



Canada Report

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Sustainable Governance Indicators 2019

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Executive Summary

Canada's economic position is strong, despite lingering barriers to internal trade, high household debt and overheated property markets in major cities. The Canadian government has managed to avoid major economic disruptions during the recent NAFTA renegotiations, but remains at the mercy of an unpredictable U.S. administration. The federal government debt is moderate and sustainable, but the provinces have come under increasing fiscal strain from rising health care costs, which are likely to rise further in the foreseeable future.

The government of Prime Minister Trudeau has been praised for its 2018 budget which introduced gender conscious accounting of impacts, expanded parental leave and introduced the Canadian Workers Benefit (a refundable tax credit for low-income earners). The Liberals under Trudeau also expanded benefits under the Canadian Pension Plan, which remains fiscally sound, and recently legalized cannabis, fulfilling a high profile campaign pledge. The government has also been celebrated for its positive messaging toward immigrants and returning Canada to an active role in U.N. peacekeeping operations.

On other policy issues, the government has had trouble meeting the high expectations it established during the election campaign and in the early years of its term. Key bills on security oversight, environmental regulation and access to information remain before parliament, but are at risk falling off the agenda if they are not passed before the upcoming federal election in October 2019. Campaign promises notwithstanding, the government has yet to develop a national strategy for childcare and early childhood education. High expectations have also proved difficult for the government with respect to transparency and governance. Efforts to reform the electoral system and the functioning of parliament have been tainted by perceptions of undue partisanship and mostly abandoned. At the same time, the administration's continued inability to fix the Phoenix pay system has resulted in delayed paychecks for tens of thousands of government employees, and revealed longstanding and fundamental failures of governance and oversight.

Federal-provincial relations is another area where the government is having difficulties living up to its own publicity. Before and after being elected, Prime

Minister Trudeau had rhetorically paired the implementation of a national carbon pricing scheme with the approval of several controversial pipeline projects. Most of these projects have since died, with only the Kinder Morgan pipeline expansion remaining on life support after being purchased by the federal government for CAD 4.5 billion. These failures have emboldened many provinces to loudly resist the national carbon pricing scheme. Relations with the provinces are also affected by disputes over the level of federal funding in areas like health care and education. Health care spending in particular is a concern due to Canada's aging population, and relatively costly and inefficient health care system.

Government relations with Indigenous peoples also remain fraught. Overall, Indigenous people face worse outcomes in the labor market and justice system than non-Indigenous Canadians. As in other areas, the government of Prime Minister Trudeau has had difficulty meeting its commitments. The educational system on reserves, overseen by the federal government, remains underfunded compared to provincially managed schools off reserve, while infrastructure, particularly in relation to drinking water, is still critically inadequate. The government's National Inquiry into Missing and Murdered Indigenous Women and Girls was initially greeted with cautious optimism, but is now widely seen as flawed due to high profile mismanagement and resignations.

Overall, Canada remains fairly well placed with respect to sustainable governance but there are many issues that have been ignored for far too long. The government will have to act with resolve if it wants Canada to maintain its relative position in the world.

Key Challenges

Canada's macroeconomic situation remains strong, even if short-term trends remain tightly tied to the United States. As such, macro-trends are unlikely to have an overriding effect on the 2019 federal election or the political situation going forward. The country's ability to absorb people from diverse cultures will continue to help mitigate the growing gap in the prime working-age population, although recent immigrants do not fare as well in Canada's job market as Canadian-born workers. Dealing with an unpredictable U.S. administration will continue to be a challenge, but an equilibrium of a sort seems to have been achieved over a revised NAFTA.

Many items from the government's election platform are still pending, some are poised to face serious obstacles and some have been abandoned altogether. One of the government's signature projects, the Canada Infrastructure Bank is still in the early stages of operation. The Liberals' proposed bill to revise the controversial security legislation passed by the previous government remains before the Senate without a clear political constituency. Like most political leaders, Prime Minister Trudeau pledged to lead a more open, transparent and accountable government. However, despite significant changes in the day-to-day transparency of the Prime Minister's Office and departmental mandates, the issue remains fundamentally unresolved. The proposed reform bill on access to information has been heavily criticized and may undermine the government's credibility. Similarly, the Liberals' decision to abandon electoral reform has resulted in disillusionment with the government in some quarters.

Implementing efforts to combat climate change will be a central challenge over the next year. The government has committed to imposing a carbon tax on provinces that do not implement a comparable program by January 2019. The provinces of Saskatchewan, Manitoba, Ontario and New Brunswick are all opposed to the plan, and are expected to be joined by Alberta after the upcoming provincial election. Since many policy areas are shared between provinces and the federal government, acrimony over this issue may prove dangerous to the federal government's other priorities.

Indeed, relations with the provinces are poised to become a more salient concern going forward. Health care in particular, which is a key area of shared responsibility, will likely be a contentious issue with looming disputes over necessary policy reform on the provincial side and funding levels on the federal side. Largely due to Canada's aging population and the associated rising health care costs, the Parliamentary Budget Office considers current fiscal policies in the provinces and territories to be unsustainable, and projects substantial budget deficits.

Improving relations with First Nations and other Indigenous groups in Canada remains a fundamental challenge for the government. The Liberals have reinstated previously frozen funding for First Nations, but it will be years before the effects of this are measurable. Many of the government's other promises remain unfulfilled and relations have been soured by Indigenous opposition to major pipeline or energy projects, and by the widely perceived failings of the government's National Inquiry into Missing and Murdered Indigenous Women and Girls. Improving relations will require substantial restructuring of departmental mandates to ensure that policymaking respects indigenous rights.

In summary, although the Liberals under Trudeau have moved forward in several areas of sustainable governance, significant gaps remain. Many overdue institutional reforms, which were once praised, have been inadequately pursued or abandoned. Success will depend on whether the government can revisit reforms to evaluate their effectiveness and continue with reforms in the face of institutional inertia. With the next election imminent and the economy humming along strongly, the Liberals should resist their natural instinct to make cosmetic changes and please incumbents. Rather, they should focus on making enduring reforms that will yield long-term political and economic benefits. Other actors should recognize this confluence of government capacity and political sustainability as an opportunity for civil society to guide and support fundamental reforms.

Party Polarization

Canada is a parliamentary democracy and its first-past-the-post electoral system generally produces absolute parliamentary majorities for the winning political party, which are further strengthened by strict party discipline. As a result, the Canadian government can implement its policies irrespective of how polarized or hostile opposition parties may be.

Still, all large federal parties have historically pulled toward the center. This is especially true for the governing Liberal Party, which has always emphasized “big tent” politics, and garnered support in the last election by promoting middle-of-the-road policies and compromises. However, in past years, other political parties have been moving further toward their respective ends of the left-right political spectrum, with the left-leaning New Democratic Party taking a more socialist stance, and the recent schism in the right-leaning Conservative Party that led to the formation of the populist People’s Party of Canada. Overall, therefore, parties are arguably more likely to be defined by their ideological stance than previously. However, it is important to note that relatively speaking the main parties of government (i.e., the Liberal Party and Conservative Party) are close enough to find common ground on broad topics (e.g., free trade) regardless of recent shifts.

At the same time, cross-party cooperation is hindered by what allegedly is the strictest form of party discipline in the world. Members of parliament rarely vote against party lines, and party leaderships maintain strict control over speech content and committee work. In a report by advocacy group Samara

Canada, members of parliament stated that party lines were rigid and it was difficult to work as an individual. Multipartisan deals are largely only possible when the party leadership is negotiating – it is difficult to deal with members of parliament themselves. (Score: 9)

Citation:

Johnston, Richard (2015). “Canada is polarizing—and it’s because of the parties,” in *Political Polarization in American Politics*, eds. Daniel J. Hopkins and John Sides. New York: Bloomsbury, 2015, pp. 120-125.

Samara Canada (2017), “Flip the Script”, available at https://www.samaracanada.com/docs/default-source/reports/flip-the-script—by-the-samara-centre-for-democracy.pdf?sfvrsn=2d09002f_2

Policy Performance

I. Economic Policies

Economy

Economic Policy
Score: 9

Following years of slow or stagnating economic growth, Canada's economy has recently gained speed. The Bank of Canada, in its fall 2018 Monetary Policy Report, projected real GDP growth of 2% in 2019, a slight decrease from 2.1% in 2018 and 3% in 2017. Real GDI growth was projected to be even higher at 4.0% in 2019, down from a breakneck 8% in 2018, because of strong business sentiment. Yet, it is unclear how much of this upturn can be attributed to the Liberal government's policy of increased infrastructure spending and other stimulative programs. While these policy initiatives were praised by both the IMF and the OECD, fiscal stimuli cannot be expected to foster economic development in the long run.

Canada has implemented market-oriented policies that have enhanced the country's attractiveness to business. Yet, there are areas where Canada's economic framework could be more conducive to productivity growth, as exemplified in the most recent 2018 World Bank Doing Business Report, which ranked Canada 18 out of 190 countries for the ease of doing business, down from 8 out of 181 countries in 2009. The report highlights some of the country's weaknesses in getting electricity, contract enforcement, cross-border trade regulations and in dealing with construction permits.

A key challenge for Canada involves the coordination of regulatory policy across federal and provincial jurisdictions. In many areas, changes require different levels of government to cooperate, which frequently impedes progress.

Productivity growth continues to be relatively weak as well. Another factor is the country's dependence on natural resources, which account for roughly 20% of GDP. Aside from risks associated with high price volatility in this

sector, uncertainties regarding policies and regulations surrounding major projects (e.g., the duty to consult with Indigenous groups) have the potential to stall investment.

Other regulatory weaknesses affecting Canada's competitiveness include interprovincial barriers to trade and labor mobility, and marketing boards, which set production quotas. While these issues came to the fore during the recent NAFTA re-negotiations, no major party has made a commitment to significantly reduce these barriers.

Household debt remains high. The current ratio of household debt to disposable income in Canada is above 169% and housing affordability continues to decline. Although the federal government has repeatedly tightened mortgage lending rules over recent years and provincial governments enacted legislation to curb foreign real estate investment, housing markets in Canada's largest cities, Vancouver and Toronto, remain unbalanced. A possible correction in the housing market would pose a significant risk, and there appears to be room for additional measures to mitigate speculative investment activity, and improve coordination between federal and provincial regulators.

A final concern involves the lack of talent and innovative ability. In the World Economic Forum's most recent Global Competitiveness Report, Canada ranked below many of its OECD peers for quantity of education, technological readiness, business sophistication and capacity to innovate. The extent to which the federal government can address these issues, however, is limited. Education policy is under provincial jurisdiction and, historically, government-led attempts to actively promote technological innovation have largely been unsuccessful.

Citation:
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OECD Economic Surveys: Canada July 2018, https://read.oecd-ilibrary.org/economics/oecd-economic-surveys-canada-2018_eco_surveys-can-2018-en#page9

Canada: 2016 Article IV Consultations, International Monetary Fund, June 2016, <https://www.imf.org/external/pubs/ft/scr/2016/cr16146.pdf>
World Economic Forum, The Global Competitiveness Report 2017–2018.

Bank of Canada, Monetary Policy Report, October 2018 <https://www.bankofcanada.ca/wp-content/uploads/2018/10/mpr-2018-10-24.pdf>

Labor Markets

Labor Market
Policy
Score: 8

The unemployment rate in Canada is primarily driven by the business cycle, which reflects aggregate demand conditions. Labor market policies and programs such as unemployment insurance and training programs have limited effect on overall unemployment, although these policies and programs are important for income support and the upgrading of skills. Overall, labor market regulation in Canada is relatively light, and there are few labor market rigidities that impede the operation of the labor market. The most significant of these may be regional employment-insurance benefits that may somewhat reduce the outflow of labor from regions with high unemployment rates, even though labor mobility in Canada, both inter- and intra-provincially, is generally high.

The national labor market continued to perform strongly in 2018 and is expected to do so in 2019. The official unemployment rate of around 6% is near its lowest point in 40 years. The long-term unemployment rate shot up during the 2008 to 2009 recession and has remained elevated since, but is low by international standards.

Yet, the labor force participation rates of some groups (specifically women, young Canadians and Indigenous peoples) are lower than they could be, representing a significant untapped source of potential economic growth. Unemployment rates of Indigenous Canadians, particularly those of Inuit and members of First Nations living on reserves, remain very high suggesting that existing programs fail to hit the mark. The 2018 budget announced a series of measures to increase the labor force participation rate of women and to continue efforts to reinforce the labor market participation rates of Indigenous peoples, but the effectiveness of these policies remains to be seen.

The federal government has recognized both the need to improve the economic environment (such that businesses hire new workers) and the need for more effective workplace training, but many of its measures did not have the desired effect. Labor shortage is a growing problem. The Canadian Federation of Independent Business (CFIB) reports a record number of almost 400,000 vacant private sector jobs, reflecting a continued rise in the job vacancy rate to 3%, up from 2.4 % in 2016. Despite a decade of job losses, Canadian manufacturing firms still indicate that skills shortages and lack of policies around market access to the United States remain an issue.

Overall, the Canadian labor market is very flexible, particularly for a developed country. According to the 2017 – 2018 Global Competitiveness Report, out of 137 countries, Canada ranked seventh for labor market efficiency and third for efficient use of talent.

Citation:

Centre for the Study of Living Standards, Ottawa. Press Release June 20, 2012, Aboriginal Labor Market Performance in Canada Deteriorates Since 2007, <http://www.csls.ca/PressReleaseJune 202012.pdf>

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World Economic Forum (2017). The Global Competitiveness Report 2017-2018. <http://reports.weforum.org/global-competitiveness-index-2017-2018/>

CFIB press release Aug 9 2018 <https://www.cfib-fcei.ca/en/media/canadas-job-vacancies-rate-reaches-new-heights>

Taxes

Tax Policy
Score: 8

Like other Western economies, Canada has seen the share of total income going to the top 1% of earners increase dramatically since 1980. Moreover, the earnings of male workers have stagnated as labor demand has polarized due to changes in technology and trade.

The income-tax system is reasonably progressive and continues to be useful in equalizing after-tax incomes for lower income brackets. According to the Conference Board of Canada, there are now almost 200 tax breaks for federal income-taxpayers, resulting in an estimated CAD 100 billion of foregone tax revenue annually. Some experts have argued that the multitude of overlapping tax expenditures benefit high income individuals at the expense of low-income households. In 2016, the government increased the federal marginal tax rate for top earners, decreased taxes for middle-income earners and eliminated the Family Tax Credit, an income splitting regime introduced by the former Conservative government. For individuals with earnings above CAD 200,000 annually, the combined federal/provincial marginal tax rate now exceeds 50% in more than half the provinces but is still well below the top income-tax bracket in similar countries and the United States. The 2018 budget introduced the Canada Workers Benefit (CWB) as a refundable tax credit intended to supplement the earnings of low-income workers and improve work incentives for low-income Canadians. The move was welcomed by experts, as the CWB has higher benefits and is more easily accessible than its predecessor, the Working Income Tax Benefit, which was widely considered ineffective.

In terms of tax competitiveness, Canada fares well. There is no double taxation at the corporate or individual level. Statutory corporate-tax rates at the federal level and within the provinces have been reduced significantly in recent years.

The marginal effective tax rate on investment has fallen and is now the lowest among G7 countries and below the OECD average. Though some experts say that there is further room for improvement. Capital taxes have been largely eliminated. A 2018 U.S. tax cut, which implemented a series of corporate tax relief measures, is a concern, as it could trigger a loss of tax revenue and investment. The development has put some pressure on the government to respond, but the Trudeau administration has taken its time to respond and perhaps wisely so.

Citation:

The Conference Board of Canada, “Reinventing the Canadian Tax System: The Case for Comprehensive Tax Reform.” March 23, 2012.

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Department of Finance, Government of Canada, “Introducing the Canada Workers Benefit”. posted at https://www.fin.gc.ca/n18/docs/18-008_5-eng.pdf

Budgets

Budgetary Policy
Score: 8

Canada’s government is in a relatively strong fiscal position. Its budget deficit as a proportion of GDP is low by international standards, as is its (net) public debt to GDP ratio, which is projected to remain stable over the next five years at around 31%. The fiscal situation is somewhat weaker in certain provinces, where debt ratios range from roughly 3% in Alberta to over 40% in Quebec and Newfoundland and Labrador.

For the current fiscal year, 2018 – 2019, the Parliamentary Budget Office projects a budgetary deficit of \$19.4 billion or 0.8% of GDP up from \$19.0 billion in 2017 – 2018. Deficits in recent years have fallen short of the government’s fiscal gap projections due to a stronger than expected economy. The PBO considers it likely that the federal debt-to-GDP ratio will drop below the government’s target of 31.8% within the next five years. In its most recent 2018 fiscal sustainability report, the PBO estimates that the federal government could permanently increase spending or reduce taxes by 1.4% of GDP (billion in current CAD) while maintaining net debt at its current (2017) level of 31.1% of GDP over the long term. The same cannot be said for long-run provincial fiscal sustainability, however, primarily due to rising health care costs. The same report indicates that, while the growth in health care spending had slowed, subnational governments, which are responsible for the lion’s share of spending, will be unable to meet the challenges of population aging under the current policy.

Recent changes to the Financial Administration Act require the government to seek parliamentary approval to borrow in debt markets. In November 2017, the Borrowing Authority Act came into force which sets a maximum amount on the government's total stock of market debt and on borrowing by agent enterprise Crown corporations, and requires the government to report to parliament on the status of borrowing.

Citation:

Department of Finance, Government of Canada, Annual Financial Report of the Government of Canada Fiscal Year 2017–2018 accessible at <https://www.fin.gc.ca/afr-rfa/2018/index-eng.asp>

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Research, Innovation and Infrastructure

R&I Policy
Score: 7

Canada's economic and policy environment is conducive to innovation and investments in productivity growth. Despite this, a 2015 report from the federal government's Science, Technology and Innovation Council found that the country continues to lag behind other countries when it comes to key innovation measures like filing patents, and corporate spending on research and development. In 2017, the government announced CAD 950 million funding support for "innovation superclusters" to help drive innovation, R&D and economic growth. In addition, a Strategic Innovation Fund with a budget of CAD 1.26 billion over five years was created to allocate to firms across Canada's industrial and technological sectors.

How effective government policy is in encouraging R&D investment and productivity gains remains, however, contentious. Neither the federal government's Scientific Research & Experimental Development program (a tax program to increase business-sector R&D) nor the impact of budget cuts for government R&D labs have ever been formally evaluated. Critics have also pointed to the inadequacy of government programs to facilitate technology transfers, and persuade small and medium-sized businesses to adopt best practices. Finally, increased rates of higher education participation have failed to yield increased business sector R&D and productivity.

Public policy in Canada continues to encourage a strong research capacity in the academic sector. In September 2012, the Council of Canadian Academies released an assessment of science and technology in Canada, based on a

survey of over 5,000 leading international scientists, that found the country's scientific research enterprise to be ranked fourth-highest in the world, after that of the United States, the United Kingdom and Germany. In 2018, a new assessment was released, indicating that Canada remained in high standing for research output, but was behind the world average for R&D investment.

Citation:

Council of Canadian Academies (2012) Expert Panel Report on the State of Science and Technology in Canada, September, http://www.scienceadvice.ca/uploads/eng/assessments%20and%20publicatio ns%20and%20news%20releases/sandt_ii/stateofst2012_fullreporten.pdf

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Global Financial System

Stabilizing
Global Financial
System
Score: 9

The Canadian government, through various departments and agencies, contributes actively to the effective regulation and supervision of the international financial architecture. The Bank of Canada has been particularly prominent in the international arena. The former Bank of Canada Governor and current Government of the Bank of England, Mark Carney, chairs the G-20 Financial Stability Board. Other senior Bank of Canada officials have played important roles in other international financial forums. The Office of the Superintendent of Financial Institutions (OSFI) has also been very active internationally.

II. Social Policies

Education

Education Policy
Score: 8

Education quality in Canada is high. The country has a number of world-class universities and the average quality of its universities is high. Canadian teachers are well-paid by global standards. The most recent (2016) Program for International Student Assessment (PISA) report gave the country scores well above the OECD average in Reading (third of 72 countries), Science (seventh) and Mathematics (tenth).

Equity in access to education is impressive. Canada has the highest proportion of the population aged 20 to 64 with some post-secondary education, thanks to the extensive development of community colleges. There are many educational second chances for Canadian youth. The high school completion rate is also high and rising. Socioeconomic background represents a much lower barrier to post-secondary education in Canada than in most other countries.

Education is under the jurisdiction of the provinces. Allocated resources are reasonable and, in general, efficiently used. The federal government has recently increased grant money for students from low- and middle-income families by 50%.

Despite the strengths of the Canadian education and training system, there are challenges, the biggest of which is the gap in educational attainment between the indigenous and non-indigenous populations. Schools on reserves are funded federally through Indigenous and Northern Affairs Canada. A recent evaluation carried out for the ministry found that education opportunities and results are not comparable to those off the reserves, that the comparatively lower quality of teacher instruction and curriculum is affecting student success, and that funding gaps relative to provincially funded regular (off-reserve) schools persist, especially in isolated, low-population communities. The 2016 federal budget included CAD 2.6 billion for First Nations schooling, grades primary to twelve, in an effort to narrow the education gap. Furthermore, in December 2016, an agreement was reached to establish a First Nations School System in Manitoba. However, the largest portion of this spending will not be allocated until the 2020 – 2021 fiscal year.

Citation:

Summative Evaluation of the Elementary/Secondary Education Program on Reserve, report prepared for AANDC, June 2012. http://www.aadnc-aandc.gc.ca/DAM/DA M-INTER-HQ-AEV/STAGING/texte-text/e v_else_1365173418229_eng.pdf

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Social Inclusion

Social Inclusion
Policy
Score: 8

Most social policies, such as income transfers (e.g., child benefits, pensions) and educational policies, support societal inclusion and ensure equal opportunities. A Centre for the Study of Living Standards (CSLS) study found that Canada’s after-tax income Gini coefficient, which measures inequality after taxes and transfers, was 23.7% lower than the market-income Gini coefficient before taxes and transfers. The study also found that while the market Gini coefficient increased by 19.4% between 1981 and 2010, almost half of the increased market-income inequality was offset by changes in the transfer and tax system. Based on this Canada’s redistribution policies reduce market-income inequality to a considerable degree.

However, certain groups, such as recent immigrants and Indigenous Canadians, are considerably marginalized. For these groups, existing social policy has not prevented social exclusion. For immigrants, social disparities tend to diminish with the second generation. Indeed, second-generation immigrants often outperform the mainstream population on a variety of socioeconomic measures. However, the same cannot be said of the indigenous population, where young Indigenous Canadians often perform significantly worse than young non-indigenous Canadians. Despite the promises of the Trudeau government to improve economic outcomes for Indigenous Peoples, progress is elusive. Indigenous children are more than twice as likely to live in poverty than non-indigenous children. Using figures from the most recent 2016 census, a Canadian Press review found four out of every five Aboriginal reserves have median incomes that fall below the poverty line.

In 2018, the federal government released its first ever poverty reduction strategy, which stressed the importance of social inclusion and established a target for poverty reduction.

Citation:

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Health

Health Policy
Score: 8

Like educational policy, health care is primarily the responsibility of the individual provinces. Canadians are generally in good health, as evidenced by the high and rising level of life expectancy.

The most glaring problem with the Canadian system is timely access to care. The number of practicing doctors and hospital beds per 1,000 inhabitants is well below the OECD average, as is the number of MRI and CT units per million. A 2017 study by the Commonwealth Fund, Canada ranked last for providing timely access to care out of 11 high-income countries. Canadians regularly experience long waiting times for medical care, including access to family doctors, specialists and emergency services. In its latest report on the health of Canada's seniors, the fund documents that Canada was below the international average, with only about 40% of seniors able to get a same- or next-day appointment with their regular physician, and performed worst for waiting times for specialists, with almost 30% of seniors having to wait two months or longer for a specialist appointment.

The Canadian Institute for Health Information reported in 2017 that over the last several years waiting times for elective or less urgent procedures have increased, despite efforts to reduce them. However, for more urgent procedures there has been an increase in the number of patients receiving care within the medically acceptable benchmark, albeit with considerable variation across the provinces.

Income is not a barrier to treatment, with high-quality care freely provided for almost the entire population. However, inefficiencies in the system have led to patients traveling abroad to receive medical treatment and increased demand

for domestic for-profit clinics, which endangers Canada's otherwise impressive record of equity in health care. A recent report by the Fraser Institute estimated that over 63,000 Canadians received non-emergency medical treatment outside Canada in 2016. One effect of equity in access to health care services is the small gap in perceived health between the top and bottom income quintiles. However, since dental care, eye care and drugs prescribed for use outside of hospitals are excluded from general coverage, not all income groups have equal access to these types of health care services – low-income Canadians are far more likely to decline prescriptions or skip dental visits.

The cost efficiency of the Canadian health care system is not impressive. Canada's health care spending as a share of GDP, while well below that of the United States, is above that of many European countries.

Overall, Canada's health care system outperforms the United States but trails behind that of comparable European countries (e.g., Germany, the United Kingdom and the Netherlands). The Commonwealth Fund report ranked Canada third to last overall on a comparative score card of 11 health care systems.

Citation:

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Families

Family Policy
Score: 8

The labor-force participation rate for women with children all under six years of age in Canada is high by international standards. According to Statistics Canada, the number of two-income families nearly doubled over the past decades: in 2015, 69% of couples with a child under 16 years of age have two working parents. In recent years, one key policy has been the increase in the child tax credit, which has reduced the barriers associated with the so-called welfare wall. In the past, when single parents, mostly women, left welfare,

they lost all income benefits for their children. With the integration of the welfare system with the universal, income-tested child benefits, there is now less disincentive to leave welfare and enter the labor market. In 2016, the federal government significantly increased the level of child benefits and in 2017 indexed benefits to inflation.

Canada does not have a universal childcare system, although some provinces have taken steps to implement their own, such as Nova Scotia's pre-primary education system and most notably Quebec's CAD \$7 per day daycare scheme. The absence of a universal childcare system may make it more difficult for some women to combine parenting and employment. The average net cost of childcare in Canada is among the OECD's highest, both as a share of the average wage and as a share of the average family income. Canada is below the OECD average in terms of participation rates in formal care and preschool participation rates for children under five years of age. When elected in 2015, the Trudeau government promised to develop a national strategy for childcare and early childhood education. However, the government has not delivered on this promise so far.

The 2018 federal budget emphasized gender equity with one of the central goals being to increase female participation in the labor force. The budget introduced a new Employment Insurance Parental Sharing Benefit, which will allow parents to add five weeks at up to 55% of their average weekly insurable earnings and a new parental leave option for non-birth parents on a "use-it-or-lose-it" basis to encourage mothers to remain in the workforce or rejoin the labor market earlier. Yet, many stakeholders noted the continued absence of a national childcare strategy: no additional funding was allocated to building a national child care system, which is widely seen as the most effective way to remove barriers to women's participation in the workforce.

Citation:

OECD Family database www.oecd.org/els/social/family/data base

OECD (2011), *Doing Better for Families*, Chapter 4. Reducing barriers to parental employment, <http://www.oecd.org/social/soc/doingbetterforfamilies.htm#publication>

Statistics Canada. 2016. "The rise of the dual-earner family with children." *The Daily*. Statistics Canada catalogue no. 11-630-X. Accessed October 11, 2017 at <http://www.statcan.gc.ca/pub/11-630-x/11-630-x2016005-eng.htm>

Federal budget 2018, *Equality + Growth: A Strong Middle Class*, retrieved from <https://www.budget.gc.ca/2018/docs/plan/budget-2018-en.pdf>

Pension Policy
Score: 8

Pensions

The basic components of Canada's public pension retirement-income system are the demogrant Old Age Security (OAS), the income-tested Guaranteed Income Supplement (GIS) and the contribution-fed, earnings-based Canada/Quebec Pension Plan (CPP/QPP). Other tiers of the pension system include employer pension plans (both defined-benefit and defined-contribution plans) and government incentive programs for individual saving such as Registered Retirement Saving Plan (RRSPs) and Tax-Free Saving Accounts (TFSA).

The Canadian pension system seems to be relatively effective as a tool to reduce poverty among the elderly. For individuals over 70 years of age in the lowest quintile of the earnings distribution, the proportion of working income "replaced" by retirement income is nearly 100%. Since 1995, elderly incomes at the bottom have been growing, but not as quickly as the incomes of the rest of the population. Using Statistics Canada's Low-Income Cutoff (LICO) measure of poverty, an absolute definition, the poverty rate for people 65 and over was 4.7% in 2016, one of the lowest rates ever recorded in the history of the series. In contrast, Statistics Canada's Low-Income Measure (LIM), a relative poverty definition, senior poverty rates have been on an upward trend over recent years, increasing from a low of 3.9% in 1995 to 14.2% in 2016.

Intergenerational equity is not a major concern for the Canadian pension system as there is a close relationship between contributions and benefits on an individual basis. With the recent benefits and contribution expansion, the CPP/QPP is projected to replace only a third of the average wage up to a ceiling that will reach CAD 82,700 in 2025. Thus, middle- and upper-income workers with no employer pension plan or private savings may not be able to replace a sufficient proportion of their pre-retirement earnings. In the private sector, this issue affects three in four workers.

The CPP is considered to be actuarially sound and fiscally sustainable at its current rate and benefit structure, due to large increases in contribution rates implemented in the late 1990s. The fiscal sustainability of the OAS/GIS is tied to the sustainability of the federal government's overall fiscal balance, and is fostered by the indexation of benefits to the CPI rather than to nominal wage increases.

Citation:

Milligan, K. and T. Schirle, Simulated Replacements Rates for CPP Reform Options, School of Public Policy Research Paper, Volume 7(7), University of Calgary, 2014.

Integration

Integration Policy
Score: 9

Receiving around 250,000 immigrants per year, Canada has one of the highest annual immigration-to-population ratios in the world. Cultural, education and social policies, including language training and orientation courses, support the integration of immigrants. Canada also allows immigrants to become citizens after three years of residency, one of the shortest residency requirements in the world. The high educational attainment of immigrants, the highest in the world with around half of immigrants having university educations, also facilitates integration.

Nevertheless, these policies do have weaknesses, as seen by the relatively poor labor market performance of recent immigrants and immigrants' high rate of return to their countries of origin. A CSLS study found that, in 2018, the hourly wage of immigrants to Canada with less than five years of residence averaged just 82% of the hourly wage of people born in Canada. However, this was up from 78% in 2010, so progress is being made. The relative wage for university educated recent immigrants was even worse, 70% in 2018, but up from 65% in 2010. The labor market integration of immigrants is impeded by a number of factors, including difficulties faced by immigrants in having their professional credentials recognized by Canadian authorities, the concentration of immigrants in a small number of major cities (e.g., Toronto, Vancouver and Montreal) and language barriers.

Citation:

Andrew Sharpe (2019) "Labor Market Performance of Immigrants in Canada, 2006-2018," CSLS Research Report, forthcoming (Ottawa: Centre for the Study of Living Standards).

Safe Living

Internal Security
Policy
Score: 8

Canada's internal security policy has been quite effective in protecting citizens against security risks. Canada has experienced no terror attacks mounted from outside the country, which suggests that the Canadian intelligence services are doing excellent work. Two separate attacks by native Canadians in 2014, resulting in the deaths of two soldiers, prompted the previous government to introduce a number of bills to bolster security and the power of agencies (notably Bill C-44 and Bill C-51). These laws increased the powers of Canada's spy agency, the Canadian Security Intelligence Service, to share information and operate internationally, criminalized the promotion of terrorism, and provided the federal police, the Royal Canadian Mounted Police, with new preventative arrest powers. The current government has

established an all-party national security oversight committee with the power to review the intelligence and security operations of any government agency.

Crime rates in Canada are low from an international perspective and continue to fall. Canadians in general have a high degree of confidence and trust in the police. However, this is not true to the same extent within the Indigenous community. A report released by the Royal Canadian Mounted Police in 2014 stated that between 1980 and 2013, 1,181 indigenous women were reported murdered or missing. The U.N. Human Rights Council's Universal Periodic Review of Canada previously expressed concerns about violence against indigenous women and girls and Canada's perceived failure to address the problem. The government has launched the National Inquiry into Missing and Murdered Indigenous Women and Girls to gather evidence and propose recommendations on the issue. The inquiry has faced substantial criticism over the past year, with several key members stepping down and victims' families calling for a complete restructuring of the program.

Citation:

UN Human Rights Council (2013). Universal Periodic Review: Canada. Report available at <http://www.ohchr.org/EN/HRBodies/UPR/Pages/CASession16.aspx>

Royal Canadian Mounted Police (2014). Missing and Murdered Aboriginal Women: A National Operational Overview. Report available at <http://www.rcmp-grc.gc.ca/en/missing-and-murdered-aboriginal-women-national-operational-overview>

Global Inequalities

Global Social
Policy
Score: 7

Canada's government has a long history of supporting international efforts to promote socioeconomic opportunities in developing countries, and has shown leadership on critical issues such as nutrition and child health. Canada's share of official development assistance has declined in relative terms and was only 0.26% of gross national income (GNI) in 2016, ranking 18th in the world. In 2016, the federal government began a review of its existing aid policies, and has now reoriented the majority of international assistance to creating equal opportunities for women and girls in the world's poorest countries, in line with the U.N. Sustainable Development Goals.

A North-South Institute study makes the case that Canada's focus on improving aid effectiveness and accountability is insufficient as an overarching guide to promoting development. This is because the focus on aid effectiveness captures only a small part of Canada's engagement with the developing world. A broader vision that includes aid and non-aid policies is needed in order for Canada to improve the coherence of its development policy and be an effective actor in the international development sphere. In

principle, Canada promotes a fair global trading system. In practice, domestic interests are often paramount. For example, the government vigorously defends Canada's agricultural marketing boards in trade negotiations, even though the removal of the trade barriers related to these boards would give developing countries better access to the Canadian market.

Citation:

OECD Data, ODA as a percentage of GNI, data obtainable at <https://data.oecd.org/oda/net-oda.htm>

OECD, "Gender equality and women's rights in the post-2015 agenda: A foundation for sustainable development," posted at <https://www.oecd.org/dac/gender-development/POST-2015%20Gender.pdf>

Anni-Claudine Bulles and Sghannon Kindornay (2013) "Beyond Aid: A Plan for Canadian International Cooperation" North-South Institute, May. <http://www.nsi-ins.ca/wp-content/uploads/2013/05/BuellesKindornay.2013.CNDPolicyCoherenceEN.pdf>

III. Environmental Policies

Environment

Environmental
Policy
Score: 7

Environmental policy, across the board, is more-or-less balanced in Canada, with some areas performing better than others. Biodiversity in Canada's forests and waterways has declined over the past decade, and climate change and renewable energy policies have featured prominently in public policymaking in the last several years.

In 2017, the introduction of bills C-48, a moratorium for large oil tankers accessing ports on British Columbia's north coast, and C-55, which establishes a network of protected marine areas and prohibits certain activities in these areas, indicate an effort to increase conservation of marine resources. In 2016, Canada ratified the Paris Agreement on Climate Change, committing to a reduction in greenhouse gas emissions by 30% under 2005 levels by 2030, and has adopted this commitment as a national target. The Pan-Canadian Framework on Clean Growth and Climate Change represents a collaborative effort to ensure the target is met through carbon pricing, investing in energy efficiency and renewable energy strategies. Renewable energy policy is largely the responsibility of the provinces and several provinces have already made significant efforts to address climate change. However, the 2017 Commissioner of the Environment and Sustainable Development report concluded that federal government departments and agencies are "nowhere near being ready to adapt to the impacts of climate change."

The federal government approved two out of three proposed major oil pipelines in 2016, including the controversial Kinder Morgan Trans Mountain pipeline expansion. The Kinder Morgan pipeline would triple the capacity of the existing pipeline, increase greenhouse gas emissions and increase tanker traffic around British Columbia's coast sevenfold. In 2018, facing investor uncertainty stemming from low global oil prices and fierce local opposition, the government purchased the pipeline along with adjoining infrastructure for CAD 4.5 billion in an attempt to rescue the project. However, the Supreme Court subsequently ruled that the project had failed the duty to consult with indigenous peoples through whose traditional territories the pipeline runs. The outcome of a second round of consultations is still unclear.

A parliamentary review of Canada's federal environmental assessment and regulatory processes, initiated by the Trudeau government in 2016, has led to the proposal of sweeping changes to a number of laws related to the environment. Bill C-69, which is currently under consideration by the Senate, seeks to streamline the impact assessment process while simultaneously widening its scope from purely adverse environmental factors to considerations such as the government's ability to meet its climate change commitments, contributions to sustainability, and the impacts on Indigenous groups and rights. The proposal was made by environmental groups and Indigenous peoples, and has the potential to speed up the process and reduce uncertainty, which may also benefit industry.

The government has also passed legislation to impose a carbon tax in provinces without a comparable program. Many observers consider the initial carbon price level to be too low, however. At the same time, the Trudeau government continues to face fierce opposition from some provinces, including Ontario, the largest province, with conservative premiers.

Citation:

Office of the Auditor General of Canada, 2017 Fall Report of the Commissioner of the Environment and Sustainable Development to the Parliament of Canada, posted at http://www.oag-bvg.gc.ca/internet/English/parl_cesd_201710_00_e_42488.html

Theresa McClenaghan (2012) "Bill C-38: Federal Budget Bill 2012 Implications for Federal Environmental Law" Canadian Environmental Law Association, June. <http://www.cela.ca/sites/cela.ca/files/Bill-C-38-Federal-Budget-Bill-Review-and-Implications.pdf>

Tasker, John Paul. "Trudeau cabinet approves Trans Mountain, Line 3 pipelines, rejects Northern Gateway." CBC, November 29, 2016. Accessed on September 27, 2017 at <http://www.cbc.ca/news/politics/federal-cabinet-trudeau-pipeline-decisions-1.3872828>

Harris, Kathleen. "Liberals to buy Trans Mountain pipeline for \$4.5B to ensure expansion is built." CBC, May 29, 2018. Accessed on November 2, 2018 at <https://www.cbc.ca/news/politics/liberals-trans-mountain-pipeline-kinder-morgan-1.4681911>

Global Environmental Protection

Global
Environmental
Policy
Score: 8

The government of Canada in principle supports the design and advancement of global environmental-protection regimes. In the past, Canada's approach to environmental policy has, to a large degree, followed that of the United States, given the close economic relations between the two countries. Three years into their mandate, the Liberals have generally focused on domestic policy and have rarely led on new international frameworks for environmental protection. At the Paris Climate Conference (COP21) Prime Minister Trudeau announced CAD 30 million for the world's poorest countries to combat climate change, and CAD 300 million to the Green Climate Fund for clean technology innovation.

Quality of Democracy

Electoral Processes

Candidacy
Procedures
Score: 10

The right to be a candidate in a federal election is laid down in the Canadian Charter of Rights and Freedoms, with the associated procedures and responsibilities specified in the Canada Elections Act. There are virtually no restrictions on becoming a candidate for election. Almost all Canadian citizens 18 years old or over can present themselves as candidates for federal elections. Exceptions include members of provincial or territorial legislatures, certain judges, election officers, people who were candidates in a previous election but who did not conform to the expense-reporting rules, and persons imprisoned in a correctional institution. There is no cost to being a candidate in a federal election. A CAD 1,000 deposit is required, but this is reimbursed if the candidate's official agent submits the electoral campaign return after the election within the prescribed time. Administrative procedures are not onerous (a nomination form is required containing signatures by either 50 or 100 people residing in the constituency in which the candidate wants to run, with the number depending on the electoral district's population).

Media Access
Score: 8

While national media outlets do demonstrate political orientations, in general there is fair and balanced coverage of election campaigns and parties. Under sections 335, 339 and 343 of the Canada Elections Act, every broadcaster in Canada is required to make a minimum of 390 minutes of airtime during each federal general election available for purchase by registered political parties. The allocation of airtime among the parties is usually based on a formula that takes into account factors such as the party's percentage of seats in the House of Commons, its percentage of the popular vote in the last general election, and the number of candidates it endorsed as a percentage of all candidates. The Canadian system is primarily one of paid political advertising; that is, any broadcasting time used before an election has to be paid for. While CBC/Radio-Canada does provide a small amount free airtime to federal and provincial parties, this does not represent a significant share of political advertising in Canada. However, whether or not this translated into unequal access is unclear, as campaign spending regulations likely impose de facto limits on how much parties can actually spend on televised advertising time. The Elections Act restricts the amount any outside group can spend on political advertising during a normal-length political campaign to CAD

214,350 (as of 2018). Under the changes implemented to the act through bill C-23 in 2014, this sum also became the limit on any spending “in relation to an election,” not just during the campaign itself, thus capping total spending on political communications in the four to five years between elections.

Citation:

Parliament of Canada, Bill C-23: An Act to amend the Canada Elections Act and other Acts and to make consequential amendments to certain Acts, posted at <http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=6684613>.

Voting and
Registration
Rights
Score: 8

All Canadian citizens 18 years and over have the right to vote, including the mentally deficient and people who are imprisoned in a correctional facility. The only exceptions are election officers and, following a 2015 Ontario Court of Appeal ruling, non-resident citizens who reside abroad for more than five years. Canada has a system of universal voter registration; the government is in charge of registering its citizens to vote as a means of protecting their constitutional right (this stands in contrast with the United States’ system of citizen-initiated opt-in registration). Additionally, Canada allows for election-day registration for those who the universal registration system missed. Procedures for voting are not onerous. Adequate opportunity for casting an advance ballot is provided. There are four days of advance polling, ending the week before election day. Additionally, people can vote by mail if they cannot attend to a polling station due to physical incapacity or foreign residency.

The previous Conservative government made some highly controversial changes to Canada’s election law and the current Liberal government introduced Bill C-33 in 2016 to repeal the most contentious clauses of this act. Among other things, Voter Information Cards would again be recognized as an acceptable form of identification and Canadians living abroad would again be allowed to vote in federal elections, no matter how long they have been outside the country. Despite receiving widespread support, the government has not prioritized the legislation, which is currently dormant.

Citation:

Parliament of Canada, Bill C-23: An Act to amend the Canada Elections Act and other Acts and to make consequential amendments to certain Acts, posted at <http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=6684613>.

Parliament of Canada, Bill C-33: An Act to amend the Canada Elections Act and to make consequential amendments to other Acts, posted at <http://www.parl.ca/DocumentViewer/en/42-1/bill/C-33/first-reading>

Party Financing
Score: 8

The Canada Elections Act requires registered parties or electoral-district associations to issue income-tax receipts for contributions, and to make public reports on the state of their finances. Furthermore, the act requires registered parties to report and make public all contributions of more than CAD 20. Elections Canada provides access to the full database online for public use.

Corporations, trade unions, associations and groups are prohibited from contributing to political parties. Only individuals are allowed to contribute. The amount that candidates and leadership contestants may contribute to their own campaigns is CAD 5,000 and CAD 25,000, respectively. Individuals receive generous tax credits for political donations. Annual contributions to registered parties, registered associations, electoral candidates, and nomination and leadership contestants are capped at a relatively modest amount of CAD 1,550. However, transparency in political financing is still seen as a problem. Public debate over transparency recently reignited after it was revealed in the press that the prime minister and other senior ministers were raising millions of dollars at private “cash-for-access” fundraisers, giving donors secretive cabinet access. Furthermore, provincial practices and rules regarding political donations vary widely. Fixed contribution limits, for example, range from only CAD 100 per year in Quebec to CAD 6,000 per year in New Brunswick. Yet, in other provinces like Saskatchewan, any individual, corporation, union or special interest group can make a political contribution of any size to a provincial political party.

In addition to individual donations, political parties are funded by the government. Each registered federal political party that received at least 2% of all valid votes in the last general election, or at least 5% of the valid votes in the electoral districts in which it has a candidate, is reimbursed 50% of its national campaign expenses and further “election rebates” for riding-specific expenses. Until 2015, such parties were also given a per-vote subsidy, largely considered to be the most democratic financing regime. A bill passed in 2012 reduced and later eliminated this subsidy, seen as negative from the perspective of fairness in party financing.

Citation:

Elections Canada, Administrative Compliance Policy for Political Financing, retrieved 2015 from http://www.elections.ca/pol/acp/adcom_e.pdf.

Popular Decision-
Making
Score: 7

On the federal level, there are few opportunities for Canadians to make binding decisions on matters of importance to them through popular initiatives or referenda; on this level, it is impossible to circumvent the elected representatives. On the provincial level, British Columbia remains the only jurisdiction in Canada with voter-initiated recall and referendum legislation. It is worth noting that the Royal Commission on Electoral Reform concluded in 1991 that “in Canada, the particular vulnerability of the prime minister and cabinet ministers to the use and abuse of the recall would make this instrument of direct democracy especially detrimental to our system of representative democracy.”

Citation:

Forum Research. Media Release July 6, 2016, Two Thirds See Need for Referendum on Electoral Reform,

posted at <http://poll.forumresearch.com/post/2547/two-thirds-see-need-for-referendum-on-electoral-reform/>

Royal Commission on Electoral Reform and Party Financing, *Reforming Electoral Democracy*, Minister of Supply and Services, 1991, p. 247.

Access to Information

Media Freedom
Score: 9

The only publicly owned media organization in Canada at the national level is the Canadian Broadcasting Corporation (CBC), which runs radio and television stations. Its independence from government control is ensured by statute. However, this independence has limits. For example, it is unlikely that Radio-Canada, the French-language division of the CBC, would be permitted to advocate the breakup of the country. Privately owned media organizations can of course take any political position they wish. In theory, if a government does not like the viewpoint of a particular media outlet, it can use the retraction of government advertising as a punishment. This is seldom done by the federal government or provincial governments, but is more common on the part of municipal governments. Electronic media are subject to licensing requirements, but this regulation is performed by an independent body, the Canadian Radio and Television Commission (CRTC), without overt political influence. The federal government does appoint the members of the CRTC, as well as the head of the CBC. The federal government has put forward measures, including financial assistance, to support traditional media outlets that are struggling to survive the loss of advertising revenue to Google and Facebook.

Citation:

CBC/Radio-Canada, Ottawa. Press Release February 2017, CBC/Radio-Canada shares its Accountability Plan, <http://www.cbc.radio-canada.ca/en/media-centre/2017/02/01/>

Media Pluralism
Score: 6

Media ownership in Canada is concentrated, with a small number of Canadian-owned and Canadian-controlled media conglomerates dominating the mainstream print and electronic media. There is also strong media concentration in some parts of the country (e.g., the Irving newspapers in New Brunswick). This trend has accelerated with the of projected shutdown of several dozen local newspapers following a deal between two national newspaper corporations, Torstar and Postmedia Group.

A case can be made that the lack of competition in the industry has led to a lack of diversity in views and positions. For example, mainstream media outlets rarely support social-democratic political parties. The mainstream print media argue that while their editorials generally express a right-wing or centrist political orientation, they make an effort to seek out contributors with left-wing perspectives and to provide balanced coverage of issues. Whether

this is indeed the case is, however, doubtful. Although alternative sources of information such as online newspapers, magazines and social media (e.g., blogs) may help promote a pluralism of opinions, mainstream media likely will continue to play a crucial role in setting the national agenda. In this regard, the concentration of media ownership in Canada means that certain opinions are not represented to the degree that they are held by the general population.

Access to
Government
Information
Score: 7

Access to official information in Canada is regulated by the Access to Information Act. Access is often impeded by bureaucratic procedures and delays. The 2017 Freedom of Information Audit by News Media assigned an F for disclosure of information, stating that the system for requesting and accessing government documents is slow and inefficient, and that very few requests are granted in a timely manner. Although the law does provide for access to much of the Canadian government's documents, there are grounds to black-out or redact many requests, and many government agencies do not fall under the act. In general, there is reluctance on the part of political and bureaucratic officials to release information that places the government in a bad light, and the current system of access to information appears to allow such attitudes to influence the release of information.

In a recent report by the Canadian-based Centre for Law and Democracy and Madrid-based Access Info Europe, Canada's access to information legislation was ranked 49 out of 111 countries. "While standards around the world have advanced, Canada's access laws have stagnated and sometimes even regressed," the report concluded, noting that Canada was a world leader in 1983 when its federal information law came into force. Stanley Tromp argued that the federal government has failed to reform the legislation sufficiently over time to respond to implementation problems, and incorporate new and progressive developments in the sector.

One major campaign promise of Justin Trudeau's Liberal party in the lead-up to the 2015 election was a more open and transparent government, including updating the Access to Information Act and streamlining the process of requesting information. Although the government has eliminated most fees related to Access to Information requests, government departments and agencies continue to be reluctant to grant requests. A bill currently before Senate to revamp the Access to Information Act (Bill C-58) has proven to be controversial: On the one hand, it will expand the power of the information commissioner, enabling the officer to order the release of government documents. On the other hand, the right to information would not apply to the Prime Minister's Office or other ministerial offices. Government institutions could also decline a request if it concerns a large number of records, is deemed to be made in "bad faith" or would interfere with government operations.

Citation:

Liberal Party of Canada (2015), "A Fair and Open Government," retrieved 2015 from <https://www.liberal.ca/files/2015/08/a-fair-and-open-government.pdf>

News Media Canada (2017) 2017 Freedom of Information Audit, posted at <https://nmc-mic.ca/public-affairs/freedom-of-information/2017-freedom-information-audit/>

The Centre for Law and Democracy (2012): Entrenching RTI: An Analysis of Constitutional Protections of the Right to Information, posted at http://rti-rating.org/docs/Const%20Report_final.pdf

Office of the Information Commissioner, Annual Report, 2016-2017, June 2017, http://www.oic-ci.gc.ca/eng/rapport-annuel-annual-report_2016-2017_1.aspx

Tromp, Stanley (2008) Fallen Behind: Canada's Access to Information Act in the World Context, posted at <http://www3.telus.net/index100/report>

Civil Rights and Political Liberties

Civil Rights
Score: 9

In general, the state and the courts show a high degree of respect for civil rights and political liberties in Canada. Of course, there is a trade-off between protecting the rights of individuals from government intrusion, and ensuring public safety and security from terrorist threats. Two security breaches in 2014, the shooting of a soldier on ceremonial duty at the Canadian National War Memorial in Ottawa and an attack on military personnel in Saint-Jean-sur-Richelieu, gave new impetus to the government's plans to introduce new anti-terrorism legislation. In 2015, the government passed the Anti-Terrorism Act (Bill C-51), which introduced sweeping changes to the Canadian security apparatus. It includes expanded surveillance and intelligence sharing, a remodeling of the Canadian no-fly regime in the style of the United States, and expanded powers and courtroom anonymity for the Canadian Security Intelligence Service (CSIS). The bill was the subject of intense public debate as many civil libertarians and privacy advocates opposed the bill.

In a 2015 report, the U.N. Human Rights Committee expressed concerns about the bill. Two civil liberty organizations, the Canadian Civil Liberties Association and Canadian Journalists for Free Expression, have since launched a legal challenge to C-51 under the Canadian Charter of Rights and Freedom. Without repealing C-51, the government has introduced Bill C-59, an omnibus bill that would make significant changes to national security policy. However, the Canadian Civil Liberties Association maintains that the bill stops short of repealing measures in C-51 which threaten civil liberties.

Citation:

Bill C-51, An Act to enact the Security of Canada Information Sharing Act and the Secure Air Travel Act, to amend the Criminal Code, the Canadian Security Intelligence Service Act and the Immigration and Refugee Protection Act and to make related and consequential amendments to other Acts (2015). Retrieved from the Parliament of Canada website <http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=8056977>.

Canadian Civil Liberties Association, "CCLA with Civil Society Groups Issue Join Letter on Bill C-59 and National Security Law in Canada," September 19, 2017, posted at <https://ccla.org/ccla-civil-society-groups->

[issue-joint-letter-bill-c-59-national-security-law-canada/](#)

United Nations Human Rights Committee, Concluding Observations on Canada's sixth report in relation to Canada's compliance with the International Covenant on Civil and Political Rights, August 2015. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqKb7yhskswUHe1nBHTSwwEsgdxQHJBoKwgsS0jmHCTV%2fFsa7OKzz9yna94OOqLeAavwpMzCD5oTanJ2C2rbU%2f0kxdos%2bXCyn4OFm3xDYg3CouE4uXS>

Political Liberties
Score: 8

The state and the courts generally show a high degree of respect for civil rights and political liberties in Canada. In designing its anti-terrorism and national security laws, the government needs to strike a balance between the need to ensure public safety, and protecting the rights and freedoms of individuals.

In 2017, the federal government introduced Bill C-59, the National Security Act, in an attempt to comprehensively overhaul Canada's national security laws, and enhance oversight and ministerial control, while addressing flaws in existing legislation, including constitutional problems, introduced by the Harper government in 2015. Human rights and civil liberty organizations have welcomed the new accountability framework proposed by the bill, but criticized its provisions to legally empower the national security agency to conduct mass surveillance and cyberattacks. The bill is currently before parliament.

In a 2015 report, the U.N. Human Rights Committee voiced concerns about the excessive use of force by law enforcement officers during mass arrests in the context of protests on both the national and provincial levels.

Citation:

United Nations Human Rights Committee, Concluding Observations on Canada's sixth report in relation to Canada's compliance with the International Covenant on Civil and Political Rights, August 2015.

Canadian Civil Liberty Association, Civil Society Statement regarding Bill C-59, posted at <https://ccla.org/civil-society-statement-regarding-bill-c-59/>

Non-discrimination
Score: 8

Canada's Charter of Rights and Freedoms was enacted in 1982, with the aim of preventing all types of overt discrimination based on gender, physical ability, ethnic origin, social status, political view or religion. Groups believing they suffer from the effects of discrimination continue to emerge. Basing their claims on the Charter of Rights and Freedoms, some have taken their cases to the courts, often winning. The Canadian government has established policies such as employment equity and pay equity to protect and promote the rights of disadvantaged groups (often called equity groups) such as women, ethnic minorities, indigenous peoples and people with disabilities. These positive discrimination measures are controversial and their effectiveness is a subject of debate. A case in point is the gender-based pay gap. The lack of affordable childcare in Canada forces many women to drop out of the labor force or reduce their working hours during child-rearing years. This has a serious effect

on women’s earnings levels. Full-time employed women in Canada earn on average 19% less than men; for women between 25 and 44 with at least one child, the pay gap is 29%, significantly higher than the OECD average (2010 data).

As so often, the experiences of Canada’s indigenous population pose the greatest concern. Reports by the U.N. Special Rapporteur on the Rights of Indigenous Peoples (2014), the U.N. Human Rights Committee (2015) and Human Rights Watch (2018) found that the rights of Indigenous peoples were consistently violated, including unresolved treaty rights, violence against Indigenous women and girls, disproportionately high rates of incarceration, and inadequate access to clean and safe drinking water.

Citation:
UN Human Rights Council, Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya (2014), posted at http://www.ohchr.org/Documents/Issues/IPeoples/SR/A.HRC.27.52.Add.2-MissionCanada_AUV.pdf
United Nations Human Rights Committee, Concluding Observations on Canada’s sixth report in relation to Canada’s compliance with the International Covenant on Civil and Political Rights, August 2015.
Human Rights Watch, World Report 2018, available at https://www.hrw.org/sites/default/files/world_report_download/201801world_report_web.pdf
OECD (2012), Closing the Gap – Canada, posted at <http://www.oecd.org/canada/Closing%20The%20Gender%20Gap%20-%20Canada%20FINAL.pdf>

Rule of Law

Legal Certainty
Score: 8

Canada’s government and administration rarely make unpredictable decisions. Legal regulations are generally consistent, but do sometimes leave scope for discretion. Of course, the government can be expected to be challenged in court if its executive actions are not consistent with the law, which provides an incentive to comply.

Judicial Review
Score: 9

The scope of judicial review was greatly expanded with the enactment of the Canadian Charter of Rights and Freedoms in 1982, which constitutionally entrenched individual rights and freedoms. Today, the courts in Canada pursue their reasoning free from the influence of governments, powerful groups or individuals.

Appointment of Justices
Score: 6

It can be argued that the current process for judicial appointments in Canada, which is at the complete discretion of the prime minister, does not represent good governance, since the appointment needs no approval by any legislative body (either the House of Commons or the Senate). Indeed, potential candidates are not even required to appear before a parliamentary committee for questioning on their views. The prime minister has the final say in appointing chief justices at the provincial level, as well as for Supreme Court justices. The appointment process is covered by the media.

Despite their almost absolute power regarding judicial appointments, however, prime ministers have consulted widely on Supreme Court nominees, although officeholders have clearly sought to put a personal political stamp on the court through their choices. Historically, therefore, there was little reason to believe that the current judicial-appointment process, in actuality, compromised judicial independence. The current Liberal government has set up an independent, non-partisan advisory board to identify eligible candidates for Supreme Court Justices in an effort to provide a more transparent and inclusive appointment process. The first Supreme Court Judge nominated by Prime Minister Trudeau through this process was Justice Malcolm Rowe of Newfoundland and the second was Sheilah Martin from Alberta. Both appointments were widely praised.

Citation:

Nadia Verrelli, ed. (2013) *The Democratic Dilemma: Reforming Canada's Supreme Court* (Montreal: McGill-Queen's University Press)

International Commission of Jurists (2014), *Response to concerns about interference with integrity and independence of the judiciary in Canada*, posted at <http://icj.wpengine.netdna-cdn.com/wp-content/uploads/2014/07/Canada-JudicialIndependenceAndIntegrity-CIJL-OpenLetter-2014.pdf>

Corruption
Prevention
Score: 8

Canada has historically ranked very high for the extent to which public officeholders are prevented from abusing their position for private interests. Transparency International's Corruption Perceptions Index ranks Canada among the top 10 least corrupt countries in the world.

In recent years, however, the country saw a number of high profile corruption scandals. Perhaps the most consequential scandal revolves around an investigation (which started in 2012) of wrongful travel and living allowance expense claims made by four members of the Canadian Senate. All four senators were suspended and three of them were criminally charged. As a result, the Auditor General of Canada examined expense claims made by all the other senators, identifying in a 2015 report 30 whose claims were ineligible; of these, nine cases were referred for police investigation. The Senate expense scandal renewed calls to reform the Senate or abolish the upper house entirely. In early 2014, Liberal Party leader Justin Trudeau expelled all 32 Liberal senators to sit as Independents, part of a proposed plan to overhaul Senate appointments to ensure it is a non-partisan body.

Citation:

Report of the Auditor General of Canada to the Senate of Canada—Senators' Expenses, June 4, 2015, posted at http://www.oag-bvg.gc.ca/internet/English/parl_otp_201506_e_40494.html

Governance

I. Executive Capacity

Strategic Capacity

Strategic
Planning
Score: 8

Neither the Prime Minister's Office (PMO) nor the Privy Council Office (PCO) has an official planning unit. In 1997, Policy Horizons Canada was established under the PCO with a mandate to provide analysis and help the federal public service anticipate emerging policy challenges and opportunities, in order to support medium-term policy development. Its budget is small, however, and this unit has not reported through the PCO since 2007. Nevertheless, there are thousands of public servants employed by the PCO, the Department of Finance and the Treasury Board (close to 3,000 individuals in all) who have no specific program responsibility. Their purpose is to manage politically sensitive files and to plan. Therefore, some argue that the planning capacity of the government of Canada is as strong as that of other Western countries, and in some cases even stronger.

The Trudeau government has made ample use of special advisory groups to provide information and consultations on a number of policy areas (e.g., economic growth, cultural policy and issues relating to young people).

Expert Advice
Score: 8

Canadian government departments and agencies effectively tap into expertise of academics and other experts outside the government in multiple ways. Many government departments and agencies have advisory committees, which can have considerable influence but rarely dominant policymaking. Government departments and agencies often commission experts to organize research projects on high-profile issues.

In addition, a number of government departments and agencies appoint academic experts to advisory positions or chairs within the organization for a one-to-two-year period. Examples of this type of position – and hence of the influence of experts on policy – include the Clifford Clark Visiting Economist Chair at the Department of Finance and the Simon Reisman Visiting

Fellowship within the Treasury Board Secretariat. Similar posts exist at the Competition Bureau and the Bank of Canada, among others. In recent years, these positions have often been vacant for long periods. Finally, external academic experts are frequently asked to meet with senior government officials, either on a one-on-one basis or as speakers at departmental retreats.

In September 2017, Mona Nemer was named Canada's new Chief Science Officer. Nemer's task is to integrate scientific evidence into government decision-making and make that evidence publicly available.

Interministerial Coordination

GO Expertise
Score: 9

Draft bills are vetted primarily by the Privy Council Office and to a lesser extent by Finance Canada and the Treasury Board. These central agencies are highly prestigious and central-agency experience is extremely important for advancement to senior levels within the federal public service. Consequently, central-agency staff members are highly skilled and possess the comprehensive sectoral-policy expertise needed for the regular and independent evaluation of draft bills based on the government's strategic and budgetary priorities.

Line Ministries
Score: 9

Line departments and central agencies have interrelated and complementary capacities for the coordination of policy proposals, with ultimate authority lying with central agencies. Thus, line ministries in Canada have a relatively high level of responsibility to involve the government office, the PCO, in the preparation of policy proposals. On the other hand, line departments are not always forthcoming with information that casts themselves in a bad light.

Cabinet
Committees
Score: 8

Cabinet committees have both the legal and de facto power to prepare cabinet meetings in such a way as to allow the cabinet to focus on vital issues. The de facto power to sort out issues before they go to cabinet belongs to senior officials in the PMO and PCO, not to cabinet committees. Still, this allows the cabinet to focus on strategic policy issues.

Ministerial
Bureaucracy
Score: 8

Many policy proposals are coordinated by line ministries with other line ministries. However, due to issues of departmental mandates and authorities, this process is generally not as effective as the central-agency coordination process. On certain issues, the line department may be unwilling to recognize the role or expertise of other line departments, or have fundamental differences of perspectives on the issue, and hence may fail to consult and/or coordinate a policy proposal with others. The paramount role of central agencies in policy development means that departments have in fact little ability to effectively coordinate policy proposals.

Informal
Coordination
Score: 7

Some policy proposals are coordinated through informal mechanisms with government members or across levels of government.

It is worth noting that Canada's federal system has no formal provisions that deal specifically with federal-provincial coordination. Pressing federal-provincial issues and other matters that require inter-governmental discussions are usually addressed in the First Ministers' Conference, which includes the prime minister, provincial premiers and territorial leaders, along with their officials. These meetings are called by the prime minister and have typically been held annually, but there is no formal schedule. The lack of any requirement for the conference to be held regularly is cause for concern, as it is critical for first ministers and the prime minister to engage in face-to-face discussions or negotiations, given the many policy areas that demand federal-provincial coordination. The previous prime minister, Stephen Harper, called the last First Minister's Conference in 2009, but it was a further six years before Prime Minister Justin Trudeau, following the election in 2015, met with provincial leaders again.

To promote provincial-territorial cooperation and coordinate provincial-territorial relations with the federal government, provincial premiers and territorial leaders have met at the Council of the Federation twice a year since 2003.

Digitalization for
Interministerial
Coordination
Score: 6

The effective control exercised by cabinet over the ministries mostly obviates the need for elaborate technical means of coordination. That said, the government created Shared Services Canada (SSC) in 2011, which is mandated to provide a unified IT infrastructure for the federal government that is modern, secure and reliable. SSC delivers email, data center, network and workplace technology device services to all government departments and agencies in a consolidated and standardized manner. The common IT program and platform naturally enables improved and secure information, and data sharing across all government agencies.

Perhaps unsurprisingly, the consolidation of IT infrastructure through SSC has not gone smoothly, and the department has been criticized for slow service delivery and for putting some federal agencies at risk. Statistics Canada's chief statistician resigned in 2016, stating that the decision to create SSC has compromised Statistics Canada's ability to fulfil its mandate. In 2017, RCMP Commissioner Bob Paulson criticized SSC for outages, arguing that the one-size-fits-all government-wide service package does not recognize the unique needs of a national police force and has negatively impacted police operations.

The federal government has been unsuccessful in the implementation of two major digital technologies, the Phoenix pay system and the canada.ca government-wide email re-organization. These failures cast serious doubt on

the ability of the federal government to make effective use of digital technologies.

Citation:

Shared Services Canada, Departmental Report 2017, available at <https://www.canada.ca/content/dam/ssc-spc/documents/2016-17-Departmental-Results-Report-EN.pdf>

Evidence-based Instruments

RIA Application
Score: 7

Canada's regulatory impact assessment (RIA) regime differs greatly in its application to laws created by parliament and regulations developed by regulatory agencies. In the case of laws, RIAs are not performed systematically, except in areas such as environmental projects where they are required by statute or in cases when the Treasury Board's approval is required. In contrast, RIAs are mandatory in the case of proposed regulations and are made public in a central registry.

Although the Liberals promised to strengthen evidence-based policymaking, a rigorous evaluation of proposed policies has frequently been undermined by a lack of data or budget cutbacks. In collaboration with the federal government and the University of Ottawa, Mitacs (a national, not-for-profit research and training organization) recently established the Canadian Science Policy Fellowship, which matches academics with various government departments for a year-long term, so that government departments can consult academic experts.

Quality of RIA
Process
Score: 6

The quality of regulatory impact assessment in Canada is satisfactory. Stakeholder participation in the past has been encouraged, although recent changes in environmental legislation have put limits on such participation. RIA results are accessible under Freedom of Information provisions. However, there is little evaluation of the quality of RIA by independent bodies.

Sustainability
Check
Score: 7

Canada does not have a formally adopted sustainability strategy. In a sense, this is not surprising, as there are different types of sustainability (environmental, economic, social). There is also no consensus as to what sustainability means or to how it should be measured. To be sure, many RIAs address sustainability issues, but the methodologies used differ widely. RIAs generally try to integrate sustainability checks in order to provide a basis for decision-making, develop an exhaustive set of impact indicators, and analyze both short- and long-term impacts. However, most assessments lack at least one of these criteria in practice. Since 2018, the RIA process for proposed regulations has included assessment of gendered and environmental impacts.

Citation:

<https://www.canada.ca/en/treasury-board-secretariat/services/federal-regulatory-management/guidelines-tools/cabinet-directive-regulation.html>

Quality of Ex
Post Evaluation
Score: 7

As with other aspects of Canada’s RIA regime, ex-post evaluation differs between laws and regulations. While laws are not subject to systematic ex-post evaluation, departments and agencies are expected to regularly review existing regulations to assess their impacts and develop refinements.

In 2016, the Treasury Board of Canada introduced a new “Policy on Results” with the objective to inform decision-making, improvements, innovation and accountability. Evaluations of programs, policies and priorities under the policy is to be a “systematic and neutral analysis of evidence related to relevance, effectiveness and efficiency of policies and programs,” and should “generally employ social science research methods.” Those evaluations can be done through the Treasury Boards’ resource alignment reviews and internally by departments themselves.

In practice, it is frequently the Office of the Auditor General of Canada (OAG) that evaluates government programs and initiatives ex post. The OAG is formally charged with so-called performance audits, which aim to provide an independent, objective and systematic assessment of whether government programs are being run with due regard for the economy, efficiency and environmental impact. The OAG has considerable discretion regarding which programs it will examine, and takes requests from parliamentary committees, members of parliament, citizens, civic groups and other parties to conduct audits in specific areas. It conducts between 25 and 30 performance audits each year and publishes the results.

Citation:

Treasury Board of Canada, Cabinet Directive on Regulation, available at <https://www.canada.ca/en/treasury-board-secretariat/services/federal-regulatory-management/guidelines-tools/cabinet-directive-regulation.html>
Treasury Board of Canada, Policy on Results, available at <https://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=31300>

Societal Consultation

Public
Consultation
Score: 8

The Canadian government holds consultations with economic and social actors on many issues. These consultations are motivated more by the desire to obtain meaningful input from Canadians than by a desire to sell a particular policy to the population, as this is typically done through other means. The most important consultations relate to the preparation of the annual budget. While the importance of trade unions in the consultation process has fallen significantly in recent years, this is not necessarily the case for other groups.

The duty to consult and accommodate Canada’s indigenous peoples as laid down in the Royal Proclamation of 1763 has always been part of the legal and

constitutional relationship between Canada and its indigenous population, and was reaffirmed by the Supreme Court of Canada in 2010. However, many First Nations leaders allege that there is a general and persistent lack of meaningful consultation at both the federal and the provincial level.

Prime Minister Trudeau promised that the consultation process would be restructured and that various groups, including indigenous groups, would be given greater voice. Trudeau's government organized public consultations and engaged a large number of stakeholders across many policy areas, including innovation, electoral reform, childcare and the renegotiation of NAFTA. Consultation with First Nations remains uneven, though. A recent example is the Kinder Morgan pipeline in British Columbia, where the Federal Court of Appeals decided that the government had failed in its constitutional duty to consult First Nations in relation to the proposal.

Tsleil-Waututh Nation v. Canada (Attorney General), 2018 FCA 153, available at http://www.fca-cf.gc.ca/fca-caf_eng.html

Policy Communication

Coherent
Communication
Score: 9

The Liberals have made good on their campaign pledge to adopt a more open communication policy compared to the previous Conservative government. Ministers are now responsible for coordinating communications between their departments, the Prime Minister's Office and the Privy Council Office. While the Trudeau government's media relations have arguably become more decentralized, the Prime Minister's Office has not fully abandoned control over ministers and departments. The PMO's objective is still to deliver coherent messages to the public. A recent paper on the communications strategy of both the current and previous governments concluded that considerable efforts are made to spin and frame government information. The prime minister now conducts a series of town hall meetings, which are open to Canadians across the country. These meetings are a sign of his willingness to engage and obtain feedback.

Marland, Alex. (2017). *Strategic Management of Media Relations: Communications Centralization and Spin in the Government of Canada*. *Canadian Public Policy*. 43(1).

Implementation

Government
Effectiveness
Score: 8

As a result of a parliamentary system in which members of parliament are elected in single-member constituencies through first-past-the-post voting, the Canadian federal government frequently holds an absolute majority in the House of Commons and thus has considerable freedom to pursue its policy objectives unilaterally.

Three quarters of the way through its term, the Liberal government has already implemented many of the policies that the party campaigned on in the October 2015 election (e.g., a gender-balanced cabinet, reinstatement of the long-form census, a new child benefit system, progressive tax reform, pension reform, approving major infrastructure projects and increasing the independence of Statistics Canada). Most recently, the government has legalized cannabis consumption, made further changes to the tax code and made preparations to implement a carbon tax in provinces without an equivalent program.

Yet, many social problems targeted by public policy (e.g., persistent education and health care disparities between Canada's indigenous and non-indigenous populations) are complex social phenomena that are only partly amenable to public policy action. In addition, many of the programs funded by Canada's federal government – including health care, post-secondary education, social services and the integration of immigrants – are implemented by provincial governments and requires provincial cooperation to achieve federal policy objectives.

Reports from the Office of the Auditor General provide numerous examples of the government's failure to implement its own policy programs. The latest series of reports (spring 2018) were no exception, but were unusual in that the auditor general expressed serious concerns regarding “fundamental failures of project management and project oversight,” citing “incomprehensible failures” in the design and implementation of the Phoenix pay system (for government employees) and various Indigenous programs, both of which were passed from government to government. His conclusion was that Canada has a “broken government culture.”

Citation:

Office of the Auditor General of Canada, “Message from the Auditor General of Canada on the 2018 Spring Reports of the Auditor General of Canada to the Parliament of Canada”, available at http://www.oag-bvg.gc.ca/internet/English/parl_oag_201805_00_e_43032.html

Ministerial
Compliance
Score: 10

In the Canadian system, the prime minister, in consultation with political staff, forms the cabinet and appoints his or her ministers, who serve on a discretionary basis. Any cabinet minister who is perceived by the Prime Minister's Office (PMO) as a political liability will have a short career. Cabinet ministers are evaluated and hence promoted and demoted on the basis of their ability to deliver on the government's agenda. The prime minister and his office (PMO) have an important role in appointing deputy ministers and chiefs of staff. Deputy ministers are appointed by the prime minister on the advice of the clerk of the Privy Council Office. Deputy ministers are promoted (or less often demoted) for a variety of reasons, including the attempt to match

Monitoring
Ministries
Score: 10

their talents to the requirements of the department, efforts to establish a gender and linguistic balance, and so on.

When appointed to a portfolio, a minister receives a mandate letter from the prime minister, while a deputy minister receives one from the clerk of the Privy Council. The importance of mandate letters depends on the department, and more importantly on changing political and economic circumstances. In the case of the current government, ministers’ mandate letters detail priorities for their departments as seen from the center. The minister is subsequently evaluated on his or her success in achieving the objectives set out in the mandate letter. This procedure results in the PCO continually monitoring line-department activities to ensure they are in line with the mandate letter.

The current Liberal government has, for the first time, made public the mandate letters. The media and the general public are now in a position to better monitor the activities of ministers to assess the degree to which they achieve the tasks set out in the mandate letters.

Monitoring
Agencies,
Bureaucracies
Score: 8

Ministry procedures for monitoring operating agencies are less formal than the parallel monitoring of line departments by the PCO, in part because operating agencies are generally not responsible for policy formulation. In addition, these agencies may have a degree of autonomy. Nevertheless, ministries do monitor the activities of most operating agencies. Recently, federal governments have attempted to play a greater role in the administration of certain agencies such as the Canadian Broadcasting Corporation (CBC), especially in the area of labor relations.

Task Funding
Score: 9

Canadian subnational governments deliver key public services, notably health care and education. Their share of government spending has risen dramatically over recent decades and now accounts for roughly 78%, compared to an OECD average of 32% (2016 data).

Canada’s federal government typically ensures that tasks delegated to subnational governments are adequately funded. The federal government transfers funds earmarked for both health care and education through the Canada Health Transfer (CHT) and the Canada Social Transfer (CST). In addition, Canada has a system of Equalization and Territorial Formula Finance (ETFF) payments in place, which are unconditional transfers to the provinces and territories designed to equalize the level of public service provision nationally. The block-funding structure is intended to give provinces and territories greater flexibility in designing and administering programs.

In 2016, the Liberal government indicated that CHT spending will be capped at 3.5%, down from 6% in previous years. Though several provinces negotiated their own deals with the federal government to secure higher CHT increases. Both the CHT and the CST will be reviewed in 2024, but this may

be too late as a recent Parliamentary Budget Officer (PBO) projection forecasts that provincial debt will start to increase in the mid-2020s and then follow an explosive path. On the current trajectory, therefore, fiscal policy at the subnational level is unsustainable and federal transfer programs will prove to be insufficient to fund the large-scale increases in health care spending that will result from an aging population.

Citation:
Department of Finance, Canada, Federal Support to Provinces and Territories. Retrieved 2016 from <http://www.fin.gc.ca/fedprov/mtp-eng.asp>
Parliamentary Budget Officer of Canada, Fiscal Sustainability Report 2018, posted at https://www.pbo-dpb.gc.ca/web/default/files/Documents/Reports/2018/FSR%20Sept%202018/FSR_2018_25SEP2018_EN_2.pdf

Constitutional Discretion
Score: 9

Canada’s federal government works to ensure subnational governments are able to use their constitutional scope of discretion. Canadian provinces, especially large ones such as Quebec and Alberta, guard their constitutional powers closely and allow the federal government little scope to increase its power. Indeed, certain responsibilities that have traditionally been under joint federal-provincial jurisdiction, such as labor market training, have in recent years been decentralized and delegated completely to the provinces. However, this process can be ambiguous.

Even when the federal government has tried to assert its authority in economic areas it believes to be under exclusive federal jurisdiction, such as the regulation of securities markets, certain provinces have vociferously objected and taken the federal government to the Supreme Court, and won.

National Standards
Score: 6

In many areas of provincial jurisdiction, most notably education, the federal government does not have the formal authority to ensure that provinces meet national standards. Contrary to most other advanced countries, Canada has no minimum funding levels, national educational goals or overarching curriculum. Yet despite the complete control exercised by the provinces, Canada’s educational system is arguably quite successful, and remains similar across the various provinces, which invest in mandatory education at comparable levels and achieve comparable results for their students. Graduation rates are similar, as are the results on pan-Canadian and international tests, such as the Program for International Student Achievement (PISA), operated by the Organization for Economic Cooperation and Development (OECD).

In other areas where the federal government transfers funds to the provinces, it has the practical leverage to insist on certain standards. Health care is the main area in which this occurs. The Canada Health Act of 1986 requires provinces to meet five principles for health care. Care must be available to all eligible residents of Canada, comprehensive in coverage, accessible without financial

or other barriers, portable within the country and during travel abroad, and publicly administered. The federal government has threatened to withhold funds from provinces that fail to meet these standards. However, no funds have been withheld since 1993. Some feel that the federal government should be more aggressive in ensuring that national standards are met in the health area.

Effective
Regulatory
Enforcement
Score: 7

The quality of regulatory enforcement in Canada is generally high. While regulatory agencies occasionally face resource constraints, these are not usually the result of interest group lobbying. Interest groups in Canada tend to focus on obtaining leniencies during the creation of regulations rather than after regulations are promulgated.

One notable exception is the regulatory oversight and environmental assessment review of major industrial projects, where final decisions are in the hands of the ministry or cabinet. In many instances, stakeholders have complained that government approval did not follow the rules and regulations set out by law. Two recent high-profile cases highlight the issue: both the Enbridge west coast oil-port proposal (under former prime minister Harper) and the Trans Mountain pipeline expansion (under current prime minister Trudeau) obtained positive recommendations from the National Energy Board, all required federal and provincial environmental assessment certificates, and final ministerial approval. Yet, federal courts ultimately struck down both approvals. In the most recent case, the Federal Court of Appeal determined that the National Energy Board’s assessment of the project was so flawed that it should not have been relied on by the federal cabinet when it gave final approval.

The government has recently introduced legislation to undo a series of controversial changes to the environmental assessment process adopted by the former Harper government in 2012. The bill includes the introduction of a brand new Impact Assessment Agency to centralize federal evaluations of major projects, as well as a new Canadian Energy Regulator to oversee Canada’s interprovincial and international pipelines and powerlines. These would replace the Canadian Environmental Assessment Agency and the National Energy Board.

Adaptability

Domestic
Adaptability
Score: 8

Organizational change is constantly taking place within the federal government and some of this change reflects international developments. However, unlike countries in the European Union, Canada is not a member of a supranational organization that might necessitate adjustments in organizational structures and reporting relationships. One area that has seen

International
Coordination
Score: 7

changes over time is international affairs, which includes the Canadian International Development Agency (CIDA), and the Department of Foreign Affairs and International Trade (DFAIT).

Canada's government has the capacity to provide global public goods in coordination with other actors. Indeed, it has done so throughout its history. The Liberal government has stated that it seeks to return Canada to active participation in international bodies like the United Nations. In September 2016, Prime Minister Trudeau spoke to the U.N. General Assembly and outlined Canada's commitment to global affairs in an effort to win Canada a seat on the U.N. Security Council, a seat not held since 2000. Canada has since deployed a 250-person Air Task Force as peacekeepers with the United Nations Multidimensional Integrated Stabilization Mission in Mali. Climate change is also among Prime Minister Trudeau's declared priorities, as demonstrated in the formation of recent climate policies needed to meet the Paris target. In addition, to help ease the Syrian refugee crisis, Canada has welcomed over 57,000 refugees as of July 2018.

Citation:

<https://www.canada.ca/en/department-national-defence/services/operations/military-operations/current-operations/op-presence.html>

Organizational Reform

Self-monitoring
Score: 8

Government structures are constantly changing in Canada, but there are few procedural structures in place to (self-) monitor whether current arrangements are appropriate or whether change has resulted in improvement. Instead, changes are initiated at the will of the government in power, with little ex post evaluation. In the case of the recent merger of the Department of Foreign Affairs and International Trade with the Canadian International Development Agency, for example, the government offered no details about nature of the amalgamation, nor about the cost savings it was intended to realize.

The current government, which won the election in part based on the promise of transparency and fairness, has set up a number of independent committees that will monitor certain government processes. One example is the creation of an independent advisory board that will aid in the selection of senators in an effort to reduce partisanship in lawmaking. It remains too early to gauge the long-term impact of these committees.

Citation:

David Zussmann (2013), Mergers and successful transitions, Canadian Government Executive, Volume 19 Issue 5

Institutional
Reform
Score: 6

There is little public evidence that changes in institutional arrangements have significantly improved the strategic-governance capacity of Canada's federal government. For example, there has been no comprehensive evaluation of Service Canada, a delivery platform for government services established in the 2000s.

In certain cases, there may actually be too much organizational change given the cost and disruption entailed. For example, in 2004 Human Resources Development Canada was split into two departments. In 2008, the two departments were merged again. In 2013, Human Resources Development Canada again changed its name, this time to the Employment and Social Development Canada, with little if any rationale provided for this change. It is unclear what benefits, if any, arose from this departmental reshuffling.

The Phoenix pay system, which centralized the payroll function of the federal government, was introduced by the Conservatives and continued by the Liberals. It has been an unmitigated disaster with many public servants experiencing long delays in receiving their salaries.

The frequency of departmental reorganizations has diminished in recent years. However, in 2017, the Liberal government announced that Indigenous and Northern Affairs Canada would be split into two departments, the Department of Crown-Indigenous Relations and Northern Affairs, and the Department of Indigenous Services. The two departments will focus on renewing a nation-to-nation relationship and improving the quality of services available, respectively. Although this is a significant change that was called for in 1996 by the Royal Commission on Aboriginal Peoples, it is too early to tell how effective this change will be.

Citation:

Indigenous and Northern Affairs Canada. Highlights from the Report of the Royal Commission on Aboriginal Peoples, posted at <http://www.aadnc-aandc.gc.ca/eng/1100100014597/1100100014637>

<https://ipolitics.ca/2017/08/28/indigenous-and-northern-affairs-splitting-into-two-departments/>

<https://www.theglobeandmail.com/politics/article-phoenix-pay-system-problems-on-track-to-cost-government-22-billion/>

II. Executive Accountability

Citizens' Participatory Competence

Political
Knowledge
Score: 6

Most citizens have only a rudimentary knowledge of key public policy issues. A 2013 study of 10 countries found that Canada is ahead of the United States but lags behind European countries in terms of political knowledge. The same study also found that Canadian women scored 30% lower on average than Canadian men when tested on their knowledge of hard-news items. Like other established democracies, Canada has issues with regard to young voters' political literacy. A 2017 study by Stockemer and Rocher found that younger people are less politically literate than older people by a margin of 20 to 30 percentage points. The authors concluded that this generational political knowledge gap accounts for approximately half of the difference in turnout between voters in their early 20s and voters in their 50s.

Curran, James et al. (2013) *Gender Matters Globally: An Examination of Gaps in Political Knowledge in a 10-Nation Comparative Study*.

Stockemer, Daniel and Francois Rocher. *Age, political knowledge and electoral turnout: a case study of Canada*

Commonwealth & Comparative Politics Vol. 55 (1), 2017.

Open
Government
Score: 8

The government of Canada has two offices, the Parliamentary Budget Office (PBO) and the Office of the Auditor General (OAG), whose mandate is to provide independent analysis on government finances and policies. The PBO is charged with providing impartial information on the state of government finances and its estimates of trends in the Canadian economy. On request, the PBO estimates the cost of any proposal under parliamentary consideration. The OAG provides independent information and expert advice on government programs and activities, and the management of its Crown corporations. Both offices serve parliament, but – since reports usually become public information – they provide ample and objective evidence on the finances and performance of government policies and institutions. The reports are made available online, including historic reports, and are generally easy to understand for lay people. The quality of information contained in the reports, however, depends heavily on the data obtained by the offices. In 2013, the PBO took the previous government to court over its refusal to fully comply with almost half of all information and access to information requests.

Government departments and agencies release information in the form of studies and data on their websites, which allows citizens to hold them

accountable. Most of this information is available in both official languages in user friendly formats, including for blind people.

In addition, Canada has a large number of non-governmental think tanks, and policy and research institutes that provide additional information on a range of policy areas, including social policy, political strategy, economics, technology, industry, business and national defense.

Legislative Actors' Resources

Parliamentary
Resources
Score: 7

Members of the House of Commons and the Senate have access to the research staff of the Library of Parliament, and these staffers are responsible for drafting parliamentary committee reports. Parliamentary committees or individual members of parliament can also request audits from the Auditor General of Canada, an officer of parliament that is independent of the government and is mandated to provide parliament with objective, fact-based information and expert advice on government programs and activities. Another important source of information for parliamentarians is the Office of the Parliamentary Budget Officer, PBO.

It is unclear how effective monitoring is in practice, however. A 2014 report from the office stated that it did not have enough data to analyze 40% of government programs.

The Liberal government has indicated its intention to provide more influence, resources and autonomy to parliamentary committees. A House of Commons committee put forward a number of legislative suggestions that would give more monitoring resources to members of parliament. However, the 2017 budget placed new restrictions on the PBO, including restrictions on research requested by members of parliament relating to parliamentary proposals. Limiting the independence of the PBO could limit the quality and quantity of evidence-based policymaking.

Citation:

Gillezeau, Rob. "The PBO will suffer under the Trudeau government's new rules," April 13, 2017. Retrieved October 6, 2017 from <http://www.macleans.ca/politics/ottawa/the-pbo-will-suffer-under-the-trudeau-governments-new-rules/>

Obtaining
Documents
Score: 8

Parliamentary committees have the right to receive government documents in the course of their deliberations. However, these documents often arrive incomplete and redacted because of confidentiality considerations, or too late for the committee to make effective use of them.

Summoning
Ministers
Score: 8

Ministers are normally expected to appear before parliamentary committees, but are not legally required to do so, and sometimes decline for various reasons. In recent years, ministers have begun to send their deputy ministers to appear before parliamentary committees.

Ministers are of course questioned and held accountable in the House of Commons.

Summoning
Experts
Score: 10

Parliamentary committees have the right to summon any expert they choose to provide testimony. However, committees cannot compel experts to appear or testify. Parliamentary committees now allow witnesses to appear via Skype, which has increased the pool of experts available.

Task Area
Congruence
Score: 8

There are currently 23 standing or permanent committees of the House of Commons and 18 standing committees of the Senate. Committees in the house and Senate frequently have overlapping mandates.

The current Liberal cabinet of Justin Trudeau has 33 ministers, a decrease from 39 ministers under the previous government. As such, there are more ministries than committees with considerable variation in the number of ministries over time. However, since some cabinet positions (e.g., the leaders in the House of Commons and the Senate as well as the President of The Queen's Privy Council for Canada) have no corresponding department and some ministers (e.g., the Minister for International Cooperation) are heads of agencies under the umbrella of a department run by another minister, the number of government departments is currently 19. Therefore, parliamentary committees are largely capable of monitoring departments.

Media

Media Reporting
Score: 8

Canada's main TV and radio stations produce a mix of infotainment and high-quality information programs. Public broadcasters, including the CBC and provincial TV channels such as TV Ontario (TVO), provide extensive and often high-quality coverage of politics and news, with a minimum of five to seven hours per week of in-depth information on government decisions. Examples of such programs include TVO's *The Agenda* and CBC's *The House*. A 2013 study comparing news coverage in 11 countries found that the share of news content as a percentage of total broadcast time was highest in Canada, both for domestic and international news coverage. Canadian media coverage is further enhanced by international news channels such as CNN, BBC World News and Al Jazeera, which are readily available. One caveat is that there is little competition among public broadcasters. Conversely, private broadcasters, with the exception of the Canadian Parliamentary Access Channel, are generally focused primarily on infotainment, but also provide some analysis of government decisions. Certain print media, such as the *Globe*

and Mail, provide comparatively high-quality and comprehensive analysis of public policy. Others, such as La Presse, the National Post and other Postmedia publications, provide good coverage of public-policy issues.

As part of their ambitious agenda, the Liberal government promised to make government more open and transparent by revamping the Access to Information Act. A recent report from the information commissioner criticized the proposed legislative amendment (Bill C-58), arguing that the planned changes would curtail of existing rights and restrict media outlets' ability to provide in-depth political coverage.

Citation:

Aalberg et al (2013). International TV News, Foreign Affairs Interest, and Public Knowledge, *Journalism Studies*, 14:3, 387-406.

Information Commissioner of Canada, "Failing to Strike the Right Balance for Transparency Recommendations to improve Bill C-58: An Act to Amend the Access to Information Act and the Privacy Act and to Make Consequential Amendments to Other Acts" posted at http://www.ci-oic.gc.ca/eng/rapport-special-c-58_special-report-c-58.aspx

Parties and Interest Associations

Intra-party
Decision-Making
Score: 7

There are currently three major political parties at the federal level in Canada: the Liberals, the Conservatives and the New Democrats.

In April 2013, the Liberal Party of Canada elected Justin Trudeau as their new leader, through an open-voting process that included non-party members. The policy formation process is also relatively open, new ideas are gathered from Liberal members and supporters through local groups, then written up as policy resolutions that are voted on and prioritized first within provincial and territorial associations and then at the Liberal Party's biannual conventions. All resolutions passed at the convention become official party policy. The Liberal Party currently forms the Canadian government and Prime Minister Justin Trudeau arguably has a more inclusive leadership style than his predecessor.

Until his resignation in the aftermath of the October 2015 election, the Conservative Party was tightly controlled by party leader and then Prime Minister Stephen Harper. Decisions on policy and electoral strategy were generally made by a small number of senior officials close to him. While grassroots views and resolutions passed at party conventions provide input into the decisions of the elite, they are not binding. For example, many Conservative Party members support restrictions on abortion, but this was not adopted as party policy for fear of alienating the general public. In May 2017,

the Conservative Party of Canada chose Andrew Scheer, former Speaker of the House of Commons, as the new party leader in a tightly contested vote.

Unlike the Conservatives or the Liberals, the New Democratic Party is integrated with its provincial and territorial counterparts, except in Nunavut, the Northwest Territories and Quebec, making it difficult for members to support different parties at the federal and provincial levels. At the October 2017 convention, Jagmeet Singh was elected leader of the New Democrats. Singh is the first person of an ethnic minority background to be elected leader of a federal party. A wide range of views are expressed at New Democratic Party policy conferences, but all policy resolutions passed are non-binding on the party leadership.

Given their short time in office, it is too soon to evaluate either Scheer or Singh's leadership styles. Time will tell if they deviate from current party practice.

Association
Competence
(Employers &
Unions)
Score: 8

Many business associations, employers' groups and trade unions develop policy proposals that identify the causes of problems, make use of scholarly research to support their analysis, propose technically feasible measures to attain policy objectives, take account of long-term interests, and anticipate policy effects. Among the most competent associations in this respect are the Business Council of Canada, the Canadian Chamber of Commerce, the Canadian Manufacturers and Exporters Association, the Canadian Labor Congress and the Canadian Auto Workers. Many of these associations have realized that they must identify their policy proposals with the overall societal interest rather than solely with the narrower interests of their members if they are to gain traction with the public and policymakers. The most successful associations are those that have mastered this art.

Association
Competence
(Others)
Score: 7

Many social-interest groups, environmental groups and religious communities develop policy proposals that identify the causes of problems, make use of scholarly research to support their analysis, propose technically feasible measures to attain policy objectives, take account of long-term interests, and anticipate policy effects. However, as these groups have fewer resources than economic-interest groups, they generally do a somewhat less competent job in proposing reasonable policies. A 2011 report prepared for the Canadian Council for International Cooperation found that for many civil-society organizations, broad policy ideas are not always translated into concrete proposals due to a lack of expertise. While some coalitions, such as the Americas Policy Group, the Canadian Biotechnology Action Network, the Climate Action Network, the Policy Working Group on Maternal, Newborn and Child Health, and the Global Call Against Poverty/Making Poverty History, among others, have a strong record with respect to governmental relations, both political and legislative, they represent a minority in this regard.

Citation:

A Map of Canadian Civil Society Organization Coalitions' Governance, Capacity and Agendas: Common Challenges, Shortfalls and their Implications, report prepared for The Canadian Council for International Co-operation (CCIC), 2011.

Independent Supervisory Bodies

Audit Office
Score: 10

The auditor general is appointed by parliament on the advice of the prime minister for a 10-year term. Once in place, however, auditor generals have virtually a free hand in deciding who to audit and when. The Office of the Auditor General is accountable to parliament, and the removal of an auditor general requires the approval of both the House of Commons and Senate. Instances when either parliament or its Public Accounts Committee were able to direct the work of the Office of the Auditor General are rare.

Ombuds Office
Score: 6

The federal government, unlike some provinces, does not have an organization called an ombuds office, but it does have certain organizations that are functional equivalents. These include the Access to Information Office and the office responsible for the protection of whistleblowers. However, the advocacy role of these organizations is limited. There are two ombuds offices with special mandates, the Office of the Ombudsman for the Department of National Defence and the Canadian Forces, and the Federal Ombudsman for Victims of Crime. Other mechanisms that more informally fulfill an ombuds role include departmental units responsible for investigating appeals of decisions related to social programs such as employment insurance and pensions, and the offices of members of parliament, which frequently act as champions for the interests of individual constituents.

Data Protection
Authority
Score: 9

Canada's data protection authority is the Office of the Privacy Commissioner of Canada. The legislation governing federal government use of private data is the Privacy Act. As an officer of parliament, the commissioner can audit suspected government breaches of the Privacy Act and act as an ombudsmen in relation to individual violations. Analogous structures exist at the provincial and territorial level.

Citation:

<https://www.priv.gc.ca/en>

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