

Informal report to members,

The latest news is that we have been asked by National Council to not proceed with our elections.

Basically we had to cancel the AGM because National Council has objected to our running of our election. Why? We, the Toronto executive, in order to protect the mandate of Fair Vote Canada, passed a conflict of interest motion and instituted a nominations committee to screen applicants to ensure that the nominees were not in conflict of interest.

Advocacy organizations do not usually have to tell people who don't believe in the goals of the organization to refrain from joining and running for office. But that is exactly what has happened. It was easy, given the click and join environment of the Internet. After paying \$10, new members have to wait only 2 months before voting and running for office. If members of a specific group with its own, separate goals join in sufficient numbers, they may quickly change the organization and even redefine its goals. Examples of other such moves can be found on the Internet. It has happened to the RSPCA and Sierra Club * where people signed up in considerable numbers who were not in favour of the organizations' goals or wanted to add to or alter them significantly. The drafters of the original FVC constitution did not anticipate the possibility of a takeover by a non-PR group. Therefore, the Chapter passed its C of I policy. We knew in advance that members of a non-PR organization had joined in significant numbers and several were planning to run for office.

Background

You may remember two facts from the last AGM. First, we voted on a motion in favour of retaining our commitment to PR and, secondly, we voted in an executive, three members of which ran as a "slate," representing RaBIT, an advocacy group for a non-PR system for Toronto. I was hopeful that the executive could operate effectively, working together on provincial and federal PR, with municipal PR initiatives capable of being pursued as well out of respect for the FVC mandate and the AGM motion. Also, the majority (4 of 7) members were strongly in favour of PR for municipalities, so in votes, the members in favour of the mandate would win. This hope, unfortunately, did not pan out. One of our members was absent for meetings and on email, forcing us to operate on consensus. During this period we were unable to advance PR for the city which was particularly concerning, given that the City appeared suddenly to be ready to move towards an AV system. Discussions, for example, to announce our municipal PR initiative at the chapter picnic, resulted in veto. "No discussion of PR." This was supported by our Executive Director, in the hope of maintaining peace in the chapter.

We went through an attempt at mediation, which took time to organize but it was carried out in due course with former FVC Chair Bronwen Bruch. It became clear during the session that RaBIT members wanted to change the mandate, which could not be done at the chapter level, and that their commitment to AV, a non-PR system, was going to make the city campaign difficult.

At this point we sought a Conflict of Interest motion from National Council, who, in an unprecedented move, decided to first put the issue to a referendum in which the pro-PR side won. A conflict of interest motion ensued, removing the three RaBIT members from the Toronto executive. Over the next few

weeks new members were appointed according to the bylaws to fill the vacancies until such time as the next AGM could be held. Then the chapter received news from National Council that it had revoked the removals and the RaBIT members had been reinstated and a "Peace Agreement" had been signed with either Dave Meslin or RaBIT. The Chapter was assumed to be signatories as well. However, we never received a copy of the "Peace Agreement" and did not sign it. The reason for the revoking of the removals I do not know but I assume that legal issues were involved and National Council, as a corporation, determined that it was not allowed to institute such a policy. In any case, that is when we, at the chapter, passed our own Conflict of Interest (CoI) motion specifying that a person who was promoting a non-PR system could not run for office.

We did seek a legal opinion during this period which confirmed that "as officers of the organization we had a fiduciary duty to make sure that no member is in conflict of interest and that a special policy is not necessarily required." In research I have discovered a lot of interesting things about Conflict of Interest. For example, it is stated in the manual by the Chartered Accountant Assoc of Canada for non profits: "As a director it is important to understand why the organization exists." Simple but not to be taken for granted.

National Council has questioned that certain nominees who requested to run for executive were rejected on the grounds that, based upon their own statements, they would be either unwilling or unable to carry out the mandate of FVC. However, if they are allowed to run, the chapter could well find itself in the paradoxical position of being a PR organization whose executive members are at times promoting a non-PR electoral system. This actually did happen at a meeting of the Government Management Committee at Toronto City Hall. A person claiming to be an executive member gave testimony in support of the RaBIT (AV/IRV) proposal.

As a result of the present difficulty of having a regular election and continuing as a chapter under our current bylaws, we are considering the move of decertifying the chapter and continuing to exercise FVC goals through action groups.

[*http://charitylawyerblog.com/2010/10/25/nonprofit-coup-detat/](http://charitylawyerblog.com/2010/10/25/nonprofit-coup-detat/)

Some events we participated in:

- Several classroom visits by Joyce, June Gary and other volunteers
- TPL library event
- Showing of menocracy to members of the public including Historica Dominion members
- Book launch, Dennis Pilon
- Take back parliament with electoral alliance
- High Park Liberal debate on FPTP vs PR
- Event with Dennis Pilon at Untarian Church on how other countries changed to PR
- Hulchanski: income inequality, democracy and the city Co-sponsored with Ryerson's Winnie Ng.
- PR 101 and picnic and Hart House flyering