

File No.: 04-1000-20-2019-668

November 14, 2019

s.22(1)

Dear s.22(1)

Re: **Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of October 28, 2019 for:

Regarding the complaint about the NPA supporters campaigning outside the Ross Street Temple polling station in the afternoon and evening on October 20, 2018, a copy of the investigation report, briefing note and correspondence with the complainant and the NPA campaign.

All responsive records are attached. Some information in the records has been severed, (blacked out), under s.22(1) of the Act. You can read or download this section here: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00.

Under section 52 of the Act you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your request. The Act allows you 30 business days from the date you receive this notice to request a review by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number assigned to your request (#04-1000-20-2019-668); 2) a copy of this letter; 3) a copy of your original request for information sent to the City of Vancouver; and 4) detailed reasons or grounds on which you are seeking the review.

Please do not hesitate to contact the Freedom of Information Office at foi@vancouver.ca if you have any questions.

Yours truly,



Barbara J. Van Fraassen, BA
Director, Access to Information & Privacy

*Barbara.vanfraassen@vancouver.ca
453 W. 12th Avenue Vancouver BC V5Y 1V4*

*If you have any questions, please email us at foi@vancouver.ca and we will respond to you as soon as possible. Or you can call the FOI Case Manager at 604.871.6584.

Encl.

:kt

From: "Jane Frost" s.22(1)
To: "Hagiwara, Rosemary" <rosemary.hagiwara@vancouver.ca>
"Patrick O'Connor" s.22(1)
CC: "Lowe, Janice" <janice.lowe@vancouver.ca>
Date: 10/20/2018 6:13:21 PM
Subject: RE: Campaigning near voting locations - Sunset and Khalsa Diwan

Rosemary I have called the group that are working in that area and they are going to look into this. Hope you are hanging in there. jane

From: Hagiwara, Rosemary <rosemary.hagiwara@vancouver.ca>
Sent: October 20, 2018 6:05 PM
To: Patrick O'Connor s.22(1); jane s.22(1)
Cc: Lowe, Janice <janice.lowe@vancouver.ca>
Subject: Campaigning near voting locations

Hi Patrick and Jane,

I have received complaints of NPA campaigning within the 100m limit of a voting location at Khalsa Diwan and Sunset Community Centre. The rule is a general prohibition against campaigning within 100 metres of a building or structure where voting is underway, not 100 metres from a polling station or place where the ballots are actually being cast as specified in the Vancouver Charter.

Other election offences

125. (1) In relation to nominations, a person must not do any of the following:

(4) In relation to voting proceedings, a person must not do any of the following at or within 100 metres of a building, structure or other place where voting proceedings are being conducted at the time:

- (a) canvass or solicit votes or otherwise attempt to influence how an elector votes;
- (b) display, distribute, post or openly leave a representation of a ballot marked for a particular result in the voting;
- (c) post, display or disseminate
 - (i) election advertising, or
 - (ii) any material that identifies a candidate or elector organization, unless this is done with the authorization of the chief election officer;
- (d) carry, wear or supply a flag, badge or other thing indicating that the person using it is a supporter of a particular candidate, elector organization or result in the voting.

Regards,

Rosemary Hagiwara
Chief Election Officer
Office of the City Clerk | City of Vancouver
t: 604.673.8301 | 604.873.7177
e: rosemary.hagiwara@vancouver.ca
w: Vancouver.ca/election

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From: "Patrick O'Connor" s.22(1)

To: "Hagiwara, Rosemary" <rosemary.hagiwara@vancouver.ca>

CC: jane s.22(1)

"Lowe, Janice" <janice.lowe@vancouver.ca>

Date: 10/20/2018 6:44:00 PM

Subject: Re: Campaigning near voting locations - Sunset and Khalsa Diwan

Hi Rosemary,

Thanks. We've followed up on this and reminded our teams about the 100 metre rule.

Patrick

On Oct 20, 2018 6:05 PM, "Hagiwara, Rosemary" <rosemary.hagiwara@vancouver.ca> wrote:
Hi Patrick and Jane,

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Regards,

Rosemary Hagiwara

Chief Election Officer

Office of the City Clerk | City of Vancouver

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e: rosemary.hagiwara@vancouver.ca

w: Vancouver.ca/election

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From: "Nelson, Jessica" <Jessica.Nelson@vancouver.ca>

To: "Hagiwara, Rosemary" <rosemary.hagiwara@vancouver.ca>

Date: 10/30/2019 9:47:42 AM

Subject: RE: FOI Request: Our File No. 2019-668 - Request for Records - due Nov. 6

Attachments: Khalsa Diwan Complaint Extract.xlsx

Hi Rosemary,

I have attached the complaint record for incidents at the Khalsa Diwan voting place (otherwise known as Ross St Temple as per the filing) related to canvassing. There was one complaint recorded at the site. The second line is the action taken on that complaint.

Jess

From: Freedom of Information Office

Sent: Monday, October 28, 2019 4:20 PM

To: Nelson, Jessica

Cc: Hagiwara, Rosemary

Subject: FOI Request: Our File No. 2019-668 - Request for Records - due Nov. 6

FOI OFFICE REQUEST FOR RECORDS

FOI File Number	2019-668	Use this File Number for all Correspondence please.
Records Requested	Regarding the complaint about the NPA supporters campaigning outside the Ross Street Temple polling station in the afternoon and evening on October 20, 2018, a copy of the investigation report, briefing note and correspondence with the complainant and the NPA campaign.	
Date Due	November 6, 2019	
Record Format	Records must be sent electronically. Please do not send hard copy records without first consulting the FOI Office via: foi@vancouver.ca . Please ensure that emails include all attachments. If you have a large amount of records, please inform us if you require a Share Space set up for record transfer. The FOI Office has use of a confidential network space that can be set up on an as-needed basis.	
Time Estimate	Please provide ONLY if the time required to search for and compile the records is more than 3 hours.	

For further information regarding this request please put the FOI File Number in the subject line and email: foi@vancouver.ca

Please note: Filling out the attached **FOI Response Checklist** is mandatory. Do not hesitate to let us know if we can assist you.

Thank you,

Annie Goodwyne
FOI Clerk/Research Assistant
Access to Information & Privacy, City of Vancouver



Title	Category	Subcategory	Status	LocationName	Ticket Create Date	Ticket Update Date	Comment
							Caller: APEO, Andrea s.22(1) Location: Khalsa Diwan Society (77) There was a man canvassing inside the voting location, believed to be with the NPA party. Andrea has asked him to leave and he has migrated to the parking lot and met up with another canvasser. Please
Campaign Canvasing Candidate		Complaint	In Progress	Khalsa Diwan Society	10/20/18 8:27 PM	10/20/18 9:05 PM	advise on what should be done. Thanks!
Campaign Canvasing Candidate		Complaint	In Progress	Khalsa Diwan Society	10/20/18 8:27 PM	10/20/18 9:05 PM	Emailed NPA the rules around 100m.