



David Asper Centre for Constitutional Rights
UNIVERSITY OF TORONTO



**A Brief to the Standing Committee on Procedure and
House Affairs Regarding Bill C-25, *An Act to amend the
Canada Elections Act and to enact An Act to change the
names of certain electoral districts, 2026***

Submitted May 22, 2026

DAVID ASPER CENTRE FOR CONSTITUTIONAL RIGHTS

The David Asper Centre for Constitutional Rights is a centre within the University of Toronto, Faculty of Law devoted to advocacy, research and education in the area of constitutional rights in Canada. The Centre was established in 2008 by the generous donation of David Asper and was officially launched in early September 2008. It houses a unique legal clinic that brings together students, faculty, members of the bar and other advocates to work on significant constitutional cases and advocacy projects. It is the only Canadian centre in existence that attempts to bring constitutional law research, policy, advocacy and teaching together under one roof. Access to justice and social justice are clear themes that have motivated the advocacy work of the Centre since its inception. The Centre defines these themes more specifically as access to constitutional rights.

JUSTICE FOR CHILDREN AND YOUTH

Justice for Children and Youth (JFCY) is an Ontario specialty community legal aid clinic recognized as Canada's preeminent experts in the human rights of children. As child rights leaders, JFCY provides legal representation directly to people under age 18, and to young people under age 25 who are experiencing housing precarity and homelessness. The clinic specializes in protecting and advancing the unique rights, equity, and dignity of children and young people; with deep expertise in multi-disciplinary, developmentally appropriate service delivery, working on-the-ground with young clients. The clinic's work prioritizes client agency and elevating youth voice to ensure that young people are able to meaningfully participate in the systems that affect them. This extensive service delivery grounds and informs JFCY's systemic advocacy, community development, professional development, public education and law reforms efforts, and landmark test-case litigation, which are all firmly anchored in child rights principles as articulated in the United Nations *Convention on the Rights of the Child*.

Bill C-25, the *Strong and Free Elections Act*, proposes significant changes to Canada’s electoral system. The bill is part of broader, multi-initiative attempt to “ensure Canada’s democracy continues to be amongst the strongest in the world.”¹

One of the hallmarks of a strong democracy is ongoing public consultation on legislative efforts. The need for citizen participation and public consultation is especially acute when the subject matter of the legislation is the electoral system and the safeguarding of democracy more generally. For this reason, and as a preliminary matter, we join the Canadian Civil Liberties Association in asking the Committee to rescind its April 30th, 2026, motion setting a strict deadline for briefs to be filed with respect to Bill C-25 and limiting witness testimony to three meetings.² Cumulatively, the motion will, if left in place, curtail public consultation on a major, *Charter*-engaging legislative effort. The *Charter* issues alone require attention that cannot be adequately addressed in three witness meetings.

The Asper Centre and Justice for Children and Youth (JFCY) are specifically concerned by what is absent in Bill C-25: voting reforms that would address the disenfranchisement of Canadian children and youth. Legislation on electoral reform is an opportunity to join other advanced democracies, such as Germany, Scotland, Wales, Argentina and Austria, who have recognized that individuals below the age of 18 should have the right to vote.

We specifically submit that Canada’s current voting laws are inconsistent with the *Charter*. The *Charter* states that *all* Canadian citizens have a right to vote in federal and provincial or territorial elections. The *Charter* also states that everyone is equal before and under the law. This substantive equality right specifically includes protection against discrimination based on age. While the right to vote admits of reasonable limitations, there is simply no evidence to suggest that the age of eighteen corresponds to competence or capacity to vote. Indeed, the government and all major political parties acknowledge this fact by their actions. All major political parties already allow 14-year-old party members to vote in leadership elections and on policy positions. The Supreme Court of Canada has acknowledged the breadth of the right to vote under section 3 of the *Charter* and has held that any limitation on the franchise must be justified by compelling reasons backed by clear evidence.³

¹ Canada, Democratic Institutions, News Release, “Government of Canada introduces measures to further protect Canada’s electoral processes and strengthen democracy” (26 March 2026), online: <https://www.canada.ca/en/democratic-institutions/news/2026/03/government-of-canada-introduces-measures-to-further-protect-canadas-electoral-processes-and-strengthen-democracy.html>.

² Canada, Parliament, House of Commons, Standing Committee on Procedure and House Affairs, Evidence, 45th Parl, 1st Sess, No 31 (30 April 2026), online: <https://www.ourcommons.ca/DocumentViewer/en/45-1/PROC/meeting-31/minutes>.

³ *Quebec (Attorney General) v Lalonde*, 2026 SCC 13; *Frank v Canada (Attorney General)*, 2019 SCC 1.

For this and related reasons, the Asper Centre, along with JFCY, are currently representing twelve child and youth applicants in a challenge of the federal voting age (currently before the Ontario Superior Court of Justice). While we wholeheartedly support the child and youth applicants and their legal efforts, *Charter* litigation should be unnecessary. Bill C-25 is an opportunity to recognize the *Charter* rights of Canadian children and youth by lowering the voting age in federal elections.

Recommendations:

- We recommend rescinding the April 30, 2026, motion.
- We recommend lowering the voting age in federal elections via Bill C-25 or by promptly tabling new legislation on the matter.