

February 11, 2015

Emmanuel Dubourg, MP
Liberal Party of Canada
National Revenue Critic
House of Commons
Ottawa, ON K1A 0A6

Re: Enhancing the role of charities in public policy debates in Canada, request for a platform commitment

As you are aware, over the last few years there has been significant debate in Canada about the role of organizations with charitable status in public policy development; with some government and industry officials suggesting that our organizations should not be involved in important public discussions. In our view there are several reasons why it is important to Canadian society that charities and non-profit organizations supported by charitable foundations continue to engage in the public policy process, and we are hoping that the Liberal Party of Canada will make a commitment to preserving and enhancing this role by strongly supporting a new legal and policy direction that enhances and protects the ability of registered charities to participate in public policy debates. We also request that the process to define this new approach be developed in an open and transparent consultation process involving a broad range of charities and the public.

Here are the reasons we are making this request:

First, the work of charities contributes greatly to Canada's democracy, and the health and vigour of our democracy depends on much more than citizens voting in elections. The extent to which elections are informed and motivated by citizens engaging with each other on issues they care about is an indicator of the overall health of our political system. These values are also connected to fundamental freedoms under the Canadian Charter of Rights and Freedoms and basic rights under international human rights instruments that Canada has ratified. Increasingly, the international community is recognizing the importance of civil society's role in promoting and sustaining democratic and equitable societies, and the importance of an enabling regulatory and legal environment that protects these groups' freedoms of association, peaceful assembly and speech.

Second, organizations with charitable status often have good policy advice to give. It is expressed very well in the [Canada Revenue Agency's Policy Statement on Political Activities](#) (CPS-022):

Through their dedicated delivery of essential programs, many charities have acquired a wealth of knowledge about how government policies affect people's lives. Charities are well placed to study, assess, and comment on those government policies. Canadians benefit from the efforts of charities and the practical, innovative ways they use to resolve complex issues related to delivering social services. Beyond service delivery, their expertise is also a vital source of information for governments to help guide policy decisions. It is therefore essential that charities continue to offer their direct knowledge of social issues to public policy debates.

Third, we bring valuable advice to governments. At the same time as their resources are shrinking, governments are facing heightened expectations from an electorate that is increasingly diverse. Canadian charities help in a range of ways: surfacing front line knowledge; convening stakeholders; facilitating and informing dialogue; helping to integrate newcomers to Canadian society; developing and assessing pilot projects; and providing neutral spaces for engagement.

Most of all, however, charitable organizations serve a vital purpose in bringing the public interest to the forefront of public conversations. Without years of organizing effort by Canadian charities, Canada would not have dealt with issues such as addressing acid rain, promoting safe driving, reducing smoking and banning toxic chemicals — these initiatives have all been led by the charitable sector.

We believe in the value of broad participation in the public policy process by a diverse range of informed actors. We believe that public policy — always but most particularly in a country such as Canada — is likely to be more relevant, robust and reflective of Canadian values if it is informed by a diverse range of interests and perspectives. We have a shared collective interest in ensuring the active participation of as wide a range of voices as possible, with particular attention to minority and marginalized voices and those who lack ready access to decision-makers. Charitable organizations play a crucial role in this regard, engaging diverse constituencies, capturing their views and experience, informing their analysis, mobilizing their energies and amplifying their voices.

While the work of registered charities can have enormous payoffs in the public policy sphere, it's seldom an easy path. A confusing regulatory environment leaves many would-be advocates unclear how proactively charities can advocate for policy change. The existing interpretation of the *Income Tax Act* appears to be open to widely divergent interpretations of what constitutes charitable activity and what activities, whether charitable or otherwise, are seen as permissible engagement in the public policy development process. The result is a chill where charities feel that their efforts are being discouraged, subjected to rhetorical attacks or harsh or arbitrary review.

We ask that the Liberal Party of Canada strongly support a new legal and policy direction that enhances and protects the ability of registered charities to participate in public policy debates. We also request that the process to define this new approach be developed in an open and transparent consultation process involving a broad range of charities and the public.

We would be happy to meet with you at your convenience to discuss our request.

Sincerely,

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