

FOR RELEASE

November 5, 2016



Mountainview Inquiries: Outcome

Concerns were raised with respect to campaign practices in the electoral district of Mountainview. Elections Yukon is responsible to ensure that elections are conducted in accordance with the law. Concerns directed to this office are taken seriously to protect the integrity of the electoral process.

The persons and groups holding information were requested and compelled to provide the necessary information to allow for appropriate follow-up. Follow-up is done on the basis of factual information to determine whether or not wrongdoing has occurred.

1. Concerns were raised that proxy applications were being obtained by the Yukon Liberal Party campaign in Mountainview in a manner that contravened the *Elections Act*.

Concerns that wrongdoing had occurred were based on an offence provision of the *Elections Act*, which prohibits:

- making a proxy application or voting as a proxy voter in a manner that is not in accordance with the proxy voting provisions

The information provided did not indicate that the Yukon Liberal Party campaign in Mountainview had obtained proxy applications in a manner that is not in accordance with the *Elections Act* or at all.

Based on the information provided to Elections Yukon, I believe that an offence has not been committed.

2. Concerns were raised that electors in the electoral district of Mountainview had not received special ballots requested in the pre-election period. Special ballot applications were completed by the electors, who had asked that they be delivered by a person associated with the Yukon NDP campaign.

Concerns that wrongdoing had occurred were based on an offence provision of the *Elections Act*, which prohibits:

- inducing a person to vote or to refrain from voting

Election law directs that electors who receive a special ballot are unable to vote in person. Special ballots are deemed to be received when they are provided to the elector's designate. The concern was raised that these electors could be deprived of their right to vote.

The person responsible for the delivery of the special ballots confirmed that all were delivered to electors by November 3, 2016.

Based on the information provided to Elections Yukon, I believe that an offence has not been committed.

3. Concerns were raised that persons associated with the Yukon Party campaign in the electoral district of Mountainview had:
- advised electors that October 8, 2016 was Election Day
 - provided electors with transportation if they would vote that day
 - offered electors consideration for voting

Concerns that wrongdoing had occurred were based on offence provisions of the *Elections Act*, which prohibit:

- making a statement that is known to be false, in order to have an elector vote or refrain from voting
- inducing an elector to vote by offering consideration

Statements from the electors involved were reviewed. Interviews were conducted with the Returning Officer, Assistant Returning Officer, and others with firsthand involvement.

In conclusion:

- The statements made by the electors and the information collected during the interviews did not indicate that electors were told that it was Election Day.
- Driving an elector to a polling place is commonly accepted within the community. In my opinion, in order to become an offence, there would have to be some additional form of inducement, such as providing cash or other reward for voting.

Based on the information provided to Elections Yukon, I believe that no offence has been committed.

The results of the inquiries do not support the concerns raised.

Complainants are not identified by this office to encourage people with legitimate concerns to come forward. A number of people came forward voluntarily to share their firsthand experiences; Elections Yukon thanks them for taking that step.

Throughout this process, the Returning Officer in the electoral district of Mountainview, as in all electoral districts, has been diligent in fulfilling the responsibilities of the *Elections Act*. I believe that the integrity of the electoral process was maintained through the knowledge, training, commitment, and sound judgment of the Returning Officer.

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