

Participation Criteria for the Leaders' Debates for the 44th General Election

I. Introduction

The Leaders' Debates Commission ("the Commission") is mandated with setting the participation criteria for the leaders' debates and ensuring that the leader of each political party that meets those criteria is invited to participate in the debates.

After consultation with registered political parties, stakeholders, the public and a review of the historical selection criteria, the Commission has decided on the participation criteria that it will employ to invite leaders to the next general election leaders' debates.

This document sets the participation criteria established by the Commission for the leaders' debates and the Commission's rationale for the criteria.

In order to be invited by the Commission to participate in the leaders' debates, a leader of a political party must meet one of the following criteria:

- (i): on the date the general election is called, the party is represented in the House of Commons by a Member of Parliament who was elected as a member of that party; or
- (ii): the party's candidates for the most recent general election received at that election at least 4% of the number of valid votes cast; or
- (iii): five days after the date the general election is called, the party receives a level of national support of at least 4%, determined by voting intention, and as measured by leading national public opinion polling organizations, using the average of those organizations' most recently publicly-reported results.

II. The Task and Terms of Reference

The Commission is mandated to organize two debates (one in French and one in English) for the next federal general election.

As part of its mandate, the Commission is tasked with selecting the party leaders who will be invited to participate in these debates, as set out in Order in Council P.C. 2018-1322, dated October 29, 2018, as amended by Order in Council P.C. 2020-871, dated November 5, 2020 ("OIC").

The relevant parts of the OIC that inform the Commission's mandate state as follows:

Whereas it is desirable that leaders' debates be effective, informative and compelling and benefit from the participation of the leaders who have the greatest likelihood of becoming Prime Minister or whose political parties have the greatest likelihood of winning seats in Parliament;

Whereas it is desirable that leaders' debates be organized using clear, open and transparent participation criteria;

[...]

The mandate of the Leaders' Debates Commission is to:

...

(b) set participation criteria for the leaders' debates and ensure that the leader of each political party that meets those criteria is invited to participate in the debates;

(b.1) make the participation criteria public

(i) for a general election held in accordance with subsection 56.1(2) of the Canada Elections Act, no later than June 30 before the day set by that subsection; or

(ii) for a general election not held in accordance with subsection 56.1(2) of the Canada Elections Act, no later than seven days after the issue of the writs.

The Commission has undertaken this task by considering: (1) the historical application of debate participation criteria in past Canadian elections; (2) the 2019 Participation Criteria; and (3) the existing public policy documents on the participation criteria and submissions from stakeholders, including the leaders of all registered political parties, the media and the public.

As a result of this process, the Commission has developed principles to guide the Commission's creation of the participation criteria.

III. Context and Considerations

A. Historical application of debate participation criteria in past Canadian elections

Since 1968, televised leaders' debates in Canada have been organized by a range of entities. For all election campaigns since then, there has been a relatively consistent set of participation criteria that have been applied to determine which political party leaders would be invited to participate in the debates. However, as noted by the 1992 Royal Commission on Electoral Reform and Party Financing (the "Lortie Commission"), agreement on these criteria and other matters has been "difficult to achieve" at every election.

One summary of the participation criteria that has historically been used to select which leaders would participate in the debates was produced in 2016 by the Institute for Research on Public Policy and Carleton University report, entitled [The Future of Leaders' Debates in Canadian Federal Elections](#), following a 2015 colloquium that brought together stakeholders and academics. The report examined the criteria established by the broadcast consortium that produced the 2015 leaders' debates. According to the report, to be invited in the 2015 debate, parties:

- Had to have elected Members of Parliament (MPs) in the House of Commons;
- Intended to run candidates in all or nearly all constituencies;
- Had to have a chance of winning seats (as evidenced by polling history, previous results);
- Had to have a presence in daily political conversation;
- Had to have a fully developed platform;
- Had to consider the language proficiency of each leader for debates in that language; and
- Had to have an identified party leader.

These criteria, which the report characterizes as “broadly appropriate (but must include some provision for exceptional circumstances)”, required that a political party had both proven electoral success in a previous election and a likelihood of electoral success in the election at hand. The Commission also notes that these criteria contained both objective and subjective elements.

B. The 2019 Participation Criteria

In 2018, the Government of Canada [announced](#) the creation of the Leaders’ Debates Commission to organize leaders’ debates in order to “make the debates a more predictable, reliable and stable element of federal election campaigns”. For the 2019 election, the Commission was tasked with selecting the party leaders who would be invited to participate in the debates that it organized. This invitation was based on the application of participation criteria set out in OIC P.C. 2018-1322. While the 2019 criteria bear similarity to the criteria employed by the 2015 consortium, they were less onerous in that they did not demand past electoral success. The 2019 criteria also included both objective and subjective elements. In other words, for one criterion, reasonable actors could come to different conclusions about whether certain political parties would or would not meet that criterion.

Following consultations, the Commission issued its [interpretation](#) of the 2019 criteria contained in OIC P.C. 2018-1322 and concluded:

“that the application of the mandated participation criteria contains both objective and subjective elements.

While the OIC sets out what appears to be three criteria to be interpreted and applied, these can in fact be divided as follows:

Criterion (i): the party is represented in the House of Commons by a Member of Parliament who was elected as a member of that party;

Criterion (ii): the Commissioner considers that the party intends to endorse candidates in at least 90% of electoral districts in the general election in question;

Criterion (iii):

a. the party’s candidates for the most recent general election received at that election at least 4% of the number of valid votes cast; or,

b. based on the recent political context, public opinion polls and previous general election results, the Commissioner considers that candidates endorsed by the party have a legitimate chance to be elected in the general election in question.”

The Commission noted that while criteria (i) and (iii)(a) did not require an extensive assessment because they were based on the review of objective evidence, criteria (ii) and especially (iii)(b), on the other hand, required further assessment.

As a result, with respect to criterion (iii)(b), the Commission decided that it would consider a range of factors in order to determine “recent political context, public opinion polls and previous general results”, namely:

- Evidence provided by the political party in question in relation to the criterion;
- Both current standing and trends in national public opinion polls;
- Riding level polls, both publicly-available and internal party polls if provided as evidence by the party and riding projections;
- Information received from experts and political organizations regarding information about particular ridings;
- Parties and candidates’ performances in previous elections;
- Media presence and visibility of the party and/or its leader nation-wide;
- Whether a party is responsive to or represents a contemporary political trend or movement;
- Federal by-election results that took place since the last general election;
- Party membership; and
- Party fundraising.

Ultimately, in its interpretation of criterion (iii)(b), the Commission concluded that its primary consideration on whether to invite a particular party leader would be based on assessing the reasonable chance of more than one candidate of that party being elected.

When the Commission applied the 2019 criteria, the application of the criteria was straightforward in the case of five of the political parties. None of these five invitations required the Commission to interpret or apply criterion (iii)(b).

As a result, the Commission invited these parties' leaders on August 12, 2019, almost two months before the debates, to participate in the debates.

However, determining whether to invite a sixth political party, the People's Party of Canada ("PPC"), required further assessment. Rather than inviting the leader of the PPC in August alongside the other five leaders, the Commission sought additional and more current information, including from the PPC and from public opinion polling, before making a determination of whether more than one candidate endorsed by the PPC had a legitimate chance of being elected. In particular, the Commission asked the PPC to submit a list of three to five ridings that it believed most likely to elect a PPC candidate. Ultimately, the Commission

concluded that the PPC had more than one candidate with a legitimate chance to be elected. This decision was informed by public opinion polling that indicated that more than 25% of respondents indicated a willingness to consider voting for the PPC in several electoral districts. As a result, the Commission invited the leader of the PPC to participate in the debates on September 16, 2019.

Following the 2019 election, the Commission contracted Nanos Research to undertake an examination of the Commission's interpretation of the participation criteria laid out in the OIC. Nanos Research's report, "[Examination of the Standard for Debate Inclusion](#)" observed that "on election day, the People's Party was only competitive (finishing 2nd) in one riding (Beauce). In fact, its presence in all [ridings analyzed by the Commission] did not even impact who won as the winning candidate in each riding won by more than the PPC vote share." The vote share in these five ridings ranged from 2.0% to 5.2%. Nationally, the PPC obtained 1.6% of the vote and no seats in the House of Commons.

C. Public Policy Documents, Consultations and Input Reviewed by the Commission

In order to determine the participation criteria for the next general election, the Commission undertook a review of a range of consultations on the subject of debate participation criteria in Canada. The Commission reviewed a number of reports by think tanks, the Government of Canada, the Parliament of Canada, and the Commission itself.

The Commission reviewed earlier consultations undertaken by the Commission before and after the 2019 general election. The Commission also undertook new consultations in consideration of the current mandate. These new consultations notably included seeking views from all registered and eligible political parties and the public. As part of its consultation process, the Commission advised that it intended to consider the following documents and sought any submissions in their regard:

- Consultations undertaken in 2020-21 under the Commission's updated mandate;
- The Commission's report to Parliament: [Democracy Matters, Debates Count: A report on the 2019 Leaders' Debates Commission and the future of debates in Canada](#);
- Consultations previously undertaken either in the lead-up to or the aftermath of the 2019 election and debates, including previous submissions received from political parties and other stakeholders that are summarized in the Commission's report to Parliament;
- The Commission's previous [interpretation](#) of OIC P.C. 2018-1322;
- Evidence from past election results and public opinion polling;
- The House of Commons Standing Committee on Procedure and House Affairs report, "[The Creation of an Independent Commissioner Responsible for Leaders' Debates](#)";
- The Institute of Research on Public Policy's report, "[Creating an Independent Commission for Federal Leaders' Debates](#)", which summarizes recommendations made by experts and stakeholders on how best to proceed with a debates commission;

- The Government of Canada's 2018 [online consultation on political party leaders' debates](#); and the historical application of debate participation criteria in past Canadian elections.

The Commission received submissions from the public, as well as from the Bloc Québécois, the Christian Heritage Party of Canada, the Conservative Party of Canada, the Green Party of Canada, the Liberal Party of Canada, the Marijuana Party, the Marxist-Leninist Party of Canada, the New Democratic Party, the Parti Rhinocéros Party, and the People's Party of Canada.

A review of all of these submissions revealed the following themes:

- There is no consensus on specific participation criteria. However, except for some smaller political parties, there is near unanimous support to establish criteria that would include some registered political parties and exclude others. From the submissions received, the Commission found that almost no one supported the proposition that all registered political parties should be on stage for televised leaders' debates;
- Certain interested stakeholders, such as the media and political parties, have specific views on where the threshold should be set on how many leaders should be on stage. Some submissions from the media suggest debates should include only those leaders most likely to become Prime Minister. Without exception, political party input suggested the Commission should set criteria that would assure the inclusion of their own party;
- The consensus among those who do not belong to the media or a political party is that the Commission should aim to be inclusive rather than exclusive with the goal of inviting leaders likely to be an important part of public policymaking. In other words, the choice of which leaders should be invited should focus on potential representation in Parliament and not on who is most likely to be elected Prime Minister. In this regard, the Commission received submissions that Canada does not have a presidential system but rather a parliamentary system, and the leaders' debates should therefore feature leaders of political parties that are likely to be an important part of public policymaking by winning seats in Parliament;
- To the greatest extent possible, debate participation criteria set by the Commission should be simple, transparent, and objective. The "debate about the debates", which is to say the discussion that has occurred in many past elections about who is invited to participate in leaders' debates and why, does little to inform voters about political parties and their policies. It also risks alienating voters or increasing distrust in democratic institutions when participation decisions are made behind closed doors;
- The use of public participation criteria in 2019 was viewed as a step forward for debate organization, but one whose benefits were not fully realized because some of the criteria were subjective and open to interpretation;
- Results from the previous election are one of the most important determinants of whether a political party's leader should be invited to participate in debates in the following general election. There is a consensus that having an MP elected under a party's

banner confers upon that party the status of having a meaningful presence in daily political conversation and policy making in Parliament;

- The Commission also received the views that it is possible for a party to obtain a meaningful number of votes from Canadians but not elect an MP as a result of Canada's first past the post electoral system, and that debate participation criteria should take this into account by not excluding a leader whose party did not get any seats. The Commission noted input provided that when a party is potentially excluded from debates based on previous election results, the Commission should not only look at the number of seats won or lost by the political party during that previous election but also consider the number of votes received by the party;
- Debate participation criteria should not exclusively require past electoral success; instead, the criteria must allow for the possibility of the emergence of new political parties. There is a consensus that public opinion polls that measure voter intention close to the debates could serve to measure whether a political party that did not have electoral success in the previous election has a significant presence in political conversation and a reasonable likelihood to contribute materially to public policymaking by winning seats in the next Parliament; and
- Canada has a history of both national and regional political parties, and debate participation criteria should aim to take both into account.

IV. Discussion and analysis

A. Guiding Principles

The Commission has developed a series of guiding principles to decide on the participation criteria for the debates. These principles are drawn from the historical application of debate participation criteria in Canada, the general themes emerging from consultations and input reviewed, and by the OIC, including the following provisions:

Preamble: "it is desirable that leaders' debates be effective, informative and compelling and benefit from the participation of the leaders who have the greatest likelihood of becoming Prime Minister or whose political parties have the greatest likelihood of winning seats in Parliament";

Preamble: "it is desirable that leaders' debates be organized using clear, open and transparent participation criteria";

Section 3(d): "the decisions regarding the organization of the leaders' debates, including those respecting participation criteria, are made publicly available in a timely manner"; and

Section 4: “the Leaders’ Debates Commission is to be guided by the pursuit of the public interest and by the principles of independence, impartiality, credibility, democratic citizenship, civic education, inclusion and cost-effectiveness.”

Distilling these guiding principles we conclude that the criteria should, to the greatest extent possible:

- be simple;
- be clear;
- be objective; and
- allow for the participation of leaders of political parties that have the greatest likelihood of winning seats in the House of Commons.

B. Impact of Participation Criteria: Commission’s Objective

The Commission acknowledges its decision in setting the participation criteria may engage the rights to freedom of expression and the right vote protected under the Canadian *Charter of Rights and Freedoms*. When determining the participation criteria, the Commission is guided by its objectives set out in the OIC and how the *Charter* values at issue will best be protected in view of its objectives.

First, the Commission considers that, for both the leaders of the political parties and for voters, the *Charter* rights of freedom of expression and the right to vote are engaged in its determination of the participation criteria. Freedom of expression protects not only the individual who speaks the message, but also the recipient. If political parties are excluded, their freedom of expression is engaged. The right of voters as recipients of their message and a right to effectively be informed through the debates is also engaged.

Second, the Commission’s mandate, as set out in the OIC, is to design debates that are “effective, informative, and compelling and benefit from the participation of the leaders who have the greatest likelihood of becoming Prime Minister or whose political parties have the greatest likelihood of winning seats in Parliament.”

The Commission interprets this mandate to have two related parts: (a) the Commission is limited to inviting leaders of political parties who have the greatest likelihood of winning seats in Parliament or whose leader has the greatest likelihood of becoming Prime Minister; and (b) the Commission must design debates that are effective, informative, and compelling to assist the voters in making an informed decision about how to vote.

On the first part, the objective inherently is inconsistent with including all political parties in the leaders’ debates. Not all parties have the same likelihood of winning seats in Parliament. The Commission must decide how it will determine the likelihood of winning seats in Parliament and at what level to set that threshold.

On the second part, the Commission is concerned with ensuring that the debates are effective at informing voters. As the Lortie Commission points out, debates “attract large audiences. They stimulate interest in politics, help voters determine the basic issues of the campaign, increase awareness of parties and leaders, and help to legitimize political institutions.”

The issue for the Leaders’ Debates Commission is how to set the threshold or limit on participation that best fulfils the mandate to ensure that Canadians are informed about the political parties that are most likely to be elected and therefore contribute to public policy debate in the House of Commons while at the same time ensuring that the Charter values at issue of both the voters and the leaders are protected.

The Commission returns to its analysis of this balancing in its rationale below.

C. Relevant Factors

From its consultation and review process, the Commission has identified the following two factors as relevant to identifying political parties that may be eligible to participate in the leaders’ debates:

1. Historical record of political party support: should indicators of a political party’s history, such as its past election results, be a criterion; if so, what is the appropriate threshold and what evidence should be used; and
2. Current and future information on political party support: should indicators of a political party’s popularity and relevance, and its potential for future electoral support by winning seats in the House of Commons, be a criterion; if so, what is the appropriate threshold and what evidence should be used.

Based on the Commissions’ review of the above consultations and reports and its own expertise, the Commission is of the view that both #1 and #2 are relevant and concludes that debate participation criteria should be established to measure both a political party’s historical record and its level of current and future electoral support. This conclusion is based on the Commission’s agreement with the views expressed in the consultations and the reports that both (a) and (b) can be used to assess whether a political party is likely to play an important part in policymaking by winning seats in the House of Commons. Furthermore, such an approach is consistent with the historical application of debate participation criteria in Canada.

The Commission has considered whether a political party should be required to demonstrate that it meets the criteria for both of these elements, or just one or the other. In previous elections, it had frequently been a requirement for a political party to have both a historical record and indications of current or future support. The criteria provided to the Commission in 2019 made no such requirement and allowed for the participation of a party leader who only met one or the other. The Commission concludes that political parties should only be required to meet the criteria for one or the other, and not both. This enables, on the one hand, the potential

participation of a newly emerging political party that may be unable to meet criteria based on a historical record, and on the other the participation of a political party with a demonstrated historical record.

Having decided that both the historical record and current support are important in considering whether to invite a leader of a political party to the leaders' debates, the Commission's task is next to decide how each of these criteria will be applied.

1. Historical Record

A debate participation criterion that assesses a political party's historical record must account for the consensus view that past electoral success confers relevance onto a political party, such that the leader of such a party is expected to participate in leaders' debates in the next election.

The Commission considered what factors it should use to assess a political party's historical record, including its historical longevity, the number of candidates fielded in previous elections, and its record of electoral success. With regards to both historical longevity and past number of candidates, however, an analysis of both of these factors in past elections indicates that a political party can have a long history and a large number of candidates without electing a Member of Parliament and thus may not be contributing to policymaking in the House of Commons. The Commission concludes that these criteria are therefore not appropriate. Conversely, the Commission concludes that the best measure of a political party's historical record is its record of electoral success.

The Commission is therefore of the view that one criterion to assess historical record should look at whether a party has elected one or more Members of Parliament (MP) under its banner on the date an election is called. In terms of the threshold of number of MPs, the Commission has concluded that a threshold of one MP is sufficient. This is past accepted practice, and it is the minimum threshold that can be applied in terms of seats won and is appropriate at this level. In coming to this conclusion, the Commission also considered that the election of one MP under a party's banner is a criterion that can apply to both national and regional parties.

The Commission is also of the view that a political party's historical record should be recognized if it can demonstrate a degree of electoral success even if that does not translate into the election of an MP under its banner. As such, the Commission has adopted a threshold of 4% of valid votes cast in the previous election. The 4% threshold is for the following reasons. The first is that this is consistent with past practice: the Commission applied this same metric in 2019. Second, the Commission looked at how past election outcomes informed the decision of previous debate organizers to invite leaders in the debates and how those decisions were received by the Canadian public. In particular, the Commission considered that the decisions to invite or not the Green Party in the period of 2006 to 2011 were informative and relevant to its analysis. The leader of this party was invited to participate in the 2008 consortium debate, having received 4.5% of valid votes cast in 2006 and having an MP in Parliament at the time the election was

called (but who was not elected under the party's banner), but the leader did not receive an invitation in 2011 despite the party receiving 6.8 percent of valid votes cast in 2008. The consortium received considerable criticism from the public for the exclusion of the leader of the Green Party of Canada for these 2011 debates, demonstrating that the decision to include them in 2008 more closely aligned with Canadians' expectations for debate participation. From this, the Commission draws the inference that Canadians thought that at that level of popular support, the Green Party of Canada had a reasonable likelihood of contributing to public policy debate by winning seats in Parliament and therefore their leader should be included in the leaders' debates.

Lastly, the Commission received input from a political party that argued that admission to future debates for a newly emerging political party should not be as difficult as it has been for political parties in the past. The Commission agrees with this submission and concludes that it is not a requirement that a political party must have an elected MP in order to be invited to the leaders' debates if it is otherwise able to demonstrate electoral support as discussed below.

2. Current and future information on political party support

The Commission agrees with the consensus that emerged from the consultations that the participation criteria should allow for the emergence of new political parties and the participation of their leaders in the debates.

The Commission considered how the emergence of new political parties and the participation of their leaders was accommodated in the 2019 criteria. In 2019, the criteria allowed the Commission to consider "recent political context" and "legitimate chance" for candidates to be elected, as detailed above. The Commission was not satisfied with these indicia. In its report to Parliament following the 2019 election, the Commission concluded:

Each of these items provided a possibility for observers to arrive at different conclusions as to whether a party did or did not meet the stated criterion. The Commission considered a range of evidence to support the conclusions it reached in interpreting the criteria as provided. Nevertheless, this level of interpretation, coupled with the need to collect evidence on electability, did not lead to a process that was completely satisfactory.

The Commission has therefore undertaken to set participation criteria for current and future levels of support that are as simple, clear and objective as possible.

To do so, the Commission concludes that relying upon public opinion polling measuring voting intention five days after the date the general election is called is an appropriate metric. The Commission concludes that this timeframe is appropriate because it is simple and clear, in alignment with the OIC and the Commission's guiding principles. It also balances the need for the Commission to have access to the most up to date evidence available in order to assess whether political parties satisfy the debate participation criteria; and the need to ensure that both the debates producer has sufficient time to produce a debate of high quality, as required by

the OIC, and that the political parties can properly prepare for the debates in order to ensure they are informative for Canadians.

Much of the input received by the Commission identified 4 to 5 percent as an appropriate threshold, for a number of reasons. First, based on [analysis](#) conducted as part of the Commission's 2019 report to Parliament, "vote shares below five percent nationally are unlikely to generate seats." Second, this voting intention threshold closely correlates with the four percent of votes received in one of the criteria outlined in the historical record (criterion ii). The Commission considered that setting a higher threshold for voting intention, such as 5% in polls, might account for the fact that not all support indicated in a poll translates into actual votes. The Commission has concluded however that in an effort to establish a level playing field between established and emerging political parties, the threshold for voting intention should match the threshold set for the historical record. The Commission has also concluded, based on the historical electoral record that establishing a threshold of 4 percent voting intention nationally would capture the voting intention of a significant emerging regional political party, thereby allowing its leader to qualify.

Both of these reasons consider electoral outcomes as the motivating factor behind the criterion, but this is not the only factor that the Commission heard through its consultations. Rather, some stakeholders expressed the view that a 4 to 5 percent threshold indicates that the party and its leader have a meaningful presence in daily political conversation at the time. The Commission concludes that parties whose leaders have this presence have a reasonable likelihood of contributing to public policy debate by winning seats in the House of Commons.

In response to the Commission's request for submissions, some political parties identified other metrics for setting the debate participation criteria. In particular, it was suggested that the Commission should establish a criterion that sets a threshold on the number of candidates endorsed by a party; if a party endorses more than 170 candidates, for example, this would qualify that party for inclusion in the debate. However, the Commission's view, this metric is insufficient on its own to demonstrate that a political party is likely to be an important part of public policymaking by winning seats. For example, a review of the electoral record demonstrates that there can be political parties that field more than 170 candidates who do not succeed in obtaining more than 2 percent of the vote and do not win any seats in Parliament. The Commission concludes that this metric measures the relative capacity of a party to organize and field candidates, but these metrics do not translate into measuring whether a party is likely to be an important part of public policymaking by winning seats.

D. [Impact of Participation Criteria: Proportionality Exercise](#)

The Commission acknowledges that its criteria will exclude some political leaders from the debates. However, the Commission could not include the leaders of all of the political leaders without causing a deleterious impact on its statutory objective of delivering informative and effective debates that benefit from the participation of leaders whose political parties have the

greatest likelihood of participating in public policy debate in the House of Commons by winning seats.

The Commission considered evidence that the exclusion of minor political parties enhances the effectiveness, appeal and informative nature of debates. The Lortie Commission emphasized the importance of balancing “claims of fairness with the practicalities of organizing effective, appealing and informative debates, as well as the right of voters to have the information to make a clear choice among those who have a chance of forming the government.” The Lortie Commission noted submissions that expressed concern that too many participants reduces the utility and appeal of the debate to the voting public. The Leaders’ Debates Commission agrees with these concerns.

The Commission also considered that major political parties may choose not to participate in a debate which features a dozen or more participants, most of whom may have little opportunity for electoral success. Such a result would undermine one of the primary purposes of the leaders’ debates which is to have the leaders of the political parties who are most likely to become Prime Minister be present.

At the same time, as discussed above, the Commission chose criteria that set a minimal threshold that would not be overly onerous to meet for emerging political parties. This ensures that political parties that have the potential to have a voice in Parliament are at the leaders’ debates, so that voters are able to consider their platform and contrast it with those of other political parties in making an informed decision.

Lastly, the Commission has considered a suggestion that it should organize a second-tier debate for other political parties that are not invited to a first tier leaders’ debate.¹ The Commission’s mandate, as set out in the Order in Council, is to “organize one leaders’ debate in each official language during each general election period” and as such it cannot acquiesce to this suggestion and organize a third (or fourth) debate.

V. Conclusion

In order to be invited to participate in the leaders’ debates, a leader of a political party must meet one of the following criteria:

- (i): on the date the general election is called, the party is represented in the House of Commons by a Member of Parliament who was elected as a member of that party; or

¹ The Commission notes that section 3(i) of the OIC provides that part of the Commission’s role is to “provide advice and support in respect of other political debates related to the general election, including candidates’ debates, as the Debates Commissioner considers appropriate.” The Commission does not interpret this role to include the organizing of separate debates in addition to the two it is mandated to organize.

(ii): the party's candidates for the most recent general election received at that election at least 4% of the number of valid votes cast; or

(iii): five days after the date the general election is called, the party receives a level of national support of at least 4%, determined by voting intention, and as measured by leading national public opinion polling organizations, using the average of those organizations' most recently publicly-reported results.

With regards to criteria (iii), the Commission will select public opinion polls based on the quality of the methodology employed, the reputation of the polling organizations, and the frequency and timeliness of the polling conducted. The Commission may take professional advice to assist in selecting the leading national public opinion polls to be used in applying the criterion and will identify the selected polling organizations at the time the criterion is applied.

When examined together, the Commission concludes that inviting leaders of parties that meet one of these three criteria will ensure the participation of those leaders likely to be an important part of public policymaking in Canada by winning seats in Parliament. The criteria are simple, clear, and objective, and balance the perspective of looking at real electoral success and the possibility of future success.

These criteria are informed by Canada's system of government, the country's history with leaders' debates, and by consultations on who should participate in Commission-led debates.

VI. Decision-making Timeline and Next Steps

The Commission will make its decision with respect to which political parties meet the debate participation criteria no later than six days after the date the election is called. The Commission will then issue invitations to leaders of those political parties that meet debate participation criteria. A party not invited will have an opportunity to ask the Commission to reconsider within two days of the invitation to leaders. The Commission will make its final decision with respect to any such party within three days of that party's application for review. The tight timelines are being set to ensure that both the debates producer has sufficient time to produce a debate of high quality, as required by the OIC, and that the political parties can properly prepare for the debates in order to ensure they are informative for Canadians.