

## Political Party Information Session

### Meeting Notes

Thursday, September 5, 2019  
1:30 p.m. – 5:30 p.m.

The Fairmont Waterfront, Cheakamus Room  
900 Canada Place Way, Vancouver

### Attendees

#### Elections BC

- Anton Boegman, Chief Electoral Officer
- Charles Porter, Deputy Chief Electoral Officer, Electoral Finance and Operations
- Yvonne Koehn, Deputy Chief Electoral Officer, Corporate Services
- Amie Foster, Director, Corporate Planning and Strategic Initiatives
- Daniel Posey, Analyst, Executive Services (meeting notes)

#### Political Parties (alphabetically by party name)

- BC NDP: Raj Sihota, Rachel Roy
- British Columbia Liberal Party: Hoong Neoh, Deanie Wong
- Green Party Political Association of British Columbia: Stefan Jonsson, Andrew Brown

#### Guest Speakers

- Michael McEvoy, Information and Privacy Commissioner for BC
- Jeannette Van Den Bulk, Deputy Commissioner, Policy, Adjudication & Audit, Office of the Information and Privacy Commissioner
- Alex Frappier, CanCyber

#### The meeting commenced at 1:36 p.m.

##### 1. Welcome and Introductions

Anton Boegman, Chief Electoral Officer of British Columbia, welcomed attendees and described the purpose of the Political Party Information Session as a component of Elections BC's (EBC) overall stakeholder engagement strategy. He also described the role of the Election Advisory

Committee (EAC) which is established under sections 14-16 of the *Election Act*. Anton provided a short summary of Elections BC's recent events:

### **2018 Referendum on Electoral Reform**

Voting for the 2018 Referendum on Electoral Reform took place from October 22 to December 7, 2018, with results reported to the Speaker of the Legislative Assembly and announced province-wide on December 20. Overall, 1,403,074 ballot packages were returned to Elections BC, representing a voter participation rate of 42.6%. Voters chose to keep the current First Past the Post voting system (61.3% in favour).

Rotating strikes at Canada Post occurred throughout the voting period for the referendum and made it challenging to distribute and return packages through the mail system. As a result, Elections BC extended the voting period by one week to ensure that the mail slow-down did not prevent voters from participating. The number of packages received after the deadline was roughly in-line with past vote-by-mail events (0.2% of all packages mailed), suggesting that the one-week extension was sufficient to address the strike's impact.

Of the approximately 1.4 million voting packages submitted to Elections BC, over 99.2% were accepted for counting. This is a significant improvement over past vote-by-mail events, and is attributable to improvements in voting package design, including layout and instructions.

### **2019 Nanaimo By-election**

A provincial by-election in the electoral district of Nanaimo was triggered by the resignation of MLA Leonard Krog in November 2018. The Nanaimo by-election was held on January 30, 2019. Voter turnout was the highest in a B.C. by-election in the last 20 years (52.6%). Over 38% of voters voted at advance voting and 12% voted in the district electoral office or through an absentee method. Less than half of those who voted did so at their assigned location on General Voting Day.

The by-election made use of the same voting place technology introduced during the 2017 Provincial General Election to automate administrative aspects of advance and absentee voting and to enable next-day reporting of advance voting turnout to candidates. Election officials looked up voters electronically and printed labels for the voting books and other voting documents, replacing previous manual processes. Each morning during the advance voting period, candidates received an electronic record of voter participation from the previous day. The lookup system also greatly reduced the opportunity for most election official administrative errors.

In the fall of 2018 Elections BC also administered the campaign financing and advertising requirements for the 2018 General Local Elections. General Voting Day was October 20 and local by-elections and assent voting events are ongoing.

## **2. Code of Practice for Election Data**

Anton introduced Michael McEvoy, Information and Privacy Commissioner for BC and Deputy Commissioner, Jeannette Van Den Bulk. He invited Michael to provide an informal update to the group on matters of shared interest between Elections BC and the Office of the Information and Privacy Commissioner. These subjects included an update on the progress of the recommendations emerging from the Commissioner's February 6, 2019 report entitled [\*Investigation Report P19-01: Full Disclosure: Political parties, campaign data, and voter consent\*](#) and the presentation of a draft outline for a voluntary code of practice also mentioned in the report. The code of practice is intended to be a voluntary code that will guide the collection and use of voter data by political parties and candidates.

## Questions and discussion

- **Question** – Why is this code of practice voluntary? What is the timeframe for it to be mandatory?
  - **Answer** – There is no mechanism for regulators in British Columbia to establish a mandatory code of practice. That said, it shouldn't stop us from coming together and try to develop a voluntary code.
- **Comment** – There is a made in Canada solution regarding codes of conduct that has a background for pros and cons of such agreements. Manitoba has a voluntary code of conduct as well.
- **Comment** – Political parties must balance the need to use information against the protection of personal information. In this sense, we recommend that you establish an external advisory board (which includes political party representation) that allows for a dialogue between the OIPC and political parties regarding data use.

### 3. Capacity Building: Data Security in Elections

Alex Frappier from CanCyber provided a comprehensive description of the types of privacy and security vulnerabilities faced by political parties in Canada and abroad. He also described contemporary origins and/or motivations for election interference. Alex then described a series of activities that political parties should consider to ensure they are securing voter data and other sensitive information in their custody and control.

## Questions and discussion

- **Question** – Are there fewer risks to paper ballots and human counts, or electronic tabulators?
  - **Answer** – It is possible and relatively simple to hack these devices. We see this at the election villages at hacker conferences.
  - **Answer** – Elections BC's processes protect against such risks. For example, tabulators can scan and store hand-marked paper ballots. This ensures that it is possible to verify results and conduct a hand-recount if necessary.
- **Comment** – Returning to the issue of a voluntary code of practice - I am not convinced that a voluntary code will get people to comply with a consistent set of rules.

### 4. Online Threats to Election Integrity: Safeguarding Our Democracy

Anton advised the group that Section 12(2)(a) of the *Election Act* empowers the Chief Electoral Officer "to make recommendations to the Legislative Assembly respecting amendments to the *Election Act* or other enactments affecting election matters." Furthermore, section 16(2)(c) of the *Election Act* requires the Chief Electoral Officer to consult with the Election Advisory Committee before making a recommendation under section 12(2)(a) respecting an amendment to the *Election Act* or another enactment.

He then explained that Elections BC intends to submit a report on recommendations for legislative change to the Legislative Assembly in the near future. The six recommendations presented earlier in the day to the Election Advisory Committee are focused on addressing cyber threats to electoral

integrity and are the product of significant research and consultation. At a high level, the themes covered include:

1. Prevent misleading advertising, disinformation and impersonation
2. Increase transparency around the use of artificial intelligence such as social media bots
3. Ensure digital platform compliance with the *Election Act*
4. Expand scope and responsibility of third party sponsors
5. Discourage foreign and out-of-province interference
6. Establish an advertising registry and increase transparency

## Questions and discussion

- **Comment** - I am astonished at the level of difficulty we are having in stopping negative players. The mortgage requirements tightened up quickly, but not for this. Further, this is not new, trans-national technology companies are more nimble than governments.

## 5. Voting Modernization

Charles provided an update on Elections BC's voting modernization efforts:

In Elections BC's May 2018 recommendations report for legislative change, Elections BC proposed a complete redesign of how voting is administered in British Columbia. This redesign would address concerns about compliance, efficiency, service quality, and timeliness. The report anticipated an 18-24 month timeline for Elections BC to implement the proposed new voting model for future provincial elections following the passage of enabling legislation.

On July 3, 2019, Elections BC received a letter from the Ministry of the Attorney General indicating government's support for the voting modernization strategy outlined in the report. The letter also signalled government's intent to deliver legislative change on a timetable that would support implementation for the next scheduled provincial election in October 2021.

Key features of the proposed changes include:

**Electronic voting book:** Building on previous modernization efforts, the use of electronic voting books combined with technology to scan ID documents and print ballots on demand promises to further simplify voting procedures and reduce election official error.

**First-come-first-served:** Moving to a "bank teller" service model would give Elections BC greater flexibility to redirect voters to different stations to alleviate bottlenecks and reduce wait times. It would also create opportunities to optimize staffing and service levels at voting places (e.g. adjust the number of voting stations in operation) based on local conditions.

**Real-time strike-off:** Participation strike-off information relayed to most voting locations across the province in near real-time would allow Elections BC to strengthen protections against multiple voting. It would also mean that candidates could receive more timely and accessible updates to voter participation data during each day of voting.

**Tabulators:** Instead of ballots counted by hand, using tabulators to record ballot choices electronically would give Elections BC the ability to report election night results much faster than current manual processes allow, potentially with some results known just minutes after the close of voting. The proposed model would see most votes, including absentee ballots, counted on election night, which would significantly reduce the likelihood of a result hinging on the final count of remaining votes following election night.

Elections BC strongly believes that future voting modernization changes must be delivered in a way that preserves the key features of B.C.'s current system including accessibility, integrity, transparency, and trust.

Elections BC continues to reach out to other election agencies in Canada for advice and expertise based on their experience with implementing voting modernization changes in their own jurisdictions. A team of EBC staff is also actively working on elaborating the vision and investigating technology options that will support a made-in-B.C. solution.

Also underway is the development of a candidate portal. Currently, nominees seeking to be a candidate in a provincial election must submit a paper nomination package and deliver the package to Elections BC either by mail or in person. Upon receipt, the packages are manually data-entered and processed by Elections BC staff at headquarters.

Through the creation of a new online service portal for candidates and parties, Elections BC envisions that:

- Candidates will have the option to submit nominations electronically instead of on paper
- Data from electronic submissions will be immediately captured in Elections BC information systems, thereby decreasing processing time and reducing manual errors.
- All information and services related to nominations will be stored in a single place for candidates and parties to access at their convenience
- Candidates will be able to easily track the current status of their nomination filing and party endorsement as applicable
- There is potential that other electronic documents and eServices could be provided via the online portal in future (e.g. provision of voters lists, financing report filing)

The project is well into the implementation stage and Elections BC expects to be ready to rollout the new online portal to candidates by the spring of 2020.

## Questions and discussion

- **Comment** – At the local level, bylaws regarding vote tabulators are very prescriptive and it is very clear what is and is not happening with a tabulator. The more oversight and education that can be established in advance, the more acceptance there will be by political participants for the introduction of technology.
- **Question** – In terms of the candidate portal, does that mean that nomination forms will be available for viewing online, or will that still be done in the office?
  - **Answer** – This is outside the scope of current activities, and a decision has not been made at this time.
- **Question** – Do Canada's intelligence agencies have a plan to protect Canadian minority groups, progressives and non-profits from harassment from foreign governments such as Russia?
  - **Answer** – Any foreign interference is directly in the CSIS mandate, and they will follow up on any complaints. CanCyber also monitors such activity.
- **Question** – It has been difficult in the past to address radio stations broadcasting just south of the border during Canadian elections. These radio stations are recently re-emerging online and should be considered for better regulation.
  - **Answer** – Acknowledged.

## **6. Closing Remarks**

Anton invited attendees to forward any questions regarding information presented at the Political Party Information Session to Amie Foster, Director, Corporate Planning and Strategic Initiatives, by phone at 250-952-6226 or by email at [amie.foster@elections.bc.ca](mailto:amie.foster@elections.bc.ca).

**The meeting was adjourned at 5:16 p.m.**