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From: Cameron Davies <daviesycse@gmail.com>
Date: Sat, Aug 26, 2017 at 1:38 PM
Subject: FW: Hamish letter
To: Jeff, Callaway@canaccord.com <Jeff.Callaway@canaccord.com>

Sent from Mail for Windows 10

From: Matt Wolf
Sent: August 26, 2017 1:35 PM
To: Cam Davies
Cc: Matt Wolf
Subject: Hamish letter

See below.

From: Hamish Marshall <hamish@brianjean.ca>
Date: August 26, 2017 at 10:22:09 AM MDT
To: sdollansky@mross.com
Subject: URGENT PLEASE SEND TO IJB AND LEC

To Steven Dollansky, Counsel for the United Conservative Party (UCP).

Mr. Dollansky, we would ask that you immediately circulate this letter and the attached draft press release to the members of the Interim Joint Board (IJB) and the Leadership Election Committee (LEC).

We bring to your attention the following section from the Agreement-in-Principle which created the UCP:

3. LEADERSHIP ELECTION

The Leader will be elected on October 28, 2017.

The first Leader shall be elected by a majority of the members.

The LEC shall determine the minimum period of membership for voting in the Leadership election so as to ensure the equality of opportunity of all members to vote.

That minimum period of membership shall be at least 21 days, but may be higher to ensure fairness in the distribution of ballots.

The period of eligibility to vote will be determined in a manner that ensures the equality of franchise of all members regardless of geography is respected and ensured.

For greater certainty, this means the Leadership rules and process must provide an adequate period of time for ballots to be received and cast by the elector on, or before, the Leadership election date.

To ensure that membership eligibility requirements are met, reproduction of Canadian or Alberta government issued photo identification must be provided by the elector with their completed ballot, in order for the ballot to be considered valid.

Late yesterday we were provided with what we are told is the plan that the LEC is requesting the UCP IJB to fund.

We wish to state on the record that the proposed voting method, and the deadlines associated with it, violate the letter and the spirit of the Agreement-in-Principle which 95% of the members endorsed,

We have several different concerns with the method and the details of the proposal (see below) but we are most concerned that it violates the primary requirement to **"ensure the equality of opportunity of all members to vote."**

It is clear to us that the voting methods and procedures proposed are biased and will not allow the following groups of members and potential members an equal opportunity to vote:

- 1) those living in rural and remote areas with no internet;
- 2) those living in areas where the internet is limited and uploads of data are complicated;
- 3) members who choose not to have internet or not to share their email addresses with the party;
- 4) members who because of age or education or English as a second language (ESL) status are not online;
- 5) those who do not use latin alphabet emails; and
- 6) those members or potential members living outside of the major urban centres.

The different deadlines for members who have given and those who have not given an email is discriminatory and violates the equality of opportunity of all member to vote,

The requirement to upload a digital scan of identification discriminates against those who have poor or no access to the internet. It also discriminates against members who have less technical literacy, those who have lower levels of education, those for whom English is not a first language, and those who communicate in a written script that is not in the latin alphabet.

The rules as proposed, mean that seniors, ethnocultural minorities, and rural Albertans all of whom have lower levels of internet use and are less likely to have an email address will only have 5 days from today to buy a valid membership, everyone else will have 33 days.

In addition, the proposal to only have a few in-person "voting kiosks" in a few major cities is a clear violation of equal opportunity for all member to vote.

It completely ignores that in almost half the ridings in Alberta a 250km round trip between medium-sized centres is possible. A voting system that allows members in the large cities to have only a short drive to vote but requires rural members (who are less likely to vote online) to spend a tank of fuel to access their right to vote is a clear violation of the agreement.

The proposed process discriminates against rural Albertans by making it harder for them to vote relative to party members living in Edmonton or Calgary. Since 21 of our MLAs represent riding outside of Edmonton and Calgary this is politically unacceptable in addition to being a violation of the agreement.

Violation of the other requirements of the Agreement-in-Principle

A straightforward reading of the Agreement-in-Principle shows that it envisions that the leadership election will happen by way of a ballot being mailed to members in a manner similar to that used by the federal Conservative Party of Canada.

- The agreement refers to physical "ballots" being "distributed" to the members.
- It mentions that the member will "receive" a "ballot" and will "cast" a ballot.
- It also stated that for the "completed ballot" to be considered "valid" it must be accompanied by a "reproduction of Canadian or Alberta government issued photo identification."

The plain language reading of these sections taken together and individually clearly show that the agreement intended that members would be mailed an official ballot and that they would get such a ballot in enough time to mail it back on time, if necessary, from all parts of Alberta. The agreement is silent on the method for return of the ballot.

The agreement also specifically rejects discrimination between members based on geography - the setting of deadlines must ensure "the equality of franchise of all members regardless of geography is respected."

Other concerns:

- Candidate Cloud as a vendor

The proposed registration process place a very high requirement on the ability of Candidate Cloud to maintain a robust online portal. Given that during the 2015 election day Candidate Cloud's system crashed and prevented the Progressive Conservatives from operating their get-out-the-vote effort, we would need significant assurances that their portal would be robust enough to sustain a possible 100,000+ members uploading information to it.

- The digitization, transmission and retention of member's identification

The requirement to scan, digitize and upload a member's personal identification to a website will be a strong demotivator to vote.

Digital scans are much more detailed than photocopies and many members may be concerned that uploading a high quality image of their documents will be unsafe. The photocopying and mailing of ID is less worrying for most people because of the obvious quality difference between a photo copy and a digital scan.

- **The complete absence of scrutineering opportunities in the qualifying and voting process**

When we reviewed the process proposed for registering and voting we were concerned that there did not appear to be any process for the scrutineering of the registration or the vote.

This is particularly concerning for us since the LEC is proposing to use the same vendor that the Progressive Conservatives used.

We note that their electronic voting system seemed unable to deliver a result at the scheduled close of voting and we further note that vendor somehow managed to report multiple spoiled ballots in an electronic vote - an occurrence which has never been adequately explained.

We have only had a few hours to review the document and it is likely that we will have other concerns when we have shown it to technical experts on our campaign. We reserve the right to raise further objections.

Attached to this letter you will find a draft press release which we intend to release to the media should the party approve of this voting process.

Furthermore, we reserve the right to seek court intervention to enforce the plain language of the Agreement-in-Principle.

The provisions of the agreement bind the Leadership Election Committee and the Interim Joint Board. Their discretion exists only in the places where the agreement is silent. We ask that the different committees of the party respect the agreement and develop a voting system that is consistent with the letter and spirit of what the members overwhelmingly approved.

Sincerely,

Hamish I. Marshall

Brian Jean Campaign 778,835,3715 | hamish@brianjean.ca

DRAFT RELEASE

UCP Leadership rules discriminate against rural Albertans, seniors, and ethnocultural minorities

Jean calls for Interim Joint Board to reconsider rules

Edmonton, August 26, 2017 — Brian Jean, candidate for the Leadership of the United Conservative Party (UCP), is calling on the party's Interim Joint Board and Leadership Election Committee to reconsider the leadership rules approved tonight because they make it harder for rural Albertans, seniors and ethnocultural minorities to vote for the new leader.

"These rules do not treat all Albertans equally, they must be changed. They clearly violate the Agreement-in-Principle approved by the members of our party," said Jean, "All Albertans who want to join our party should be given an equal chance to vote."

The party has decided it will only have "in person voting locations" in a few major cities, further discriminating against rural Albertans by making it harder for them to vote relative to party members living in Edmonton or Calgary.

The rules also require that Albertans who do not have email addresses purchase their memberships before August 31st, while people with email addresses can purchase memberships until September 28th. It means that seniors, ethnocultural minorities, and rural Albertans all of whom have lower levels of internet use and are less likely to have an email address only have 5 more days to buy a membership, everyone else has 33 days. This violates section 9 of the Agreement-in-Principle which states the Leadership Election Committee must: "ensure the equality of opportunity of all members to vote."

"I'm calling on all UCP members to contact the Interim Joint Board and the Leadership Election Committee and ask them to reconsider the rules to make them fair for rural Albertans, seniors, and ethnocultural minorities," said Jean. "The Interim Joint Board and the Leadership Election Committee need to respect the binding legal agreement that created the party and not put the unity of conservatives at risk."