill are not
- An MLA is elected to represent all constituents; but how is that possible with a Yes or No vote?
- One way to better represent the wishes of constituents is with fractional voting
- SMPP could easily allow for fractional voting: if 60% of an MLA’s constituents support a bill and 40% oppose it, the MLA could cast 60% of their vote for the bill and 40% of their vote against
- Fractional voting would allow MLAs to better represent diversity of opinion on proposed bills
- Another design possibility: add a certain number of additional seats specifically for First Nation MLAs

Sample ballot for Single Member Party Proportional (SMPP)

SMPP involves only a slight change to our existing ballot. Voters would have two votes:

- one vote for their preferred candidate
- one vote for their preferred party

Below is what an SMPP ballot might have looked like for the 2017 B.C. election in my riding of Nanaimo

- ⊗ Please mark an “X” in ONE circle next to the name of your preferred candidate
- ☒ Please mark an “X” in ONE square next to your preferred political party

○ Gaudet, Paris

☐ BC Liberal Party

○ Harris, Kathleen

☐ BC Green Party

○ Krog, Leonard

☐ BC New Democratic Party

○ Walker, Bill

☐ Libertarian Party

Alternatively, all the candidates could be listed and then all the political parties could be listed; this would be clearer and would further distinguish the candidates from the parties.

Here is how ballots would be counted:

- Votes for candidates would elect the MLA
(the candidate with the most votes wins the riding, same as now)
- Votes for party would be used to determine each party's share of the House Votes (HV)
(if a party receives 40% of the votes in the election, it receives 40% of the House Votes in the legislature)
- If a ballot only has a "candidate" vote but no "party" vote:
 - the ballot counts as a vote for the candidate and counts towards election of the candidate
 - the ballot DOES NOT count as a vote for the candidate's party and DOES NOT count in determining the party's share of the House Votes
- If a ballot only has a "party" vote but no "candidate" vote:
 - the ballot counts as a vote for the party and counts in determining the party's share of the House Votes
 - the ballot DOES NOT count as a vote for the party's candidate and DOES NOT count towards election of the party's candidate

Single Member Party Proportional in Action: How SMPP can correct distortions under FPTP

B.C. (and the rest of Canada) currently uses a First-Past-the-Post (FPTP) electoral system. FPTP is a majoritarian, “winner-take-all” system. FPTP was designed for two-party elections: when there are only two political parties vying for power, one party will always win a majority of the votes. However, when there are three or more parties running for election, FPTP often produces distorted results. This can be seen by looking at the results of provincial elections in B.C. Since 1903, B.C. has had 31 provincial elections. Look at how FPTP produced distorted results in each of these elections:

- 3 elections were “wrong winner” elections in which the party with the most votes lost to the 2nd place party because that party won more seats:
 - 1941: The CCF got the most votes but lost to the Liberals who won 7 more seats (21 to 14)
 - 1952: The CCF got the most votes but lost to the Social Credit Party who won 1 more seat (19 to 18)
 - 1996: The Liberals got the most votes but lost to the NDP who won 6 more seats (39 to 33)
- 20 elections produced a “false majority” (the winning party won a majority of the seats even though they did not receive a majority of the votes):
 - the Social Credit Party won 10 consecutive “false majorities”: 1953, 1956, 1960, 1963, 1966, 1969, 1975, 1979, 1983, and 1986
 - the Liberal Party won 6 “false majorities”: 1920, 1933, 1937, 2005, 2009 and 2013
 - the NDP won 2 “false majorities”: 1972 and 1991
 - the Conservative Party won 2 “false majorities”: 1903 and 1907
- only 6 elections were “true majorities” (the winning party won a majority of the seats AND received a majority of the votes); but, even here, the results were highly disproportionate:
 - 1909: The Conservatives received 52.3% of the votes but won 90.5% of the seats (38 of 42)!
 - 1912: The Conservatives received 59.7% of the votes but won 92.9% of the seats (39 of 42)!
(The Liberals got 25.4% of the vote but won no seats; Socialists, Indep. Conservative and Labour each won 1 seat with 0.7-11.1% of the vote)
 - 1916: The Liberals received 50.0% of the votes but won 76.6% of the seats (36 of 47)
 - 1928: The Conservatives received 53.3% of the votes but won 72.9% of the seats (35 of 48)
 - 1949: The Liberal/P.C. Party received 61.4% of the votes but won 81.2% of the seats (39 of 48)
 - 2001: The Liberals received 57.6% of the votes but won 97.5% of the seats (77 of 79)!
(The NDP got 21.6% of the votes but won only 2.5% of the seats (2 of 79); the Green Party won no seats despite getting 12.4% of the votes.)
- only 2 elections produced “true minorities” (the winning party received a minority of the votes AND also won a minority of the seats), but, again, the results were disproportionate:
 - 1924: The Liberals received 31.3% of the votes but won 47.9% of the seats (23 of 48); just shy of a majority with only 31.3% of the votes!
 - 2017: The Liberals received 40.4% of the votes but won 49.4% of the seats (43 of 87); the NDP received 40.3% of the vote but won 47.1% of the seats (41 of 87) and the Green Party received 16.8% of the vote but won just 3.4% of the seats (3 of 87)

So, over the past 115 years, FPTP has consistently produced election results that do not accurately reflect the wishes of the B.C. electorate. Now let's look at how SMPP can correct for these distortions by comparing 4 different elections under SMPP and under FPTP.

Correcting a "Wrong Winner" Outcome: The 1952 Election

In the 1952 election, the CCF got the most votes but lost to the Social Credit Party that won more seats despite getting fewer votes.

The table below shows the results of the 1952 election under FPTP and under SMPP:

	1952 B.C. election under FPTP			1952 B.C. election under SMPP		
	% of vote	MLAs	% of seats	% of vote (adj.)	MLAs	House Votes
CCF	34.30	18	37.5	34.42	18	24.8 (rounded to 25)
Social Credit	30.18	19	39.6	30.28	19	21.8 (rounded to 22)
Liberal Party	25.26	6	12.5	25.35	6	18.3 (rounded to 18)
P.C.	9.66	4	8.3	9.69	4	6.98 (rounded to 7)
Labour	0.26	1	2.1	0.26	1	1.87 (rounded to 1)
TOTAL	99.66	48	100.0	100.00	48	73

Note that SMPP corrects the "wrong winner" outcome, giving the CCF the most House Votes.

Correcting a "False Majority" Outcome: The 2013 Election

In 2013, the Liberal Party won a "false majority", getting 57.6% of the seats with 44.1% of the vote

The table below shows the results of the 2013 election under FPTP and under SMPP:

	2013 B.C. election under FPTP			2013 B.C. election under SMPP		
	% of vote	MLAs	% of seats	% of vote (adj.)	MLAs	House Votes
Liberal Party	44.14	49	57.6	46.79	49	59.9 (rounded to 60)
NDP	39.71	34	40.0	42.09	34	53.98 (rounded to 54)
Green Party	8.13	1	1.2	8.62	1	11.0 (rounded to 11)
Independent	2.36	1	1.2	2.50	1	3.2 (rounded to 3)
TOTAL	94.34	85	100.0	100.00	85	128

Note that SMPP corrects the "false majority", giving the Liberals 46.9% of the House Votes (60 of 128)

Correcting a “True but Distorted Majority” Outcome: The 2001 Election

The 2001 election produced results that were highly distorted:

- The Liberal Party got 57.6% of the vote but won 97.5% of the seats (77 of 79)
- The NDP won only 2.5% of the seats (2 of 79) despite getting 21.56% of the vote
- The Green Party did not win any seats despite getting 12.39% of the vote

The table below shows the results of the 2001 election under FPTP and under SMPP:

	2001 B.C. election under FPTP			2001 B.C. election under SMPP		
	% of vote	MLAs	% of seats	% of vote	MLAs	House Votes
Liberal Party	57.62	77	97.5	62.93	77	74.9 (round to 77)
NDP	21.56	2	2.5	23.54	2	28.0 (round to 28)
Green Party	12.39	0	0.0	13.53	1	16.1 (round to 14)
TOTAL	91.57	79	100.0	100.00	87	119

Note that, even though the FPTP results are highly distorted, SMPP produces fairly proportional results:

- The Liberal Party gets 57.62% of vote and receives 64.7% of the House Votes (77 of 119)
(The Liberals elected 77 MLAs, so they get 77 House Votes even though they should get 75)
- The NDP get 21.56% of the vote and receive 23.5% of the House Votes (28 of 119)
- Under SMPP, the Green Party leader would get a seat in the legislature for getting 12.39% of the vote
- The Green Party would get 11.8% of the House Votes (14 of 119); close to their 12.39% share of the vote
(The 2 extra House Votes for the Liberal Party are subtracted from the 16 the Green Party should get)

Correcting a “True but Distorted Minority” Outcome: The 1924 Election

1924 was another election with fairly distorted results:

- The Liberal Party got only 31.34% of the vote but nearly won a majority: 47.9% of the seats (23 of 48)
- The Conservative Party got 29.45% of the vote but won 35.4% of the seats (17 of 48)
- The Provincial Party got 24.16% of the vote but only 6.25% of the seats (3 of 48)
- The Canadian Labour Party got 11.30% of the votes but only 6.25% of the seats (3 of 48)
- Independent Liberals (5 candidates) got only 1.03% of the vote but won 4.2% of the seats (2 of 48)

The table below shows the election results under FPTP and SMPP:

	1924 B.C. election under FPTP			1924 B.C. election under SMPP		
	% of vote	MLAs	% of seats	% of vote (adj)	MLAs	House Votes
Liberal Party	31.34	23	47.9	32.22	23	23.2 (round to 23)
Conservative	29.45	17	35.4	30.27	17	21.8 (round to 22)
Provincial	24.16	3	6.25	24.8	3	17.9 (round to 18)
Canadian Labour	11.30	3	6.25	11.6	3	8.4 (round to 8)
Indep. Liberal	1.03	2	4.2	1.1	2	0.8 (round to 2)
TOTAL	97.28	48	100.00		87	73

Once again, SMPP does a good job of correcting the distortions, producing highly proportional results

Changing to a Proportional Representation Voting System


February 28, 2018

I have supported proportional representation since the work of the BC Citizens Assembly in 2004. The party seat-count in the legislative assembly determines which party governs and how much power that party has to control the legislative agenda. It follows logically that a truly representative government exists only if the party make-up of the legislative assembly reflects the votes cast for each party. If the number of MLA's from each party significantly deviates from each party's proportional share of the provincial vote, the people get an unrepresentative legislature and an unrepresentative government.

Under our current voting system, one party or independent candidate is elected by a plurality of the votes in each riding. The party outcomes in the ridings determine the party make-up of the legislative assembly. Historically, that system has not given us a legislature that proportionally represents the overall vote for each party. In 1996 we got a governing party that held a majority of the seats while receiving 37,000 fewer votes than its main rival. In 2001 the governing party got 97% of the seats with only 58% of the provincial vote. In recent elections, we've had a governing party that held a substantial majority of the seats, and controlled the legislative agenda, even though it received less than 46% of all votes. Also, under our current system, voters do not get effective local representation because the concerns of local voters cannot be effectively represented by one MLA from one party.

In the 2017 election, a proportional outcome based on the provincial party vote would have produced 36 seats for the Liberals, 36 seats for the NDP, and 15 seats for the Greens. (None of the other parties and independent candidates got enough votes to earn a seat, so the final two seats representing those "wasted" votes would have gone to the Liberals and NDP in proportion to their provincial vote.) The actual outcome was Liberals - 43 seats, NDP - 41 seats, and Greens - 3 seats. Although not as disproportional as the 1996 and 2001 outcomes, the results clearly did not reflect the party vote throughout the province.

Given the great variety of proportional voting systems used throughout the world, it will be a challenge to work out the details of a system that would be suitable for the people of British Columbia. It isn't enough to propose generic systems such as Mixed Member Proportional, List Proportional, and STV. All of them have many variations and basic strengths and weaknesses. There are excellent models for BC which draw on elements of all three generic families. For one example, see the Flexible District PR model proposed by Fair Vote Canada / Fair Vote BC. (I'm not a member of those groups.)

I agree with many of the posted submissions suggesting that the ballot question should be a choice of a general PR system - meeting certain standards & criteria - versus our current FPTP system. If successful, the referendum would have an electoral commission propose and consider the details of a limited number of promising proportional systems for BC. The merits & tradeoffs of the proposed systems would be discussed in consultations with voters throughout the province. Based on those consultations, the commission would propose details of a final system, which would be approved or rejected by the Legislative Assembly. After two or three election cycles - and after any needed adjustments - the new system would be subject to approval by the voters.

Any voting system should be fair to the voters, the political parties, and independent candidates. It must treat the voters of each region of the province fairly. Voters from all regions must have access to roughly proportional representation. In my view, here's what's most important:

- 1) The party-makeup of each local district, each region, and the legislative assembly should be in rough proportion to the local, regional, and provincial vote for each party. Of course, a two or three-member local district cannot be as proportional as a larger 6-member district or a 12-member regional district.

- 2) Each local district or region should be effectively represented. Local members from two or more parties (including independents) can more effectively represent a larger local district than a single member can represent a smaller local district. On the other hand, local districts should not have so many members and become so large that local voters can't hold their members to account.
- 3) Voters should have a wider choice of candidates and parties. On the other hand, too much choice may lead to a long, confusing ballot requiring multiple marks/preferences. The outcomes produced by such a ballot may not reflect the overall will of the voters.
- 4) The voting process, counting the votes, and translating the votes into seats must be transparent, reliable, and subject to verification. Keep it as simple as necessary to achieve the main goals.

Here is a brief outline of a voting system that's in line with the Flexible District model proposed by Fair Vote Canada/BC:

- 1) The 87 BC local districts would be divided into six regions: North - 8 members, Interior - 16 members, Island / Sunshine Coast - 15 members, Lower Mainland West - 16 members, Lower Mainland Central - 16 members, Lower Mainland East - 16 members. (These kinds of numbers should be thoroughly discussed because of its critical importance to any PR system that will work for BC's voters and parties.)
- 2) In each region the local members would be reduced by about 12.5% - 11 members, provincially. Those members would become regional representatives based on the vote in each region. The remaining local members in each region would be divided into local districts, each having 2 to 3 members in the North/Interior regions and 3 to 4 members in the Island/Lower Mainland regions. For example, the North region would consist of two 2-member districts, one 3-member district, and one regional representative. Representatives for each local district could be determined based on the Open List PR model - where one party or independent candidate was selected - or the more complicated STV model - where the voter cast multiple preference votes.
- 3) After the local reps for each local district were determined, regional party representation would be determined based on how much each party's regional seat count deviated from full regional proportionality based on its regional vote. (The threshold for obtaining a regional seat could be 4 or 5 %.) The best party runner-ups in the region's local districts would become the regional representatives. Less simply, the voter could cast a second regional vote for a party candidate on a list of regional party candidates. As in the MMP voting system, the total of all regional party votes would represent the overall party vote within the region

Based on the party vote in the 2017 provincial election, this system would have local and regional party seat counts that provided close to full provincial proportionality. No party will be able to dominate a region based on this system. Because it is a regional rather than a provincial system, it will still be possible to have a wrong winner scenario such as occurred in 1996. (That could be remedied by having a third tier of up to five provincial representatives added to the legislature to guarantee the relative proportionality of the seat counts for those parties that obtained seats.) It should be noted that this system will not provide any proportionality for those parties that don't meet the threshold and substantially less proportionality for those smaller parties that obtain less than 15% of the regional vote. The larger parties will obtain "bonus" seats as a result of the votes "wasted" on the smaller parties and the micro parties.

[REDACTED]

Ministry of the Attorney General of B.C.
Parliament Buildings
Victoria, BC V8V 1X4

Send by email: [REDACTED]

[REDACTED] February 28, 2018

Re: Submission Electoral Reform Public Recommendations on the upcoming Referendum

Definitions electoral district (local) and political representation:

In B.C., First Past the Post electoral district representation is confused with political representation, in that First Past the Post pertains to the means through which a representative obtains his or her status as elected representative. In other words, candidates obtain their status as elected representative through electoral district elections.

Electoral district representation concerns issues that are unique to that district and are matters on which a real majority of the people living in the district agree. Constituents and groups use the district representative, to seek support from the provincial government to address their issues.

Political representation: *'The concept of political representation is misleadingly simple: everyone seems to know what it is, yet few can agree on any particular definition. In fact, there is an extensive literature that offers many different definitions of this elusive concept.'*¹

The latter is used to suggest the earlier, yet clarity is provided in that in B.C. almost all candidates align themselves to a political party, to its ideology, its leader and its platform. After they are elected in the Legislature they vote in almost all cases with their party: a 100% record of voting with 'their' party is not uncommon.

For the district representation no official local issue platform drawn up by constituents currently exists. Promises are made by candidates during election campaigns, but these promises are always made in relationship to the position of the party and its platform: *'I support project X, because...etc.'* Often the promises are not kept. Secondly, no mechanism is currently in place to poll constituents on important issues. Therefore no real accountability is present at the district level on at election time depending on being it safe or swing riding.

We also have to make a distinction between two types of activities local representatives are associated with: political work and constituency services.

¹ Political Representation - Stanford Encyclopedia of Philosophy - Jan 2, 2006; substantive revision Jan 6, 2017

Constituency services are those tasks that involve constituents seeking out the help of local representatives and their staff to address a range of issues of Passports, visa, immigration etc. basically advocacy work that doesn't necessarily has to be performed by the representative and their staff. It can be argued that for continuity of files and services, and clarity about this not so pure service relationship (campaign time will come around), to have this work done by a provincially funded permanent riding office that is not allied to political position or party.

Negative effects of confusing electoral district (local) and political representation

The following effects can be attributed to B.C.'s First Past the Post election system after it was allowed for candidates to align with political parties in 1903. Over time has political parties and its leaders have become the dominating factors in vote decisions:

1. It is a mockery of democratic principles to use Electoral Districts elections in which successful candidates can be elected with a largest minority of less than 50% plus one of the vote - in many cases with largest minorities that are considerably less than 50% plus one of the vote-, in which candidates are 100% aligned with political parties, and consequently suggest that these local representatives represent ALL of their constituents, when in fact it leaving real majorities of voters within these districts without political representation,
 - 1.1. The suggestion that Local Representatives represent Electoral districts when in fact the Local Representatives vote with their political party 100% of the time, makes a mockery of democracy. Anyone bringing concerns that are not supported by the representative for party political reasons can attest to this.
 - 1.2. This situation has lead to Lower voter turn-outs due to discouraging influence of the election system, especially in safe ridings.
 - 1.3. Gerrymandering of district borders can benefit parties through the inclusion of exclusion voters known to have party affiliations.
2. When the First Past the Post mechanism assigns artificial majorities to a party in the Legislature it effectively cancels out the only mechanism the opposition has to hold a Cabinet to account: the possibility of winning a legislative vote.

Recommendations for a new election system:

1) Use of electoral districts to elect political representatives

Is the use of electoral districts as mechanism to elect political representatives useful?

If a choice is made to use electoral districts in the new election system, it must come with a real accountability mechanism in the form of a 'Contract with the Riding'. This contract is a list of riding related issues that constituents would like to see addressed regardless of whom will become the representative. This contract works both ways. It

can be used to hold the representative accountable, and the representative can use it in case public opinions shifts.

The representative being aligned to a party platform must accept this 'Contract with the Riding' to be binding.

2) Make every vote count

- 2.1 Rule out the vote wasting on a district level caused by First Past the Post systems,
- 2.2 Share of the vote received to be similar or very close to share of the seats assigned in the Legislature,
- 2.3 Outreach to the 40 plus % who haven't voted for many years,
- 2.4 Don't keep representation from parties that are important for societal renewal.

3) Learn from other countries that use Proportional Representation

3.1 Don't let our Legislature become a collection of many smaller parties:

There is a simple solution available: establish an election threshold. This is a percentage of the vote, say 5% or 10% of the vote, that parties must receive before they are assigned seats in the legislature. The effects of the threshold should be reviewed after 2 or 3 elections.

3.2 Proportional Representation and extremist parties:

This is a complicated issue that it involves a lot more than being just the result of an election system countries use. Sweeping statement comparing countries have little credibility because cultures and histories are so different between theirs and Canada's. However we can use the experience of other countries to make our new election system right for B.C. instead of stepping away from election reforms, simply because we fear white-supremacists groups. Then the extreme right has won.

One thing that Proportional Representation that it can make extreme-right sentiments visible, whereas First Past the Post suppresses and provides silence, something, according to former extremist Christian Picciolini², white supremacist prefer to do their work and infiltrate into existing organizations and political parties.

Please note that the extreme-right elements are currently already in our current political parties.

² <http://www.cbc.ca/radio/day6/episode-377-designing-black-panther-school-shooting-cartoons-olympic-spoilers-drew-hayden-taylor-more-1.4535149/former-white-supremacist-says-he-knows-how-to-defeat-the-rising-neo-nazi-threat-1.4535204>

Please note that Mr. Wilders was for 4 years a member of parliament for the VVD – the equivalent of the BC Liberals – before he became the leader of the Dutch Freedom Party (PVV)

Please note that in countries that have switched from First Past the Post to Proportional or combined systems or vice versa, the number of voters that have voted for these parties remains approximately the same. Professor W. van der Brug³ confirmed by email that there is consensus that *'radical parties, including right populists win less seats in First Past the Post systems compared to proportional systems'*, and that there is less consensus about the number of voters changing when electoral systems are changes, however both his research and that of Professor P. Norris have found this to be the case.⁴ The scientists, both well respected in this area of research, were contacted recently.

Lessons from the Netherlands:

The Freedom party, although it has had seats in the Dutch parliament since 2006, has been politically ineffective. Their platform at last year's national election was a half-pager filled with anti-immigrant rants. Other political parties are unwilling to work with them. Last year March, with the threat of this party gaining more seats, the people of the Netherlands came out in full force in a 82% voter turnout, many signalling that they want none of these extreme-right ideas.

Earlier reactions of the VVD party to adopt some of the anti-immigrant stands of the Freedom party did only give legitimacy to the Freedom party anti immigrant viewpoints.

>>To fight the extreme right is to stand up against these parties.

Furthermore, right populist are caught in the straitjacket of their ideologies, but voters are not, they vote for other parties and have their own experiences with immigrants.

The story of Beverwaard a neighbourhood in Rotterdam in the Netherlands illustrates this. In 2015 the people in this neighbourhood the population rioted against a planned Refugee centre to house arriving refugees. The Refugee Centre was established, and refugees did arrive. When things had calmed down, researchers⁵ found that the crime rate had not gone up as was suggested by politicians. In fact, when reporters talked with the people in this neighbourhood, they heard from them: 'These [refugees] are good people' and 'We were used by politicians'.

>>To fight the extreme right we have to learn why people vote for these parties.

³ <http://www.uva.nl/profiel/b/r/w.vanderbrug/w.van-der-brug.html>

⁴ Radical Right, - page 112 - (Pippa Norris , Cambridge University Press, 2005)

⁵ Research report 'Van perceptie naar feit'('From perception to fact') – (Scientific Research and Documentation Centre –WODC, Dec 2017, Netherlands)

Designing an extremist resilient election system

There are two options with a new election system based proportional representation.

A) Design a system that makes any extreme-right factions visible, which has it cons and pros.

Or

B) Design a system that is proportional and includes a mechanism to keep the extreme-right from gaining political power:

Any online comments section these days we can find a clause that prohibits users from posting hate speech, personal attacks, discriminatory language etc.

Something to this effect can be used to keep political parties with extremist views out of the election process. It can be based on Canadian Charter of Rights and Freedoms. We have the Charter, let's apply it!

4 Public engagement, education and the referendum

4.1 The upcoming referendum provides an excellent opportunity to engage and help people in B.C. to learn more about the effects of election systems.

4.2 Since many are discouraged by the current election system, the time up to the referendum should be used to increase the number of registered voters in B.C.

4.3 As part of the referendum a question must be considered for voter registration to become automatic when the minimum voting age is reached.

4.4 Since the referendum is done by mail, it allows the Government to send well designed information to help people make an informed decision. This can be done by using well designed flow charts as the one in Appendix. '*Referendum information form*'.

4.5 Public information campaigns of opponents and proponents

Preferably no such information campaigns allowed since the exercise is not a debate rather than a process to develop a new election systems that works best for all people in B.C. Please see Section 5 *Funding for opponent and proponent groups*. As well, we can already experience the proponents spreading misinformation and half-truths, for some examples see Appendix: *Proponents misinformation and half-truths*.

4.6 Referendum question:

A simple question and not more than two choices:

1 - First Past the Post,

2 - the new election system.

5 Funding for opponent and proponent groups

Electoral Reform Referendum 2018 Act:

Section 4: Funding for opponent and proponent groups

-‘Subject to the regulations, the chief electoral officer may make payments, to be used for the purpose of opposing or supporting a proportional representation voting system, to financial agents acting on behalf of one or more opponent or proponent groups.’

Currently there is not a level playfield between for proponents of the electoral reform.

-Media ownership is with the status quo,

-Proponents already have an unfair advantage as they were different hats and are regular invited quest or panel members to CBC , CKNW etc programs,

-Proponents have an unfair financial advantage as they represent the status quo,

If any funding is to be made available there should be strict regulations to prevent misuse, and strict regulations must be in place regarding amount and timing of third party campaigns.

6 Bio [REDACTED]

[REDACTED] in the [REDACTED], moved to B.C. in [REDACTED]. Married and father of [REDACTED].

Has made the promise that by the time his oldest child can vote, [REDACTED] can do so in an election that uses Proportional Representation.

Disclosure: Active in the BC Greens, Federal Greens, and Concerned Citizens Bowen. This submission was made on personal title.

Submission was researched and written without any financial support from third parties. Willing to share research and solutions.

Appendix: Referendum Information Form

Citizen preparation form for the B.C. referendum on Electoral Reform

- This is not an official document ! -
- This is an example copy to be used
for information only! -

- This form has been prepared to help you make your choice for the election system you would like British Columbia to use to elect Provincial Governments.
- This form helps you understand how the proposed election systems work and what consequences they have for voter representation in our Province.

- On the other side of this form you will find detailed information about the proposed Electoral systems. **Please read this information carefully!**
- Once you have made your choice using this form, you may use or bring this form to transfer your choice onto the referendum ballot itself.

start **This is not your referendum ballot!**

Do you vote in elections? **no**

yes

Do you think in a democracy a party or parties must have more than 50% of the vote to govern? **no**

yes

Do you think that a party's share of seats in the Legislature should be close to the share of the vote it received in an election?
For example: 40% of the vote = 40% of the seats. **no**

yes

If none of the parties has more than 50% of the vote to govern, should parties form a coalition to have more than 50% of the vote? **no**

yes

Are you happy with the current electoral system called First Past the Post? **yes**

no

Do you think it is important that ridings are represented by a 'local' MLA, although this person is directly allied to a political party? **no**

yes

Would you opt for the local MLA to be elected with First Past the Post, and your regional or provincial MLA elected with Party List Proportional Representation to make the outcome of the election more proportional, and keep the number of total MLAs the same? **yes**

no

To accommodate for the current ridings borders, the number of Members of the Legislative Assembly will have to increase.

Would you vote if:

-the Electoral System is proportional? **Yes / No**

-voter registration is automatic? **Yes / No**

Your choice for the electoral system:

**First Past the Post
Winner takes all** ☐

Your choice for the electoral system:

**Party List Proportional
Representation** ☐

Your choice for the electoral system:

**Mixed Member Proportional
Representation
Same number of MLAs** ☐

Your choice for the electoral system:

**Mixed Member Proportional
Representation
More MLAs** ☐

Version: BC 1.2
Created and submitted by Anton van Walraven
to B.C. Government as part of the electoral reform public
consultation period.

Appendix: Proponents misinformation and half-truths.

Misinformation: Proportional representation makes for unstable governments

There is absolutely no evidence to suggest that Proportional Representation produces unstable governments. All northern European countries use a form of Proportional Representation, none of them are considered unstable.

Misinformation: Proportional Representation leaves countries without governments

Absolutely incorrect! Every Democracy has a provision that during the transition or coalition negotiation period, a caretaker government, being the last government before the election, will continue taking care after regular business.

Misinformation: Proportional Representation creates minority governments

Absolutely incorrect! In countries that use Proportional Representation governments are required to enjoy the support of their parliament. In practical terms this means that Governments need the support of more than half the number of MPs in parliament.

Citizen preparation form for the B.C. referendum on Electoral Reform

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▼start

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Do you think that a party's share of seats in the Legislature should be close to the share of the vote it received in an election?
For example: 40% of th vote = 40% of the seats.

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yes

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Are you happy with the current electoral system called First Past the Post?

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no

Do you think it is important that ridings are represented by a 'local' MLA, although this person is directly allied to a political party?

no

yes

Would you opt for the local MLA to be elected with First Past the Post, and your regional or provincial MLA elected with Party List Proportional Representation to make the outcome of the election more proportional, and keep the number of total MLAs the same?

yes

no

This is not your referendum ballot!

Would you vote if:

Yes / No

-the Electoral System is proportional?

-voter registration is automatic?

Your choice for the electoral system:

**First Past the Post
Winner takes all**

Your choice for the electoral system:

**Party List Proportional
Representation**

Your choice for the electoral system:

**Mixed Member Proportional
Representation**
Same number of MLAs

Your choice for the electoral system:

**Mixed Member Proportional
Representation**
More MLAs

To accommodate for the current ridings borders, the number of Members of the Legislative Assembly will have to increase.

Advice to the Attorney General on Electoral Reform and the Referendum

I've been an active participant in the electoral reform movement for a number of years. I've written a lot... and could write more here... but I'll try to be brief and just provide a few suggestions to help make this endeavour a success. I hope you can make good use of them.

1. I think the framing of your basic question, "PR or no?" is, to be frank, unhelpful. The root problem of our democratic dysfunction is the systemic, discriminatory exclusion of voices in our assemblies, exclusion produced largely by our electoral system. Typically, half of voters do not elect a rep of their choice. Where, ideally, every vote should produce representation, it's an unproductive design. That's an obvious deficiency on the order of excluding women from the vote. Although, at the time, winning suffrage was a hard slog for half the population, today it would be considered a self-evident no-brainer. But now we have a Charter for that. And it is important to note that, in any event, it did not take a referendum. You should consider the history of women's suffrage as instructive for today's effort.

Indeed, the Charter supports more productive voting as interpreted via the opinions rendered by the Supreme Court of Canada – Saskatchewan, 1991 particularly [see my presentation to the ERRE, attached]. If BC were to take the advice of the Canadian Civil Liberties Association and **first** apply the Charter to the design of your proposal [ccla.org/campaigns/charterfirst/] then more productive voting — PR if you will — would be assumed and you could proceed confidently to the next step. Also, factoring in the Charter from the beginning would reduce the likelihood of a successful Charter challenge later. It's win-win to consider the Charter first.

2. It is only after you get past the obvious decision of making voting truly productive and start considering the ways and means to do this that the really important questions — the ones not addressed in your project description — should be debated. The first of these is critical but not obviously on the table in the context of the "PR or no?" rhetoric: do we formally upend our Westminster tradition by embedding party priority, privilege and power into our electoral institutions via the adoption of a party-centric, party-functioned design or do we reaffirm the role of the representative while we raise the voices of the citizenry? This is a terribly important issue made more critical because the paradigm of PR submerges it in a sea of talk about "proportionality" and party. If you wanted to make a really productive first step decision that would clear the decks for action and a productive debate, this is it.

My take is that this, too, is self-evident... but actually I think it's important to have the discussion. I believe that we should decide **not** to formally empower parties any more than they are today and certainly not by adopting party-functioned electoral systems. I'm not sure that this is even a referendum question. It might be one for the constitutional lawyers to determine at the outset.

Having moved past these two obvious decisions the field of legitimate candidate systems gets pretty small and may be readily compared and contrasted in public debate and voted on in a straightforward manner.

3. Should you choose to stay the course you've charted I have some cautionary notes:

I was a bit surprised by the lack of foundational preamble on the "How We Vote" homepage.

When the BC Citizens Assembly on Electoral Reform was struck, voters for whom this referendum will represent their first provincial electoral act were just three years old. When the second referendum failed they were nine. The prologue to that reform effort and the history of it are not a part of their lexicon or of their legacy. Now, for them and many others, "electoral reform" — getting "PR" — is just this "thing to do." Yet, arguably, they will be the participants most affected by the decision to be made. I think that demands a bit more groundwork than what's been provided so far.

Canada is a successful democracy. BC is a successful democracy. Why reform? Why PR? What is PR? What's wrong with business as usual? What's this all about? At the very least the essential rationale must be plain and plainly stated. But it isn't.

The presumption of electoral reform is that somehow we're getting some aspect of democracy wrong. To move forward at all meaningfully, we need to identify what, if anything, *is* wrong. And to do that we need to look at what we're doing when we vote in the context of what we want from our democratic institutions and what aspirations we have for this democracy.

Voting has been described as a "civic duty". Is that important? Why? What do we mean when we vote? Do we mean anything? Are we supposed to mean something? Does it matter if our candidate wins their seat? Is it a problem when they don't, that they don't? Does our vote represent an investment in the political discourse and in government? Does that hold equally if we don't elect a rep as when we do? Why not just draw straws? Hmmm...

Here, perhaps, is a part of the answer: If we reject the idea of drawing straws for seats then it seems to me that we are implicitly acknowledging that our votes *mean something*; they represent information, they are data... *data that matters*. And if that is true — *because* that is true — there should be an obligation to prosecute the collection of high quality data via a ballot that facilitates articulate voter expression and to put a process in place to faithfully translate and, with high fidelity, transmit that rich electoral expression into commensurate voices in Victoria.

What I'm getting at is that we need to identify and define the problem we're trying to solve and, together with the associated aspirations we have for our engagement in politics and government and for our democracy generally, set the stage for this endeavour.

In short we need to write a performance specification, something to aim at — a target complete with a bull's eye — and a yardstick against which proposed solutions can be measured. These need to be conceptual in nature not steeped in the jargon of electoral systems. Here's an example of one possible facet of the bull's eye:

The ideal is that every voter get a rep of their choosing and that every rep represent an equal number of voters. Equality and inclusivity. Actually, we *do* have a Charter for that.

The language of electoral systems and electoral reform is problematic in that most of it — starting with the root vocabulary — proportional representation — is variously used and abused to the point where few of us can express ourselves clearly and be understood. This poses serious problems in the context of a referendum that should be the very model of informed decision making.

For instance, if by PR you mean what Craig Scott meant when, in 2014, he called for a vote in the House on PR – aka party-centric, party-functioned MMP — then you've sidestepped one of the most critical issues before us without even raising it. Strictly speaking proportionality is agnostic on the means to achieving it. Indeed, the original proportional system, STV, is neither party-centric nor party-functioned. More than any other jurisdiction, BC should be aware of this discrepancy between the language and the reality since the BC-CA did this heavy lifting over a decade ago. The problem is that in the effort today, this reality is not evident.

Again, the choice of either empowering parties or empowering voters and their reps is a matter that **must** be debated openly not swept under the carpet or arrived at by default.

The abuse of other common terms helps to cloud the issues rather than clarify them. Take "open lists" for instance.

One might be forgiven for thinking that choosing open lists over closed lists would represent a sufficient remedy to the "deleterious" effects of an otherwise party-functioned design, like MMP. That would seem to be the thinking behind the change in recommendations by the advocacy groups since the defeat of closed list MMP in Ontario back in 2007.

However, rarely discussed design features such as dual candidacy, above-the-line voting, party ordering and conditional calculations, combine to make typical open lists more like closed lists. This isn't an academic question. The much-vaunted, flexible open list version of MMP designed by the Law Commission (described in its report, Voting Counts) included all these design elements. In other words, without very careful, close attention to other design choices an open list is a largely closed one. Yet these features are rarely discussed at all or are their consequences, intended or unintended, aired in public. It must be emphasized that to produce a functioning implementation, decisions on these (and other) features must necessarily be made. Who is going to make these choices? On what basis? And on what authority?

And there's one more thing about open lists that never seems to raise an eyebrow... but should. While candidate votes on the list side from all voters contribute to the popular vote statistics that are used to determine seats shares, even though half of those voters will have obtained local representation — and therefore arguably have their "rep" — their list candidate choice is still used to influence candidate order for representatives for the rest of the electorate. In other words, on the list side voters get the reps chosen in part by other voters on a party basis. This is just another way that the party priority bias governs even "open" candidate choice. It seems that the promise of open candidate voting is being given lip service at best and then only with grudging foot dragging. That does not bode well.

The devil is in the details and those details get pretty involved and technical. If they are too involved for the general public discussion, who will ensure that the notional intent of an open list is faithfully translated into a fully-realized open list implementation, particularly when this is not a discussion that even the long-time advocates or academics have had or are having? Indeed, one has to wonder why that is.

Another example is the use of the term "local representation" as code for single-member ridings. The need to retain single-member ridings to secure "local" representation is, frankly, a red herring.

There is a mistaken perception that drives a lot of the discourse on electoral reform... that we need single member ridings for "local" representation.

This is understandable in the context of a system where half the voters do not elect a rep in their riding. Why keep track of someone you didn't vote for — someone who doesn't even represent your voice in the legislature? Of course, when you need a service you'll want to find out who they are (This is easier if there is only one). That many people feel that representation boils down to having someone handy (down the street is best) to help you with your immigration problem rather than having a like-minded agent to argue and vote on your behalf in the legislature is not surprising.

But, contrary to popular belief, being an ombud is not the primary function of an MLA. Not even close.

No, what our representatives do that no ombud could do is give us a voice in the debates and decisions that matter... those in Victoria. And there's little chance of that happening for any voter whose vote is not productive, whose vote does not elect someone. They have no voice.

Here's the thing. There is no small enough geographical area or demography that will guarantee that a single voice will speak for it. I live on a tiny street but if just a quarter of that street — six residences — comprised a single riding with a single voice I know for a fact that at least one of us would be very unhappy and feel totally unrepresented regardless which way the election went.

On the other hand, even with the ridings we've got under FPTP a strong local voice can elect what might be considered a "fringe" opinion (witness the election of, say, Green candidates, typically). Obviously, strong local feelings and interests can coalesce into representation. Indeed, under a system that gives voters the ability to be articulate on their ballot and productive in the faithful translation into seats it is practically axiomatic that local interests — if they exist — will be respected. Local consensus will have its commensurate voice.

Meanwhile, in the context of the multi-member ridings that create the opportunities for articulation and faithful transmission of voter expression to Victoria, more voters will get a rep of their choice as well. And ultimately that is the true measure of system efficacy. No matter how divided opinion in the riding or region, a consensus (or consensi) that actually reflects that unity or diversity of opinion will find they have a voice — or voices — in Victoria.

In other words, if you value local representation — or representation at all — you need multi-member districts.

Oh, and how do you know who your MLA is? More than likely she'll be the one you voted for; a novel concept to be sure... but you'll get used to it.

Still on the topic of electoral language, I need to point out that the glossary provided on the "How we vote" website is minimalist where by rights it should be exhaustive if it is to support an informed decision on referendum day. A model glossary can be seen here:

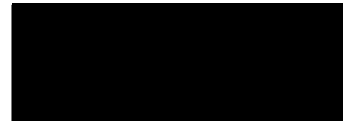
onelections.net/background-information/glossary/

Ultimately, it's highly likely that the discussion will *not* get factual enough, technical enough or detailed enough for the average voter to have all the facts they need to understand the implications and consequences involved. That is the conundrum of referenda.

In this regard, BC has the unique benefit of an invaluable object lesson in the form of the Citizens Assembly. You know what it takes. A careful review of that exercise demonstrates the need for exhaustive education — comparable to a post-graduate specialty — and enough time to sort through the intricacies of theory and practice in sufficient detail to meaningfully match potential designs to the democratic values and aspirations of the citizenry. This wasn't instant. After becoming "Masters" of electoral systems it took months of consultation, discussion, reflection and refinement to get where they felt they needed to be. It turned out the obvious, quick answers didn't stand up to scrutiny.

The BC-CA provides two important lessons: informed decisions are likely beyond the scope of the typical referendum and; don't reinvent the wheel. It would be a mistake not to embrace the work that the Assembly did and, if necessary, build on it.

Personally, I think they got it right.



Hi, I'm [REDACTED] Thanks for inviting us all to speak to you today.

In a 1991 opinion firmly rooted in Sections 3 and 15 of our Charter then Justice Beverley McLachlin wrote:

"Ours is a representative democracy.

Each citizen is entitled to be represented in government.

Representation comprehends the idea of having a voice in the deliberations of government," and

"The first [condition of effective representation] is relative *parity* of voting power."

Democracy in Canada is predicated on equality. *That's a human right, right?*

And equality *requires* inclusivity: you *cannot* get the one without the other. Everyone should get a rep they voted for. Every MP should represent the same number of voters. Every voter deserves a stakeholder's voice in the debates and decisions that matter... those in our parliaments.

True accountability, too, depends upon inclusivity. It is only voters who have voted *for* an MP who can hold that MP to account. No other voters hold that "stick". And no other voters are truly represented.

Our Charter may not tell us which system to use but it *is crystal clear* on the *results* an effective electoral system must deliver: it must produce *Equal Legislative Power* for voters. That narrows the field dramatically. Indeed, it constrains us to a system very much like STV with its equal, high-percentage mandates for every MP.

On the other hand two-tiered, party-functioned systems continue to divide "us" from "them" and thumb their noses at our Charter. Our MPs must be Charter equals so that we can be equal.

Chief Justice McLachlin also observed, "the Canadian tradition [is] one of evolutionary democracy moving in uneven steps toward the goal of universal suffrage and more effective representation."

Please take the giant step forward to equal, effective representation with STV for Canada.

Thanks for listening. And thanks for asking!

[REDACTED]

From: [REDACTED]
Sent: Wednesday, February 28, 2018 11:59 PM
To: [REDACTED]
Subject: MM-VPSA Voting Overview (Mixed Member with Votes Per Seat Adjustment)
Attachments: MM-VPSA System Overview for BC Electoral Reform.pdf; MM-VPSA System Overview for BC Electoral Reform.docx

Dear Citizen Engagement Team,
I've had this idea for quite a while but finally found the time to research Electoral Systems used around the world and I've yet to find a similar system. Hopefully you will find it has some merit.

I'd happily be involved in any future process, explanation and refinement of this concept.

I've attached both a Word doc and PDF of the same.

Sincerely,
[REDACTED]

[REDACTED]

MM-VP SA Voting Overview (Mixed Member with Votes Per Seat Adjustment)

Revision 1 submitted to [REDACTED] on 2018-02-28

Overview of MM-VP SA:

This is a somewhat novel “Mixed Member” style voting system where **First Past the Post/Single Member Plurality (FPTP/SMP)** is still used in each electoral district (exactly the same as our existing voting method) and then combined with the assignment of an allotment of **Party Adjustment Seats** (aka Levelling Seats) that are assigned based on making the “**Votes Per Seat**” for each party more equitable.

A certain percentage of seats would be allocated (say 10-20% of total seats) for these **Party Adjustment Seats** (ideally by making existing electoral districts larger rather than adding more seats, so 10-20% larger in this example). Any party that receives a threshold % of the popular vote (say 2% or more) would participate in the **Votes Per Seat Adjustment**. The **Party Adjustment Seats** would be assigned from a publicly disclosed ranked **Closed Party List** set of names by each party before the election. Individuals running in an electoral district would be eligible to be on the ranked Party List and would be removed if they won their district in the SMP vote. Parties could assign the Party List members based on regions as they see fit to better represent regions that tend to vote for the party.

The party with the highest **Votes Per Seat** (or highest votes without winning any seat first) would be assigned the first **Party Adjustment Seat** from their ranked Party List. Then that party’s **Votes Per Seat** is reduced, then the next party with the highest **Votes Per Seat** is assigned the next seat, and so on, until all **Party Adjustment Seats** are assigned. Simple and understandable with no complicated formulas.

Simple Example 1 – 2017 BC Election:

• For the 2017 BC Election, we'll add 9 VPSA seats (10% of total) for simplicity and to show the effect. Originally the Liberal and NDP parties are overrepresented (Liberals get 49.4% of seats with 40.4% of votes and NDP get 47.1% of seats with 40.3% of votes) while the Green Party is greatly underrepresented (3.5% of seats with 16.8% of votes). The VPSA seats would be allocated to the Green Party because of this huge disparity.

In the end, the percentage of seats moves much closer to the percentage of the vote with just 10% VPSA Seats, much fairer for all voters.

	Liberal	NDP	Green	Conservative	IND	TOTAL
2017 ELECTION						
VOTES	796,672	795,106	332,387	10,402	20,956	1,973,914
% VOTES	40.36%	40.28%	16.84%	0.53%	1.06%	
SEATS	43	41	3	0	0	87
% SEATS	49.43%	47.13%	3.45%	0.00%	0.00%	
VOTES/SEAT (VPS)	18,527	19,393	110,796			22,689

ADD 9 SEATS FOR VPSA (in this example)

SEAT ALLOCATED TO:	PARTY SEATS	VPS
VPSA1 - Green	4	83,097
VPSA2 - Green	5	66,477
VPSA3 - Green	6	55,398
VPSA4 - Green	7	47,484
VPSA5 - Green	8	41,548
VPSA6 - Green	9	36,932
VPSA7 - Green	10	33,239
VPSA8 - Green	11	30,217
VPSA9 - Green	12	27,699

2017 ELECTION WITH MM-VPSA

VOTES	796,672	795,106	332,387	10,402	20,956	1,973,914
% VOTES	40.36%	40.28%	16.84%	0.53%	1.06%	
SEATS	43	41	12	0	0	96
% SEATS	44.79%	42.71%	12.50%	0.00%	0.00%	
NEW VOTES/SEAT (VPS)	18,527	19,393	27,699			20,562

Advantages of MM-VPsA:

- **Votes Per Seat** is really a simple and elegant way to measure disproportionate representation
- Voting remains exactly the same – one ballot mark for your desired candidate in your single member electoral district
- Can now vote your party preference in an electoral district with no concern about strategic voting and wasted votes, knowing that it will (hopefully) make a difference by giving your party more **Party Adjustment Seats**
- Each electoral district still has one single member who represents the interests and concerns of that single district and is accountable to that district, unlike many of the other PR systems
- A voter can also consider one of their party's **Party Adjustment Seat** members as their direct representative for their concerns
- Much less complicated than other MMM, MMP, STV and other PR systems
- Members are considered equal whether they are elected as SMP seats or VPsA seats, since VPsA seat holders are accountable to those who consider themselves unrepresented by their local SMP seat member

Disadvantages of MM-VPsA:

- Will not be 100% perfectly proportional or sometimes less than close, but will make some progress to represent those who vote and don't have any or little representation. Should help reduce voter apathy when the result (hopefully) gives them their own representative.
- Some might consider a representation difference between SMP seat members and VPsA seat members, but effective representation by VPsA seat members to their party voters is really a matter of effective facilitation and marketing by a party. If VPsA seat members become more accountable to the party than their voters, voters might change parties in future elections.
- May encourage creation of some small parties with extreme views that might encourage support detrimental to the province. The threshold to participate in the VPsA might need to be tweaked (above the proposed 2%). Some other systems have thresholds of 4 or 5%.

Similarities to Other Voting Systems:

This system may be novel in the world, but is similar to some existing systems in use:

- Additional Member System (AMS) used in UK – voter must vote for SMP in district and for a Party List over wider region; allocation of Additional Members uses complicated formula
- Levelling Seats used in Denmark, Sweden, Norway, Iceland and Germany use a mix of voting methods and complicated allocations of Levelling Seats
- Mixed Member Proportional (MMP) systems have one SMP vote for their district representative and one for political party, with a variety of open/closed list combinations and complicated allocation systems. Requiring voters to vote twice can create automatic disproportionate outcomes that required complicated formulas for adjustment.

It differs because it keeps simple SMP voting and assigns the Additional Members/Adjustment Seats/Levelling Seats with the simple Votes Per Seat Adjustment process.

Acceptance of MM-VP SA:

- In reviewing the last 5 elections [see Appendix 1], the NDP's % of seats is often close to their % of votes (except the ridiculous 2001 result). It's the Liberal Party that usually benefits and receives a disproportionate % of seats beyond their % of vote, on the backs of the Green Party essentially.
- Support in a referendum might be difficult if the two parties that can benefit from FPTP/SMP that sometimes give them majorities far beyond their vote percentage (Liberal and more rarely NDP) campaign against it. Hopefully any referendum can have a campaign that appeals to fairness and the need to get more people to vote when they feel they might be represented.
- Minority party voters are the ones who are underrepresented (especially the Green Party for the last 4 elections) and feel they don't have a voice. It is unfortunate that it is perceived that such electoral change can only happen with a majority (or super 60% majority) referendum when it is about the rights of a voting minority. A non-partisan election commission, another Citizen's Assembly with a larger representation that can mandate a change or a court would be more preferred to support these minority voter rights.

Other Possible Names:

SVPSA (Simple Vote Per Seat Adjustment)

SMVPSA (Simple Majority with Votes Per Seat Adjustment)

APPENDIX 1 – BC ELECTION RESULTS 2001 – 2017 with VOTES PER SEAT

	Liberal	NDP	Green	Conservative	IND	TOTAL
2017 ELECTION						
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VOTES/SEAT	18,527	19,393	110,796			22,689

2013 ELECTION						
VOTES	794,946	715,999	146,607	85,783	42,565	1,803,051
% VOTES	44.09%	39.71%	8.13%	4.76%	2.36%	
SEATS	49	34	1	0	1	85
% SEATS	57.65%	40.00%	1.18%	0.00%	1.18%	
VOTES/SEAT	16,223	21,059	146,607	∞	42,565	21,212

2009 ELECTION						
VOTES	751,661	691,564	134,616	34,451	17,253	1,640,542
% VOTES	45.82%	42.15%	8.21%	2.10%	1.05%	
SEATS	49	35	0	0	1	85
% SEATS	57.65%	41.18%	0.00%	0.00%	1.18%	
VOTES/SEAT	15,340	19,759	∞	∞	17,253	19,300

2005 ELECTION						
VOTES	807,118	731,719	161,842	9,623	17,599	1,762,343
% VOTES	45.80%	41.52%	9.18%	0.55%	1.00%	
SEATS	46	33	0	0	0	79
% SEATS	58.23%	41.77%	0.00%	0.00%	0.00%	
VOTES/SEAT	17,546	22,173	∞	∞		22,308

2001 ELECTION						
VOTES	916,888	343,156	197,231	2,417	14,588	1,591,306
% VOTES	57.62%	21.56%	12.39%	0.15%	0.92%	
SEATS	77	2	0	0	0	79
% SEATS	97.47%	2.53%	0.00%	0.00%	0.00%	
VOTES/SEAT	11,908	171,578	∞	∞		20,143

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This system may be novel in the world, but is similar to some existing systems in use:

- Additional Member System (AMS) used in UK – voter must vote for SMP in district and for a Party List over wider region; allocation of Additional Members uses complicated formula
- Levelling Seats used in Denmark, Sweden, Norway, Iceland and Germany use a mix of voting methods and complicated allocations of Levelling Seats
- Mixed Member Proportional (MMP) systems have one SMP vote for their district representative and one for political party, with a variety of open/closed list combinations and complicated allocation systems. Requiring voters to vote twice can create automatic disproportionate outcomes that required complicated formulas for adjustment.

It differs because it keeps simple SMP voting and assigns the Additional Members/Adjustment Seats/Levelling Seats with the simple Votes Per Seat Adjustment process.

Acceptance of MM-VP SA:

- In reviewing the last 5 elections [see Appendix 1], the NDP's % of seats is often close to their % of votes (except the ridiculous 2001 result). It's the Liberal Party that usually benefits and receives a disproportionate % of seats beyond their % of vote, on the backs of the Green Party essentially.
- Support in a referendum might be difficult if the two parties that can benefit from FPTP/SMP that sometimes give them majorities far beyond their vote percentage (Liberal and more rarely NDP) campaign against it. Hopefully any referendum can have a campaign that appeals to fairness and the need to get more people to vote when they feel they might be represented.
- Minority party voters are the ones who are underrepresented (especially the Green Party for the last 4 elections) and feel they don't have a voice. It is unfortunate that it is perceived that such electoral change can only happen with a majority (or super 60% majority) referendum when it is about the rights of a voting minority. A non-partisan election commission, another Citizen's Assembly with a larger representation that can mandate a change or a court would be more preferred to support these minority voter rights.

Other Possible Names:

SVPSA (Simple Vote Per Seat Adjustment)

SMVPSA (Simple Majority with Votes Per Seat Adjustment)

APPENDIX 1 – BC ELECTION RESULTS 2001 – 2017 with VOTES PER SEAT

	Liberal	NDP	Green	onservativ	IND	TOTAL
2017 ELECTION						
VOTES	796,672	795,106	332,387	10,402	20,956	1,973,914
% VOTES	40.36%	40.28%	16.84%	0.53%	1.06%	
SEATS	43	41	3	0	0	87
% SEATS	49.43%	47.13%	3.45%	0.00%	0.00%	
VOTES/SEAT	18,527	19,393	110,796			22,689
2013 ELECTION						
VOTES	794,946	715,999	146,607	85,783	42,565	1,803,051
% VOTES	44.09%	39.71%	8.13%	4.76%	2.36%	
SEATS	49	34	1	0	1	85
% SEATS	57.65%	40.00%	1.18%	0.00%	1.18%	
VOTES/SEAT	16,223	21,059	146,607	∞	42,565	21,212
2009 ELECTION						
VOTES	751,661	691,564	134,616	34,451	17,253	1,640,542
% VOTES	45.82%	42.15%	8.21%	2.10%	1.05%	
SEATS	49	35	0	0	1	85
% SEATS	57.65%	41.18%	0.00%	0.00%	1.18%	
VOTES/SEAT	15,340	19,759	∞	∞	17,253	19,300
2005 ELECTION						
VOTES	807,118	731,719	161,842	9,623	17,599	1,762,343
% VOTES	45.80%	41.52%	9.18%	0.55%	1.00%	
SEATS	46	33	0	0	0	79
% SEATS	58.23%	41.77%	0.00%	0.00%	0.00%	
VOTES/SEAT	17,546	22,173	∞	∞		22,308
2001 ELECTION						
VOTES	916,888	343,156	197,231	2,417	14,588	1,591,306
% VOTES	57.62%	21.56%	12.39%	0.15%	0.92%	
SEATS	77	2	0	0	0	79
% SEATS	97.47%	2.53%	0.00%	0.00%	0.00%	
VOTES/SEAT	11,908	171,578	∞	∞		20,143

Local PR

Hello

I hosted a PR table every week from July 15 to October 7, 2017 at the [REDACTED] (and I am planning to repeat this in 2018). Promotional material was supplied by Fair Vote Canada, and I received advice from PR experts from across Canada. I personally recommend Local PR for BC, but would encourage and support any PR system ahead of FPTP (or any other system that is not PR).

The referendum ballot should contain a simple question where voters can choose FPTP or PR (a second question regarding the type of PR is optional). Choosing PR over FPTP is an easy decision for me, however the choice of which PR system to adopt for BC is more complex (many experts have different preferences). I like the democratic principle in letting the "people" choose the type of PR system, but I don't think the majority of voters will have the time and/or receive the training to make an educated decision in time for the referendum. Some form of politically neutral "group" (citizens assembly) could make this decision (after the referendum) with the support and advice of experts (similar to a jury in a court of law). Proponents of each PR system could be given equal time to present their system to the "group". The "group" should be large enough to contain a representation of the people of BC (urbanites, country folk, range of incomes, first nation, ethnic groups, minorities, etc) in proportions that reflect all the people of BC. Just getting any PR system will be an improvement over FPTP, but choosing the best PR system for BC will serve the people of BC the best and at a minimum of cost and disruption.

The reasons I prefer Local PR (localpr.ca):

- 1) It is proportional.
- 2) It retains many features of our current system, so it will be easy and economical to implement, and Local PR is easy to understand and therefore trusted.
- 3) Voters retain their current Riding boundaries, and will elect a local MLA from that Riding.
- 4) There is no increase in MLA's (no increase in size/cost of government).
- 5) There is only one "class" of MLA (no top-up, or balancing, or adjustment, or different type/role of MLA).
- 6) There is only one voting system throughout the province (not different systems for Rural vs Urban ridings).
- 7) Proportionality is achieved within the (local) Region (a group of several Ridings - sometimes called a District) so there is no influence from (cities) outside the Region.
- 8) Ballots (candidate choices) are very similar within each Region.
- 9) Voters have more choice and can rank their choices, or simply choose one candidate (like our current system, with an "X" if preferred).

- 10) Strategic voting is reduced/eliminated.
- 11) Party influence is reduced so MLA's can focus more on their constituents needs.
- 12) The Legislative Assembly will better reflect the variety of voters in BC.
- 13) The MLA's will sort out the priorities (rather than the people arguing in society).
- 14) There will be better policy continuity (less policy reversal or policy lurch) after elections because there will be fewer major changes (eg. changing from one false majority Party to another false majority Party).
- 15) All MLA's within a Region have a responsibility to represent all voters in the Region (but with a priority to their local Riding). This will promote better cooperation between Ridings/MLA's within the Region. Voters will have access to more than one MLA (another MLA in their Region but not from their Riding).

I have read and heard many erroneous/misleading comments about Local PR and PR in general - go to localpr.ca to learn the facts about this unique (but poorly understood) system.

Thanks



VoteSimply – A voting system compromise for BC.

Other submissions to “How We Vote” make excellent arguments on what questions should appear on the upcoming referendum, and how BC voters should be educated on the choices. After much research, we have two main gripes:

1. First-Past-The-Post systems often produce unfair results, with large majorities in the Legislature for parties with less than 50% of the popular vote, and no representation for minor parties.
2. Proportional-Representation systems often lead to minority governments, and these are usually unstable in Canada.

We turned these gripes into action, and designed a new voting system.

VoteSimply was created with these goals:

1. Ensure that seat counts in the BC Legislature more closely follow the wishes of all voters.
2. Keep the existing ridings and single-vote ballots. Change as little as possible.
3. Encourage the formation of slim majority governments.

How does it work?

- When you vote, you are indicating your support for a specific candidate in your riding, along with the party they represent. In the past, the party affiliation was stated on the ballot for information purposes, but it didn’t count for anything. Now it does.
- If your candidate loses, the losing votes are exchanged for party “booster” votes which help elect candidates in other ridings.
- After the vote counts are tabulated, winning candidates are declared one riding at a time, starting with the riding of the candidate with the most votes in the whole province.
- As more and more ridings are declared, the booster votes accumulate. Parties with more booster votes are able to elect candidates that would otherwise lose.
- With all ridings declared, the result might be a minority. If this happens, **and** if the old system would have produced a majority, then the process is repeated with watered-down “booster” votes until some party has a 1-seat majority.
- An exception is made for Independent candidates with a plurality of votes in their riding. Those ridings get counted first.

Will it really work?

VoteSimply uses the same ridings and ballots as the existing First-Past-The-Post system. This means we can take historical voting data (courtesy of Elections BC), run it through VoteSimply, and see what changes.

These simulations can’t predict future results precisely, because campaign strategies and voter turnouts won’t be the same as in the past. Parties will need to campaign everywhere, not just in the swing ridings. Voters will be more likely to vote, knowing that a losing vote will have ripple effects to support their party in other ridings.

The whole BC electoral reform debate really got started in 2001, with a landslide 75-seat majority for the BC Liberals. Frustration with this outcome inspired the formation of the Citizens’ Assembly on Electoral Reform and the subsequent referendum.

Let’s see how things would have been different with VoteSimply.

Voting results and VoteSimply simulations for some past elections:

1991 Election	Popular Vote	Seats Won	Seats with VoteSimply
NDP	41%	51	38
Liberal	33%	17	25
Social Credit	24%	7	12
Others	2%	-	-

2001 Election	Popular Vote	Seats Won	Seats with VoteSimply
Liberal	58%	77	54
NDP	22%	2	16
Green	12%	-	9
Others	8%	-	-

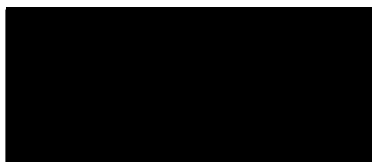
2009 Election	Popular Vote	Seats Won	Seats with VoteSimply
Liberal	46%	49	43
NDP	42%	35	38
Green	8%	-	3
Others	4%	1	1

2017 Election	Popular Vote	Seats Won	Seats with VoteSimply
Liberal	40.4%	43	37
NDP	40.3%	41	37
Green	16.8%	3	13
Others	2.5%	-	-

Please visit our website for riding-by-riding breakdowns and results from other past elections.

Or email us with questions, suggestions, gripes or offers of support.

Thanks!



February 28, 2018

[REDACTED]

From: [REDACTED]
Sent: Monday, February 26, 2018 7:27 PM
To: [REDACTED]
Subject: A case for the Dual Member Proportional voting system.
Attachments: DMP-For-BC.pdf

Follow Up Flag: Follow up
Flag Status: Completed

To Whom It May Concern

Attached is a written submission that presents a strong case for a made in Canada proportional voting system called Dual Member Proportional (DMP). It is highly recommended that in the upcoming referendum on electoral reform, DMP be offered to BC voters as one of the alternatives to the current voting system.

Sincerely,

[REDACTED]

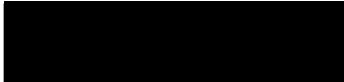
This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

DUAL MEMBER PROPORTIONAL

A Better Electoral System For British Columbia

Electoral Reform – How we vote

Submission to the BC Public Consultations for a Referendum on Proportional Representation.



February 26th, 2018

SUMMARY:

This submission presents a strong case for a made in Canada proportional voting system called Dual Member Proportional (DMP). DMP is a compelling alternative not only to the current Single Member Plurality / First Past The Post (FPTP) voting, but also to the two most commonly discussed options – the Mixed Member Proportional (MMP) and the Single Transferable Vote (STV).

To present a persuasive case for the DMP, this submission also includes two case studies that compare DMP to the Mixed Member Proportional (MMP) system used in Germany and to the Mixed Member Majoritarian system used in Russia.

BACKGROUND:

DMP was designed in 2013 by a University of Alberta mathematics student Sean Graham. Proposals to consider DMP were submitted to government committees in Alberta and Prince Edward Island. In April 2016, the PEI Special Committee on Democratic Renewal officially recommended that DMP appear as one of five options on the 2016 PEI plebiscite. A proposal to adopt DMP for Canadian federal elections was presented to the Special Committee on Electoral Reform on September 29, 2016.

DMP is a voting system that retains the simple ballot design and highly localized representation of the FPTP while ensuring that all British Columbians are given an effective vote. DMP would allow British Columbia to retain local representation, achieve province-wide proportionality and preserve the FPTP voting experience, while avoiding the most disliked features of the more commonly discussed alternatives. In particular, DMP avoids the party lists used by Mixed Member Proportional and the large, multi-member districts required by Single Transferable Vote. By eliminating the need for these features, DMP offers great potential to achieve broad based support.

With the upcoming referendum on Proportional Representation likely to present voters with different options on electoral reform, **it's highly recommended that DMP be listed on the ballot** as one of such options.

DESIGNING A PROPORTIONAL VOTING SYSTEM: DMP vs MMP.

The first question when designing an additional member system is – how do we determine who gets the compensatory (or regional or list) seats? Using party lists would force us to choose between closed lists (that allow greater proportionality but are a detriment to personal accountability) and open lists (that offer better accountability but also greatly limit the size of the electoral region, thus only allowing “large party” proportionality).

Another common proposal is to distribute compensatory seats to candidates that achieve the best results in their local ridings. But that that compromises the principle of equal representation, as some ridings may have 2 and sometimes even 3 elected members. DMP, which mandates 2 elected members per riding, is designed to address this issue. Each riding is equally represented and seats can be awarded based on local support, without using party lists.

Another question is the ratio between the local and compensatory seats. How do we find the best option to ensure proportional results and to maintain local representation?

When MMP was debated in Ontario, the provincial government insisted on maintaining at least 90 local constituencies out of 107 the province had at the time (84%) in an attempt to retain proper representation for different regions. That left very little room for compensatory seats (just 39 out of 129 or only 30.2%) and still failed to provide fair representation to regions, especially the North. (Which would be distorted anyway as closed list left no room for local or even regional designation.) Under DMP, with all candidates nominated and elected locally, each region gets to retain its share of the seats in the Legislature even with the number of local constituencies is cut in half.

Designed to address numerous concerns, that voters have expressed over the MMP models proposed for Ontario, PEI and New Brunswick, DMP proves to be the best alternative to the First Past The Post.

HOW DMP WORKS:

Under the Dual Member Proportional system, local constituencies generally return 2 elected members. The first seat in each district is filled by the candidate with the most votes, exactly the same as in the current system. The remaining seats, called second seats, are filled to accomplish region-wide (in case of BC – province-wide) proportionality. Each party is assigned their deserved number of second seats where they have their strongest levels of local support.

With two elected members per district, some political parties can choose to nominate two candidates. In this case, a vote for a party is by default a vote for the primary candidate; voters could not split their vote and support just one candidate, but not the other. If the party wins the popular vote in the riding, it's the primary candidate who gets the direct seat.

The seat assignment process can be broken down into three straightforward steps:

Step 1: Determine the number of seats each party deserves by multiplying the party's share of the vote by the total number of seats available.

Step 2: Determine the winners of the first seats using plurality.

Step 3: Determine the winners of the second seats.

- a) For parties that won first seats, transfer half of the vote they received to their second listed candidates.

- b) Make a ranked list of each party's candidates. Place candidates that received the largest fraction of the vote in their district at the top of the list and those that received the lowest fraction of the vote in their district at the bottom. Second place Independent candidates win the second seat in their ridings.

- c) Determine the number of seats each party needs, N, in addition to the first seats they have been assigned.

- d) Assign each party the first N seats from its ranked list.

- e) If multiple parties have been assigned the same second seat, assign the seat to the party that performed the best in the district. Assign parties that lost a seat due to a conflict the next seat on their list.

- f) Repeat this step until no seat assignments conflict.

In order to allow all parties a fair opportunity to elect their top candidates, a small number of seats can be set aside for assignment in a separate application of the DMP algorithm. These seats are collectively referred to as the reserve. The seats that remain are called the core allocation and are assigned first. It is during the core seat assignment process that parties will be able to elect their best candidates.

A party's reserve allocation is determined by the reserve factor and is calculated as follows: $(\text{reserve factor}) \times (\text{seats party deserves}) = (\text{reserve allocation})$. The reserve allocation is always rounded down. Therefore, a party that deserves 35 seats would have a reserve allocation of 3 seats if the reserve factor is 10%.

Once the reserve allocations are known, the core allocations can be found. Each party's core allocation is calculated in the following way: (seats party deserves) – (reserve allocation) = (core allocation). Each party's core allocation is assigned using the three steps outlined in the Overview.

The seats in the reserve are assigned after the core allocations. These seats are assigned using steps 3.d to 3.f of the DMP algorithm, with the additional rule that core seats always beat reserve seats. For example, if Party A is assigned the second seat in District 1 during the core seat assignment process, Party B cannot win the second seat in District 1 during the reserve seat assignment process, even if Party B performed better in that district than Party A.

SUPPLEMENTARY INFORMATION AND TECHNICAL DETAILS:

The DMP For Canada website (<https://dmpforcanada.com/>) has the following resources available:

To view a demonstration of how election outcomes are determined with DMP, see the blog post “An Example: Using DMP to Determine the Outcome of the 2015 PEI Election.”

<https://dmpforcanada.com/2016/03/26/an-example-using-dmp-to-determine-the-outcome-of-the-2015-pei-election/>

For additional educational resources, go to the “Other DMP Resources” page.

<https://dmpforcanada.com/other-dmp-resources/>

For a more in depth explanation, see the full report on DMP.

<https://dmpforcanada.files.wordpress.com/2016/01/dmp-report-updated-april-4-2016.pdf>

ADVANTAGES

Over FPTP

- Results are proportional, the outcome is very close to what the voters actually say with their votes.
- Dual member constituencies offer better chances for minor party candidates and Independents.
- Second (compensatory) seats are distributed based on province-wide vote totals, leaving absolutely no incentives for gerrymandering.
- With each constituency represented by 2 elected members, that are likely to be from different political parties, most voters will be represented by a party or a candidate they support. People in the riding are more likely to have at least one MLA that is willing to listen to their concerns.

Over STV

- Ballot is simple and easy to understand. Voting is done in the same way as under the First Past The post. Transition to DMP would not require extensive education campaign, less likely to cause voters' confusion and would not result in large number of spoiled ballots.
- 2-member constituencies would be much smaller than typical multi-member constituencies under STV, allowing better local representation.
- Results are fully proportional, as opposed to 3-7 seat district-wide proportionality under STV.
- DMP emphasizes on voters' first choices, instead of offering one of the regional front-runners as a distant preference.
- The counting process is simple, easy to follow and to audit.

Over MMP

- All candidates are nominated locally and campaign first and foremost in their local ridings. DMP maintains strong geographical connection between voters and elected representatives.
- No party lists are used. DMP does not produce two classes of elected members. No distinction between “local” and “list” MLAs.
- Province-wide proportional results are achieved without using province-wide party lists.
- Compensatory seats are awarded based on the candidates' performance in their local constituencies, not based on their party ranking.
- Local representation is maintained with no need to split the province into small self-contained regions, each with its own localized list that would allow “big party proportionality” at best.
- No need to subdivide the province into urban and rural electoral regions with separate lists, to maintain fair representation of the rural and urban communities.
- Fringe parties can't have a province-wide ballot access by merely placing a catchy name on the party list ballot.
- No room for tactical voting, especially the “twin party” schemes aimed at capturing direct and compensatory seats in excess of what the party would be entitled to under fair voting.
- An option to allow voters to swap the primary and secondary candidates could be added, to strengthen personal accountability and discourage favouritism and “parachuted” candidates.

POSSIBLE IMPROVEMENTS TO ORIGINAL SEAN GRAHAM'S PROPOSAL:

1) Occasional single-member constituencies.

The original Sean Graham's model is based strictly on dual-member constituencies. However, circumstances may dictate that due to the size of the region or legally imposed limit, some ridings should be retained as single-member constituencies. (With their population being about half of a typical 2-member constituency.) These however will not be standalone ridings. Votes cast in these constituencies will be added to the province-wide total and will still influence the total seat count.

For BC, it's highly possible that the two northern-most constituencies would still return only one member, to prevent them from getting even larger in size. Another single-member constituency might have to be kept to maintain the Legislative Assembly at its current size – 87 MLAs. It's not recommended however, to have too many single-member constituencies (ideally 3 should be the maximum,) as lack of the second seat would not only reduce the number of compensatory seats (making a “clean sweep” situation more likely) but also significantly reduce the chances of Independent and small party candidates in these ridings to get elected.

2) Option to swap the primary and secondary candidates.

Under DMP, if a party nominates two candidates, a vote for that party is a vote for both. Some voters may find this as nothing more than 2-member closed party lists. However, splitting the ticket and allowing voters to select each candidate individually, may result in a paradoxical situation when a party wins the popular vote, but none of its candidates comes first (or even second) and vice versa. (For example, party A candidates win 21% and 20% respectively, party B candidates win 30% and 6% while party C nominates one candidate that wins 23%. Party A wins the popular vote, but none of its candidates is even a runner-up.)

Another way to address the situation, would be adding an option to swap the primary and the secondary candidates. A “Reverse order” check box could be added to each two-member ticket and if the majority of the party supporters in the riding check that box, then the primary and the secondary candidates switch positions. This option is also a reasonable compromise between those who want political parties to have more say in nominations, to advance more women and minorities and those who believe that nomination contests may be rigged and primary candidates may be selected based on party favouritism rather than based on merit.

3) Using the D'Hondt Method instead of the “Largest Reminder”

The original Sean Graham's model proposes using the largest reminder method to determine if the total number of seats for a given party should be rounded up or down. But if we round 4.5 seats up to 5, that effectively means awarding the party with 11% bonus. In annex 2, when we look at would be results of the past BC elections under DMP, we can see that in 2001, the Unity and the Marijuana party, both would see their seat count rounded up from ~2.60 to 3 seats. That's a 15% bonus, which comes at the expense of larger parties.

The largest reminder method would work better on a Federal level, where the seat count involves larger numbers, but on a provincial level (even in BC with its 87 seats), it's better to use the D'Hondt method. Under D'Hondt method, the total number of votes that a party has received, is divided by the number of seats already awarded to it, plus one. Basically, the D'Hondt method can be described by a one simple question: if we give this party one extra seat, how many votes per seat will that be? The seat in question then goes to the party with the most votes per seat.

4) Self-designation for Independent candidates.

With Independents not having the “umbrella” of a political party to identify their views, it would be fair to allow them to use self-designations. These should be limited to 3-4 words and should not resemble names of registered political parties (be that federal, provincial or municipal) or otherwise imply affiliation with known organizations such as charities, unions etc.

As such, candidates wouldn't be allowed to use self-designations such as “Christian values”, “Communist” or “Social Credit” as political parties with similar names already exist. Similarly they could not use “PETA”, “United Way” or “CUPE” even if they are members of these organizations.

Instead they could use self-designations such as “Traditional values”, “Working class rights”, “Monetary reformer” or even “Unity” or “Democratic Reform” (political parties that no longer exist,) as this would not falsely imply any affiliation or endorsement while allowing voters to identify Independent candidates on the ballot.

5) Protecting core seats for small parties.

In addition to using the reserve factor, other precautions need to be taken to ensure that small parties don't end up losing seats as result of a conflict outlined in step 3-e. If party A is entitled to 6 seats and it turns out that the party only has 6 candidates that could win enough local support to be considered for second seats, these seats need to be protected.

Perhaps, if it turns out that a small party has just as many eligible candidates left as there are seats to which this party is entitled, these seats should be allocated first.

6) Secondary candidates used to fill vacancies.

In the event of death and resignation of an MLA, it would make sense to first offer the vacant seat to the secondary candidate from the same party. This would protect the representation of minor parties and maintain the party standings in the Legislative Assembly as close as possible to the original election results.

Only if there is no secondary candidate available or if the secondary candidate refuses to accept the seat, a by-election will be required.

QUALIFYING THRESHOLDS:

Sean Graham's model says little about thresholds, except mentioning the 5% individual threshold, a candidate would need to pass in order to be considered for a second seat. However, when developing an additional member system, thresholds are integral measure to prevent abuse and excess fracturing of the Legislature.

There are several questions to answer:

- Is it OK that a party with just enough vote for one seat (1/87th or 1.15%) qualifies for second seats or should it be required to demonstrate higher level of support such as 3% or even 5%?
- Should there be a secondary threshold, setting the minimum number of direct seats that a party must win to qualify for second seats?
- Should the party be required to pass both these thresholds (that is, to win the required share of the popular vote **and** to win the required number of direct seats) or would passing just one of them be enough?
- And, is it OK that a candidate with mere 5% support is considered for the riding's second seat, often – ahead of the better performing candidates in that riding, or shall we require better performance, such as at least 10% of the local vote?

Here are a few examples:

- Netherlands has no qualifying threshold. A political party with just enough vote to win one seat, (that's 1/150th or 0.667%,) wins that seat. A fractured legislature with 1-2 seat parties holding the balance of power, is often the outcome.
- Israel started with a 1% threshold that was gradually increased to 3.25% (a minimum 4-member faction in a 120-member Knesset). This has greatly reduced fracturing while still maintaining fair representation for minor parties.
- Germany has a 5% threshold, that can be waived if a party wins at least 3 local seats. High electoral threshold is justified by the need to keep the radical fringe out of the Bundestag. The local seat clause was added to allow representation for minor regionalist parties from the former GDR.

What would be the best option for BC?

- It would make sense to establish a qualifying threshold that is high enough to prevent excess fracturing and single-member parties with nothing more than a catchy name; but not too high to filter out parties with noticeable support or to result in large share of wasted votes. A 3% to 5% threshold would be reasonable.
- Popular vote threshold should be waived if a party wins at least 1 local seat.
- Individual threshold should be the greater of 5% and twice the popular vote threshold for a political party. For example, if the qualifying threshold for a party is 5% of the province-wide, a candidate would need to win at least 10% of the local vote to be considered for a second seat.
- Candidates from the political parties that fail to pass the qualifying threshold, should be considered as de-facto Independents. Thus, if one of them comes second in the local riding, that candidate gets to win the second seat, as if this was an Independent candidate.

CASE STUDY 1: DMP vs MMP – GERMAN FEDERAL ELECTION, 2017

German Bundestag is elected using the Mixed Member Proportional system. 299 members are elected directly in single-member constituencies with the remaining members selected from closed party lists to make overall seat count proportional. Formally the ratio between the local and list seats should be 50:50. However, extra list seats had to be added in almost every election to offset the distortion of the First Past the Post vote, making the 598 seat total mere theoretical.

There are several reasons why this happens. But the major cause is the the 2-ballot system itself, that allows people to vote strategically. Many choose to support a front-runner on the local ballot (so that the local seat doesn't go to the least preferred candidate) and then to cast the second vote for a smaller party, to ensure that it passes the 5% threshold and qualifies for list seats.

Here are the results of the recent (2017) election. Vote totals clearly show that larger parties (including the CSU which is a front-runner party in Bavaria) tend to get more votes in the local constituencies while small parties emphasize on the party list vote.

Party	Constituency			Party list			Total seats	+/-
	Votes	%	Seats	Votes	%	Seats		
Christian Democratic Union (CDU) ^[c]	14,030,751	30.2	185	12,447,656	26.8	15	200	-55
Social Democratic Party (SPD)	11,429,231	24.6	59	9,539,381	20.5	94	153	-40
Alternative for Germany (AfD) ^[d]	5,317,499	11.5	3	5,878,115	12.6	91	94	+94
Free Democratic Party (FDP)	3,249,238	7.0	0	4,999,449	10.7	80	80	+80
The Left (DIE LINKE)	3,966,637	8.6	5	4,297,270	9.2	64	69	+5
Alliance 90/The Greens (GRÜNE)	3,717,922	8.0	1	4,158,400	8.9	66	67	+4
Christian Social Union in Bavaria (CSU) ^[c]	3,255,487	7.0	46	2,869,688	6.2	0	46	-10

The CDU and the CSU operate as a coalition, but they receive their list seats separately, based on their individual results, not on the total CDU/CSU vote. That, combined with the new political power (the AfD) further splitting the local vote, resulted in a situation when as many as 111 seats had to be added to the Bundestag to make the final seat count proportional. The share of directly elected members shrunk to just 42%. (299 seats out of 709.) That's an all-time low.

But what if Germany used the Dual Member Proportional? DMP leaves no room for strategic voting, but it also leaves no room for the extra list seats. Could we achieve proportional results without them?

Under DMP, Germany would have the same 299 local constituencies with the Bundestag now having exactly 598 seats, no more, no less. Obviously, under a different voting system, people would vote differently. But let's assume that the local vote remained the same. So would be the local seat count. However, under DMP it would be the local ballot used to determine the final seat distribution, not the party list ballot which is used in the MMP.

The CSU has won 46 seats with 7% of the local vote. If we only count the parties that have passed the 5% threshold, that makes it 7.24% of the qualified vote, which entitles the party to $598 \times 0.0724 = 43.3$ seats. But the CSU has already won 46, so they have 3 extra seats which they keep. The remaining

seats are distributed among the remaining parties with the total seat distribution being very close to the actual popular vote.

Party	Votes	Vote %	Qualif.vote	Earned seats	Direct seats	2 nd Seats	Final seats	Seat %
CDU	14030751	30.25%	31.20%	186.58	185	1	186	31.10%
SPD	11429231	24.64%	25.42%	152.01	59	93	152	25.42%
AfD	5317499	11.46%	11.83%	70.74	3	67	70	11.71%
Linke	3966637	8.55%	8.82%	52.74	5	47	52	8.70%
Grüne	3717922	8.01%	8.27%	49.45	1	48	49	8.19%
CSU	3255487	7.02%	7.24%	43.30	46	0	46	7.69%
FDP	3249238	7.00%	7.23%	43.24	0	43	43	7.19%
Others	1422850	3.07%		0.00	0	0	0	0.00%
					299	299	598	

What happened to be the most distorted election in modern German history under the MMP, turned into a mere 3-seat (0.5%) over-representation under the DMP, without increasing the size of the Bundestag.

This case study shows, that if we are looking for an electoral system that combines local representation with proportional results, Dual Member Proportional is much better option compared to the MMP.

CASE STUDY 2: DMP vs MIXED MEMBER MAJORITARIAN RUSSIAN LEGISLATIVE (STATE DUMA) ELECTION, 2016

Russia's Mixed Member Majoritarian system was first adopted in 1993, together with Russia's post-Soviet constitution. It was used in the 1993, 1995, 1999 and 2003 legislative elections, abolished in mid-2000s and re-introduced again after the highly controversial 2011 election. The same Putin's administration that had replaced the majoritarian system with closed party lists in an attempt to block the opposition from running locally and winning seats, was now looking forward for the First Past The Post voting to deliver a majority bonus to the governing party, reducing or even eliminating the need to rig the election. In the 2016 election, the United Russia party won 343 seats out of 450 – 76% of the seats with just 55% of the popular vote.

Party	Party list				Constituency			Total result	
	Votes	%	±pp	Seats	Votes	%	Seats	Seats	+/-
United Russia	28,527,828	55.23	+5.13	140	25,162,770	50.12	203	343	+105
Communist Party of the Russian Federation	7,019,752	13.59	-5.91	35	6,492,145	12.93	7	42	-50
Liberal Democratic Party of Russia	6,917,063	13.39	+1.53	34	5,064,794	10.09	5	39	-17
A Just Russia	3,275,053	6.34	-7.11	16	5,017,645	10.00	7	23	-41

But what if Russia used the DMP instead of the Mixed-Member Majoritarian? What would the seat distribution be like?

Under DMP, Russia would have the same 225 local constituencies. Obviously, under a different voting system, people would vote differently. But let's assume that the local vote remained the same. So would be the local seat count. However, under DMP the local ballot would also be used to determine the final seat count – unlike the Mixed Member Majoritarian which merely adds the party list seats to the local seats.

We have numerous small parties with a total of 16.86% of the constituency vote that only win 3 direct seats. The 5% qualifying threshold prevents them from qualifying for compensatory seats. The second seats in the 225 local constituencies are therefore distributed between the 4 parties that have won over 5% of the local vote.

Party	Votes	Vote %	Qualif.vote	Earned seats	1 st Seats	2 nd Seats	Total seats	Seat %
United Russia	25162770	50.12%	60.29%	269.49	203	66	269	59.78%
Communist Party	6492145	12.93%	15.55%	69.53	7	63	70	15.56%
Liberal Democrats	5064794	10.09%	12.13%	54.24	5	49	54	12.00%
A Just Russia	5017645	10.00%	12.02%	53.74	7	47	54	12.00%
Others	8462726	16.86%			3		3	0.67%

While the 4 major parties remain greatly over-represented at the expense of minor parties that failed to pass the 5% threshold, the governing party majority bonus is greatly reduced and the outcome is fairer to the opposition, which is represented by 181 member, as opposed to just 107 under the Mixed Member Majoritarian.

This case study clearly shows that, under a proportional system, the final seat count is much closer to what the people actually say with their votes and DMP can achieve that without using party lists.

ANNEX 1: Hypothetical results of the BC 2017 Election under different electoral systems.

	Liberal		NDP		Green	
Popular vote		40.36%		40.28%		16.84%
First Past The Post	43	49.43%	41	47.13%	3	3.45%
Single Transferable Vote	38	43.68%	37	42.53%	12	13.79%
Open list MMP	38	43.68%	37	42.53%	12	13.79%
Closed list MMP / Party list vote	36	41.38%	36	41.38%	15	17.24%
Local Transferable Vote	38	43.68%	35	40.23%	14	16.09%
Mixed-Member Majoritarian	37	42.53%	42	48.28%	8	9.20%
Dual Member Proportional	36	41.38%	36	41.38%	15	17.24%

ANNEX 2: Hypothetical results of past BC Legislative elections, if held under DMP.

Also shown how a different electoral threshold would affect the outcome of a given election.

Fractional seats are determined using the largest remainder method, as in the original proposal.

Election	Threshold	Social Credit	Liberal	NDP	Green	Others
2017	5%		36	36	15	
2013	5%		41	36	7	1 (Independent)
	4%		39	34	7	4 (Conservative) 1 (Independent)
2009	5%		40	37	7	1 (Independent)
	2%		39	36	7	2 (Conservative) 1 (Independent)
2005	5%		37	34	8	
2001	5%		50	18	11	
	3%		46	17	10	3 (Unity) 3 (Marijuana)
1996	5%	0	33	31	0	7 (Reform) 4 (Progressive democrat)
	1 seat (1.33%)	0	32	30	2	7 (Reform) 4 (Progressive democrat)
1991	5%	18	26	31		
1986	5%	34	5	30		

We can also see how the largest remainder method tends to disproportionately benefit smaller parties. Hypothetical results of the 1996 and 2001 with the lower threshold are the best examples. Hence it's highly recommended to use D'Hondt method to determine who gets the fractional seats.

ANNEX 3: Sample ballot

Sample ballot for the 2-member riding of Langley, which comprises existing provincial constituencies of Langley and Langley East.

Option 1: Without the “Reverse order” checkbox

Coleman, Rich Polak, Mary — BC Liberal Party —	<input type="radio"/>
Chaddock-Costello, Gail Johal, Inder — BC NDP —	<input type="radio"/>
Masse, Bill Walker, Elizabeth Helen — BC Green Party —	<input type="radio"/>
Joehl, Alex Pobran, Robert Kerr — Libertarian —	<input type="radio"/>
Greenwood, Justin — Conservative —	<input type="radio"/>

Option 2: With the “Reverse order” checkbox.

Coleman, Rich Polak, Mary — BC Liberal Party — <input type="checkbox"/> REVERSE ORDER	<input type="radio"/>
Chaddock-Costello, Gail Johal, Inder — BC NDP — <input type="checkbox"/> REVERSE ORDER	<input type="radio"/>
Masse, Bill Walker, Elizabeth Helen — BC Green Party — <input type="checkbox"/> REVERSE ORDER	<input type="radio"/>
Joehl, Alex Pobran, Robert Kerr — Libertarian — <input type="checkbox"/> REVERSE ORDER	<input type="radio"/>
Greenwood, Justin — Conservative —	<input type="radio"/>

SOURCES AND REFERENCES

DMP for Canada: <https://dmpforcanada.com/>

Dual-member proportional representation (Wikipedia):
https://en.wikipedia.org/wiki/Dual-member_proportional_representation

Submission to the Special Committee on Electoral Reform:
<https://dmpforcanada.files.wordpress.com/2016/01/submission-to-the-special-committee-on-electoral-reform.pdf>

Video: DMP in under 2 minutes: https://youtu.be/62BSP_trKhY

German Federal Election, 2017: https://en.wikipedia.org/wiki/German_federal_election,_2017

Russian Legislative Election, 2016: https://en.wikipedia.org/wiki/Russian_legislative_election,_2016

Elections BC: <http://elections.bc.ca/>

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https://en.wikipedia.org/wiki/List_of_British_Columbia_general_elections

Submission on Electoral Reform in British Columbia



27 February 2018

I write to discuss problems and potential solutions respecting the way voting is conducted in British Columbia elections.

I must first express my concern about the restricted number of alternative voting systems which are under consideration. The "How We Vote" website opens with the statement that:

The B.C. Government has introduced legislation to hold a referendum in the fall of 2018, which will ask British Columbians to decide whether B.C. should keep its current voting system (First Past the Post) or move to a system of Proportional Representation.

Two other voting systems are not mentioned, regardless of the fact that they are used in many countries. Each is arguably more democratic than First Past the Post (FPP) and produces more stable governments than is often the case under Proportional Representation (PR). One is Two-Round voting (TRV), also called Runoff or Second Ballot voting, and is the system of choice in France, for example, Finland, and a number of other jurisdictions. The other is Preferential Ballot (PB), also known as Instant Runoff, forms of which are used in Australia, Ireland, India, and other countries.

For the discussion about how to improve democracy in this province to ignore voting systems which give democratic effect to the will of the population in many other jurisdictions is worrisome. Whether by oversight or design, this omission stands to deprive British Columbians of a fair consideration of all reasonable alternatives. I urge that this deficiency be remedied.

If democracy is rule by the majority, FPP is undemocratic. In every BC election but the last since the turn of the millennium, a party which received less than 50% of the popular vote was able not just to form government but to form a majority government. In the elections of 2005, 2009, and 2013, the Liberal party won over half of the seats in the Legislature despite garnering only about 45% of the popular vote. The last two federal elections were even more stark; with

less than 40%, the Conservative Party in 2011 and the Liberal Party in 2015 achieved comfortable parliamentary majorities. Under FPP, a party being opposed by a majority of the electorate and yet taking a majority of the seats is commonplace.

The problem is simple. The candidate with the largest number of votes gets elected, regardless of how small that number might be. The consequences can be perverse, in that candidates who do not reflect the general political leanings of most voters in their ridings can and often do succeed. I was involved a couple of federal elections ago in a riding in which most voters were centrist or left-leaning. Support was divided between the Liberal party, the New Democrats, and a strong Green candidate. There being no alternative on the other side of the political spectrum, the Conservative received all of the right-of-centre support. With the centrist and left-of-centre-vote divided thus, the right winger won the riding with only 38%, although she would likely have been the last choice of most voters.

A system which routinely elects representatives who are opposed by the majority is undemocratic. It should be fixed, but how?

PR in its various incarnations is a touted alternative. In theory, PR is very democratic indeed; parties have representation in the legislative body in exact proportion to their public support (provided that they achieve a specified minimum threshold, often 5%). In practice, elections by proportional representation frequently produce governments which are less than stable and perhaps worse, governments which in important respects can be undemocratic.

Rarely does one party achieve 50% and more in popular support. Coalition governments are therefore almost inevitable under PR. Two or more parties must work cooperatively to hold power. A wealth of experience demonstrates that this is often impossible for full electoral terms. Witness post World War II Italy, with its seemingly endless series of fractious and short-lived regimes. Consider the tightrope Binyamin Netanyahu walks in Israel to maintain the support of the five or six parties he needs to stay in power. Even Germany, heretofore a paragon of political stability under PR, is experiencing intractable difficulties even forming a government since the election last year, much less making it work. The country has been without a government for almost six months now.

As to democratic efficacy under PR, consider that as the price of its support, a smaller party may demand the implementation of what it considers to be the most important policy or policies in its election platform. These policies might well be controversial enough to have been a significant factor in the party's having garnered less public support, yet as a matter of survival, the larger party must find a way to satisfy its smaller partner. PR's vaunted democratic effectiveness starts then to look tarnished.

The various forms of PR in the "How We Vote" website are cumbersome and complex. List PR may be closest to pure proportional representation, depending on whether it is Open List, Closed List, or Closed List with Party Option. Regardless of which variety is used, List PR imports the problems discussed above in both stability of governments and the potential implementation of policies which received little electoral support. With MMP or MMM, not only might voters find the ballots to be complex, but these alternatives incorporate the worst features of both FPP and PR, in that some candidates would be elected despite having received less than 50% of the vote (FPP), and the resulting governments may be inherently unstable and undemocratic because of the competing demands of the parties of which they are composed (PR).

In short, perhaps worse even than the tortuous voting and counting methodologies, governments elected by PR of any brand can be difficult to form, unstable, and in important respects, undemocratic.

As to STV, I failed understand when last we were asked to decide whether to change the voting system and still do not see why transferrable voting must necessarily be conflated with multiple-member ridings. As proposed, ridings become large under STV, both geographically and in population. Locality is lost. The component parts of these expanded ridings would lose the benefit of having a representative to reflect local concerns. As well, many voters may be less familiar with a large number of candidates from disparate parts of the riding than they would be with those few from their own neighbourhoods.

STV as proposed incorporates the main failing of FPP, in that under arbitrary "quotas", candidates receiving less than a majority of first choices would be elected (mathematically, it would be impossible for more than candidate to be the first choice of more than half of the voters). Where not enough candidates meet the quota in a multi-member riding, the system

would then allow for only one vote transfer to voters' next choices. Instead of going to third and subsequent preferences where the transfer to the second didn't do the trick, STV as proposed would then eliminate the candidate with the fewest first choices, and the second preferences on those ballots would be put into the mix. In other words, voters whose first choice was the least popular would have the final say. I fail to see how a system which allows the smallest minority of voters to decide close elections can be said to be democratic.

But perhaps I misunderstand. The counting methodology with STV is byzantine. I think it fair to say that few voters would truly comprehend the ramifications of their choices.

This leaves the two voting systems which, for reasons unexplained, we are not being asked to consider, Preferential Balloting (PB) and Two-Round voting (TRV).

With PB, single-seat ridings are preserved. Voters rank candidates in order of preference. Where no one candidate is the first choice in more than 50% of the ballots, the counting method which I find most fair is then to include the second choices. Where a candidate achieves a majority with first and second preferences combined, that candidate is elected. If necessary, first, second, and third choices would be counted, and so on (for the reasons above respecting STV, I disagree with eliminating the candidates with the lowest number of first choices using the second choices on those ballots to decide the outcome).

The ranking of every single candidate on the ballot should not be mandatory. Voters may simply mark the candidates or parties they prefer.

An important advantage of PB is that it respects the general political leanings of the riding. Wikipedia, which calls PB "Instant Runoff Voting", gives a nice explanation:

IRV has the effect of avoiding split votes when multiple candidates earn support from like-minded voters. As a simple example, suppose there are two candidates with similar views, A and B, and a third with different views, C; with first-preference totals of 35% for candidate A, 25% for B and 40% for C. In a plurality voting election, candidate C may win with 40% of the votes, even though 60% of electors prefer both A and B over C.

Alternatively, voters are pressured to choose the seemingly stronger candidate of either A or B, despite personal preference for the other, in order to help ensure the defeat of C. With IRV, the electors backing B as their first choice can rank A second, which means candidate A will win by 60% to 40% over C despite the split vote in first choices.

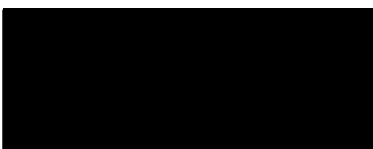
This counting methodology is manifestly simpler and more clear than that of STV.

The other voting method which I suggest has merit is TRV. Using France as an example, where none of the candidates is the choice of the first round majority, all but the top two are eliminated, the winner being determined in a second vote. The political leanings of supporters of the eliminated candidates are likely to be approximated in one of the remaining two. As with PB, this method of electing representatives does away with the conundrum of a candidate being elected whose political views are opposed by the majority. Further, neither TRV nor PB has the inherent deficits of PR.

Aside from the fact that with two rounds of voting, TRV may be more expensive to conduct than what we have now, I am not aware of compelling arguments against it. Certainly, I have never heard it suggested that France, to use our example, is undemocratic.

As I said at the outset, I am disquieted by the fact that the public discussion is being limited to FPP, PR, and the complicated form of preferential voting called STV. Ignoring two voting systems, which are manifestly successful in many democracies, impoverishes the consideration of how to improve democracy in British Columbia.

When I wonder why governments rarely get around to reforming the electoral system, I am reminded of Machievelli's observation that the proponent of a new order will encounter stiff opposition from those who have done well under the old order and only lukewarm support from those who may do well under the new.



[REDACTED]

From: [REDACTED]
Sent: Wednesday, February 28, 2018 10:14 AM
To: [REDACTED]
Subject: Vote in Canada.

I think that only people who have been citizens for 5 years or more should have a vote.

I also think that people who have been on social assistance for more then one year should not have a vote.

Thank you for taking this into consideration.

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Tuesday, February 27, 2018 8:37 PM
To: [REDACTED]
Cc: Eby.MLA, David LASS:EX; West Star Communications; [REDACTED];
Subject: [REDACTED] submission on electoral reform

And will these written submissions also be censored? Like what happened to [REDACTED]?

The NDP does have "democratic" in its name but its past and present practises too often have shown that that can be a misnomer.

I want a reformed electoral system that will still tend to elect majority governments composed mainly of people of all races, creeds, genders etc representing clearly distinct regions geographically, with very little if any gerrymandering such as Gracie's notorious finger.

The current range of population per riding needs to be adjusted because there are too many big ridings with too-few people; they need to be consolidated and the MLAs and candidates specially assisted with travel costs.

I'd like to see a Legislature of up to 99 or 100 seats and no more (at least for a few elections), which would include about 90 people elected in territories as now (except with the above-mentioned population adjustments) and about 10 people chosen in one or more processes to reflect smaller parties, ethnic groups, regional interests, maybe gender balance, maybe talent and/or popularity (eg someone who lost a seat by 10 votes or so). Perhaps some could be chosen by an independent panel chaired by the chief electoral officer. Perhaps some could be selected in a subsequent election off of a list.

These 10 "proportional" MLAs would have full voice in the Legislature and powers to sit on committees and have offices and staff, etc., but their

voting powers in the Legislature would be limited so they could not defeat a government or defeat a budget - but they could have a positive impact, especially if Question Period was extended and this group was given a rotating turn. And if there was a tied count on a confidence vote THEN they could break the tie.

The idea that (for example) the Green Party should have 15% of the seats and votes because their candidates collectively pulled 15% of the popular vote is NOT a good idea and in fact is a very bad idea and is NOT "democratic" but instead overweights minority special interests. This has proven to be a disaster in several European countries. Likewise any gender quotas or orientation, ethnic or religion quotas - NO!

The idea that the B.C. Conservative Party should get 7% of the seats because its candidates pulled in 7% of the vote is even more ludicrous. Perhaps the threshold for such seats should be 10% of the provincial popular vote.

The British Parliamentary System that the B.C. Legislature follows and imitates has proven to be an efficient way for governments to govern with a balance of both pragmatic practicality and intellectual and political diversity. It should be retained but augmented to better reflect B.C.'s diverse population and geography.

And then there is the elephant in the room: new voting technologies. Maybe even instant universal referendums on issues of the day or week.

So I favour an evolution to be revisited as soon as practicable after it has had a chance to work, or not.

I'm not sure what label that formula fits best under. You'd be welcome to call it the [REDACTED] Formula - a system that would put the peoples' interests First.

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Monday, February 26, 2018 11:47 AM
To: [REDACTED]
Subject: This questionnaire "Make Your Voice Heard On How B.C. Votes"

The questionnaire has no accountability as to who completes this questionnaire or how many times they completed the questionnaire. A bias opinion would be easily accomplished.
Sent from Windows Mail

[REDACTED]

From: [REDACTED]
Sent: Friday, February 23, 2018 5:36 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: submission on referendum

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir,

Northern BC needs a fairer electoral system that speaks for the region and its people. The current system fails to provide fair and proportional representation for those who did not vote for the winning candidate. More than 50% of voters are left without representation - how can such an electoral system exist in a democratic country? False majorities are statistical lies that are an insult to democracy and its citizens. Government formed on the basis of a fake majority can only be described as elected plutocracy - surely,

First past the post is an outdated electoral system imposed on the people of BC by its ex-colonial Master. How can a system from the 18th century (some would argue from the 15th century!) apply to address today's realities of a diverse BC society? First Nations make up a third of the voters in some northern ridings - yet, this colonial electoral system was designed for a narrow selection of white male voters only and to this day attracts a low number of voters, much lower than representational electoral systems. First Nations hardly ever participate in elections, either as voters or candidates, for obvious reasons! Many other citizens never bother, knowing full well that their preferences will be ignored.

In order for us to move into the 21st century we support

1. *a binding referendum question that asks voters for a mandate to modernize our electoral system by bringing in proportional representation (PR);*
2. *if the referendum passes, the creation of an independent commission involving citizens, experts and politicians organized and supported by Elections BC, which would be responsible for an expedited process to design a made-in-BC PR system;*
3. *as a possible complement to the mandate question, the inclusion of a second non-binding question allowing voters to express their preferences on alternative PR models for BC;*
4. *a robust public education campaign under the responsibility of Elections BC and a special commissioner for the referendum;*
5. *a public debate and government leadership that transcends partisan considerations. Most importantly, no fake truth campaigns!*
6. Thank you.

[REDACTED]

on behalf of FVC/BC Terrace Chapter

[REDACTED]

From: [REDACTED]
Sent: Friday, February 23, 2018 10:17 PM
To: [REDACTED]
Subject: Submission on How we Vote
Attachments: PR submission.docx

The attachment herewith suggests a way of modifying the way we turn voters wishes re parties and candidates chosen into legislative action . It is different than any of the three systems suggested in the literature and I suggest acceptable to many because it retains local representation as it is. Further it is easier to understand . One wonders if those two observations , because they are lacking in the previous attempts and indeed in the three proposals cited , cause for another rejection.

It is with devoted interest that I make this submission

[REDACTED]

HOW TO CHANGE HOW WE VOTE

The number of adjectives used to describe the current First Past The Post system, in addition to being negative, are legion.

The last Federal election provides us with data that reveals information as to why that system does not reflect electors wishes. The principles established by such observations can be applied to our provincial efforts to change our system, most importantly, the way voters preferences are turned into (seats) legislative influence.

In that Federal election, the Liberals received 6,928,514 of 17,552,402 valid votes cast and won 184 seats. The resulting liberal vote percentage is therefore 39.5% and applying that percentage to the total votes cast reveals 133 seats in the 338 seat house of commons.

The winning of 51 seats BEYOND what the percentage indicates is the source of further analysis of the matter. The 51 seats with the least number of votes that won in their riding each did so with less than 20,500 votes . What is revealing is that there were 56 candidates elsewhere in the country who LOST with MORE than 20,500 votes.

Riding size is a factor in this anomaly. The average size is 75,810 with 4 under 30,000, 28 with 90 to 100,000 the majority being in the 70 to 90,000 range. The smallest Liberal win was with 8878 votes in a constituency of 20,084 electors. As mentioned, there were 50 other seats won by the Liberals with less than the 20,500. By contrast, other candidates in all parties, garnered 20 to 30,000 votes with a high of 36,000 to win their constituency. A further complication is added by the turnout in each riding. The worst case is of course a small riding with a low turnout. The principle way that either of these scenarios skews the result is that it takes fewer votes to elect someone .

Voters in these smaller constituencies are as entitled as any elector to elect a representative so that even though the context of the previous observation “suggest” otherwise, no such eventuality is contemplated. Further, there is an anomaly regarding the role of the member who represents the constituency in the federal house and attempts to influence federal decisions concerning their constituents. In our present system, the member is ALSO a voice in legislation that affects the entire country without having a particular influence on the local constituency.

Leaving the existing electoral system in place is the best way to preserve the much loved local representation factor in any electoral system change. The purpose of seeking proportional representation is to insure that legislation is arrived at with input from all parties in proportion to their share of the vote at election time. It is not necessary to change the electoral system to achieve this end but rather to reconsider how we apply those proportions to the legislative process.

The number of seats in the house for this change can remain the same with the possibility of future increases as the need arises. What can change, is the number of VOTES required to pass legislation. In the example of the last Federal Election considered above a way forward becomes evident. With their 39.5% of the of the electorate behind them they are entitle to 133 votes on pending

HOW TO CHANGE HOW WE VOTE

legislation. Similarly, the number of votes by the other parties is reflected in their individual percentages of the vote. The research reveals that the Conservatives would have 108 votes instead of the 99 (seats) the NDP 67 instead of their 44 seats; The Bloc 16 instead of 10 and The Green Party 12 instead of 1 seat.

Proportional Representation (legislation) is realized by recognizing that 184 liberals for instance are entitled to 133 votes on anticipated legislation or motions in the house. It follows that the conservatives would be entitled to 108 votes through their 99 elected members; NDP 67 votes through their 44 members; Bloc 16 through 10 and Green 12 through 1. It should be noted that the total votes in this example equals the total seats (338)

The next step suggests converting the above ratios into single numbers. Each elected Liberal's vote would be worth $133/184$ or 0.72 the fraction due to the fact that they elected more people than their percentage of the vote indicated. All the other parties elected fewer people than their percentage of the vote indicated. Their votes would therefore be worth more determined by Percentage of votes divided by members elected. $\text{Cons. } 108/99 = 1.09$ $\text{NDP } 67/44 = 1.52$ $\text{Bloc } 16/10 = 1.6$ $\text{Green } 12/1 = 12$
A majority vote on a bill or legislation would require $338/2 + 1$ or 170 votes.

In the event that there is some indignity experienced as a result of having your vote only worth a fraction, the same outcome can be achieved by designating each of the votes worth less than 1 as though they are worth one. Keeping the proportions the same in this scenario would require that all of the ratios in the previous paragraph would change and the new number needed to determine a majority would be $338/.72$ or 469 so that a majority vote in this case would be 235.

In our last British Columbia election, The Liberals received 40.12% of the total valid vote for a "proportional" number of 35 seats but were awarded 43 seats. The NDP had 40.06% also for 35 "proportional" seats but were awarded 41 seats. Greens; 16.73% for 15 real seats but awarded 1. The "other" category was at 2.12% for 2 seats but obtained none.

The 8 constituencies that were won by the Liberals with the fewest votes did so with less than 7916 votes while 15 NDP and 2 Greens LOST in other ridings with MORE than 7916 votes.

As in the Federal example, riding size and turnout were the 2 factors that caused this anomaly. Of the 87 ridings, 5 are in the range of 13,240 to 20,000, 11 are 20 to 30,000 and 74 are 30 to a high of 47,373. The average riding size is 36,287. The turnout in the 8 ridings previously mentioned won by the Liberals with 1 exception, were less than the Average turnout. Of the 3,156,991 registered voters, 1,974,014 voted for a turnout of 62.35%

Following the same reasoning as in the Federal example, each constituency would maintain its elected member and such members' vote in the legislature would be worth $35/43$ (proportional divided by awarded) or .81 and similarly, the NDP legislative vote would be $35/41$ or .85 while the Greens

HOW TO CHANGE HOW WE VOTE

legislative vote would be 15/3 or 5. Again, to reiterate, these calculations are made to insure that the votes on legislation or bills are in proportion to voter preferences at the time of the election.

Any multiple of these proportions could be used without changing the balance so that if objections were raised about the fact that a vote is only worth a “fraction”, the lowest fraction could be changed to one as long as the other parties numbers are changed in a proportional way.

It is with gratitude for this opportunity to participate in this vital process but even more gratitude and respect for the infinite numbers of professional people and others who have spent perhaps even lifetimes addressing the erosion of Democracy. Of 204 world wide democratic jurisdictions, there are only 27 left that still use the first past the post plurality system. No doubt those changed have been the beneficiaries of that professional help.

Many are pointing out the further erosion of democracies by the shifting to more authoritarian regimes. Our southern neighbour is surely bound in that direction .

It is our task to enhance the concept of Democracy by assuring its evolution rather than its continued erosion. Lets not forget that our progeny and our planet are paramount. Our politics is not.

THIS WILL WORK

HOW TO CHANGE HOW WE VOTE

[REDACTED]

From: [REDACTED]
Sent: Wednesday, February 28, 2018 1:04 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Referendum


Referendums are seen by some to be divisive. The task of your Government is to design one that brings us together.

After the referendum, no matter what the result, you will be successful if all of us, especially those on the losing side, agree that the process was honest and transparent and that we had every opportunity to make our case, refute the opposition's case and that faux information was flagged and corrected by an authority beyond approach.

No matter what the specific question is, what we are really being asked is if we want more freedom to control who our elected representatives will be or if we are willing to permit a system that favours the concentration of absolute power into the hands of the few. Are we brave and smart enough for democracy?

FYI, I favour multiple member STV as it would give those who desire 'local representation' the opportunity to vote local (there may be a Google app for that) while permitting those who have a broader outlook to have our say; It's called democracy.

[REDACTED]



Feb. 27, 2018

Attorney General David Eby
Ministry of the Attorney General
PO Box 9044 Stn Prov Govt
Victoria, BC V8W 9E2

Honourable Attorney General Mr. Eby:

I write to express my concerns and opinions regarding the referendum on election reform for BC. I am thrilled that your government has made the decision to allow British Columbians to make their will known through a referendum. I have some concerns about the way the process has begun, and am hopeful that there is time and the will in your Ministry to improve the process to enable a clear and informed response to the referendum.

The need for reform of our voting system is very clear to me. Our current system consistently distorts the results of the public vote by anywhere from 8% to 18%. As a result, we regularly have a majority government formed by a party which has received only a minority of the public vote. Especially in an era of increasing partisanship, bolstered by the increasing disparity in incomes of the wealthy from the middle and lower income earners, the social solidarity of citizens in BC is increasingly threatened. Rather than focusing on the common good, the effect of legislation passed over the last 20 years in BC has been to bolster those in the top echelons at the expense of those in the bottom half.

Your party has been admirable in speaking up for those in the lower income groups, but has had little effect on legislation during the years it's been in opposition. Rather than continue the wild pendulum swings in policy that first past the post voting gives us, your party is now providing the opportunity to change that system to proportional representation which has been shown over time to produce more balanced, inclusive legislation in a significant majority of the countries of the world. I am grateful to your party and the BC Greens for that.

You have removed yourself from connection with your party insofar as the referendum is concerned, and that is wise and good.

I appreciate this opportunity to both thank you for the positive steps your government has taken to enable this referendum to proceed, and to suggest some improvements in the way forward.

The questionnaire was not easy to answer in a number of instances. The questions that included the phrase "even though" or "even if" were very awkward to answer. In several cases the implied opposition was not necessarily there: not all PR systems would present the problem implied. I believe very little weight should be given to the answers to those questions.

The selection of PR systems in the questionnaire and information sections of the "Engage" website was poorly made. MMM is NOT a proportional system, and closed List voting has never been recommended for any part of Canada.

Given the serious shortcomings mentioned in the previous 2 paragraphs, I strongly urge you to change whoever the consultants were that led to the awkwardly stated questions on the questionnaire.

There are 2 levels of questions blended together in the survey. One is whether or not we should change our voting system to a proportional system from the current first past the post. Because there is a wide variety of proportional systems used throughout the world, and several new ones have been proposed for Canada with its extremes of population density/scarcity (the "rural/urban" divide), it will be very helpful if key criteria are listed that the PR system would have to meet. I see that Fair Vote Canada/BC has listed these, and I find them well chosen:

- 1- It should be proportional: share of seats should closely match the share of votes.
- 2- It should give voters more choices. FPTP gives one choice; PR can give several choices, and can allow ranking of choices.
- 3- It must maintain local representation.
- 4- Votes should be for individual candidates, not party lists.
- 5- It must respect geographical differences: the geographical balance of representation should be changed as little as possible.
- 6- The number of MLAs should not be significantly increased.

There are proportional systems that meet these criteria so this list is not a pie-in-the-sky wish list. It is a believable list, and achievable list, and should be included in this fall's referendum as a condition for whatever system of PR would eventually be chosen for the province. With these criteria stated on the referendum ballot, a simple mandate question becomes both meaningful and feasible. Please consider it.

The second question included in the survey ("which PR system do you prefer?") is very difficult to answer for anyone who has not spent a lot of time studying various PR systems. It is not a question appropriate to a province-wide referendum. On the other hand it is perfect question to put to an independent body of randomly chosen citizens (like the previous Citizens' Assembly) who are given time and resources to study and discuss the pros and cons of the different qualifying PR systems. If the mandate question passes, this body could make the determination of which system BC would use.

A review referendum 2 or 3 election cycles after the first election using PR could give BC voters a chance to affirm or not affirm the change from FPTP.

In summary, I strongly recommend:

- 1) a MANDATE question for this year's referendum, preceded by a list of criteria that the PR system would have to meet.

- 2) A Citizen's Assembly (overseen by Elections BC, or other politically independent and respected body) to determine and select which PR system best meets the criteria and which BC would then use.
- 3) A review referendum after 2 or 3 election cycles to give voters the chance to affirm or change the system based on real BC experience.

Thank you for the opportunity to express my opinions on this very important matter.



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[REDACTED]

Referendum Committee
Ministry of the Attorney - General
P.O. Box 9044, Sta. Prov. Gov't
Victoria, BC V8W 9E2

Feb 14th '18

Greetings;

I notice you don't have the only voting system that yields improved outcomes with first-past-the-post voting: namely, the Regional Seats system. Naturally not, since its existence ruins the narrative that our present system of elections cannot be improved and must therefore be replaced. Well, that's not so.

The 2001 article: "Improved Election Outcomes Via Regional Seats System" in the *Canadian Parliamentary Review* (revparl.ca 2001) describes this system.

Too bad you are not putting it out there for the good folk of BC to ponder. With this RS system there could be 17 regions in the province and thus a minimum of 17 elected Members in opposition to the government of the day. The 2001 results, when you had but two opposition Members in the Assembly, could not then occur.

Suppressing knowledge of this voting system is hardly democracy in action, now is it?

Regards;

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Referendum Committee
Ministry of the Attorney-General
P.O. Box 9044 Sta. Prov. Gov't
VICTORIA BC.
V8W 9E2

[REDACTED]

From: [REDACTED]
Sent: Friday, February 23, 2018 1:48 PM
To: [REDACTED]
Subject: RE: Submission on Voting System and Ballot Design

Follow Up Flag: Follow up
Flag Status: Completed

What is the criteria for organizations? And why would the BC Electoral Framework Association not be accepted when other small unregistered associations such as:

Canadian Association to Restore Democracy
Committee for Voting Equity
Citizen's Vote Empowerment

Did you require articles of association or steering committee members from other associations along with submissions?

Sincerely,

[REDACTED]

[REDACTED]

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From: [REDACTED]
Sent: Friday, February 23, 2018 12:46 PM
To: [REDACTED]
Subject: RE: Submission on Voting System and Ballot Design

Hi [REDACTED]

This has been received and will be included and taken into consideration in the analysis.

However we only post organization submissions, not individuals.

Best,

The Citizen Engagement Team

From: [REDACTED]
Sent: Thursday, February 22, 2018 10:30 PM
To: [REDACTED]
Subject: Re: Submission on Voting System and Ballot Design

I submitted this earlier. Can you confirm if this has been received and whether it can be included on the stakeholder submission's page?

Sincerely,

[REDACTED]

[REDACTED]

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