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# Robo-calls: Tory election official Guy Giorno wants 'full weight of law' applied against those responsible

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Conservative Party campaigning co-chair Guy Giorno says whoever is responsible for phone calls that deliberately mislead voters in the last election should face the "full weight of the law."

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OTTAWA—The Conservative Party campaign co-chair agrees with a former top Elections Canada official on one thing — the courts should throw the book at whoever is behind [calls to deliberately mislead voters](#) in the 2011 election.

Lawyer Guy Giorno, Stephen Harper's former chief of staff now back in the private sector, told CTV's *Question Period* that "suppression of vote is a despicable, reprehensible practice and everybody ought to condemn it.

"So I wish Godspeed to Elections Canada and the RCMP investigators. We want them to get to the bottom of this and let's hope the full weight of the law is applied to any and all."

Giorno, like other top Conservatives, said something clearly went awry in the riding of

Guelph, and suggested it was limited to that. But he denied there was any connection to the official campaign, and denied there was any possibility that something akin to mere "old fashioned dirty tricks" could have taken place without his knowledge.

"We had processes and structures in place to ensure that that didn't happen, so the short answer is no."

He would not specify what checks and balances there were, nor what kind of oversight the national campaign had on local campaigns' get-out-the-vote efforts.

It was another shift in the official Conservative response to [allegations](#) being raised across the country that "robo-calls" of automated messages and the use of live telephone operators deliberately set out to misdirect voters to wrong poll locations.

[Jean-Pierre Kingsley](#), the former chief electoral officer, in an interview with Global TV's *The West Block* said that if there was no conspiracy — as Conservatives have suggested — but possibly a lone or rogue operative misdirecting voters, there should be no leniency: "Not in light of what was being attempted here."

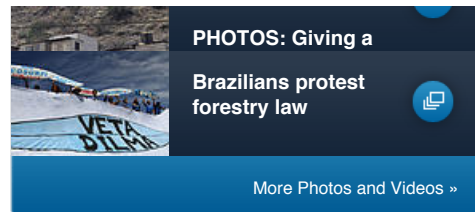
"A court will look at intent" and other factors to determine whether jail time is warranted, said Kingsley, but in an interview with the *Star* he suggested jail should definitely "be considered because this is a direct affront to the very foundation of our system. We're talking now about the very core of it."

He said even if it was the work of young, overzealous aides, the law recognizes criminal liability for those as young as 18, "because we know that people should know what they're doing at that age. And if someone's perpetrated this kind of a crime then it warrants consideration, there's no doubt in my mind."

Kingsley also said that while there is no law against "rude" phone calls, the elections law certainly does consider misdirecting voters and deliberately

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misrepresenting oneself in a harassing call in order to suppress votes for another candidate in the same vein.

“Trying to turn somebody off a party for which an elector would intend to vote — they’re both of the same ilk under the Elections Act. We have to be careful. What is ‘harassing,’ how did you present yourself when you made the call, on whose real behalf you’re doing it; all of these

things come to the fore, but under the statute they’re of equal weight and a judge would give them equal weight.”

Kingsley insists Elections Canada, with the help of the RCMP and the CRTC — the telecommunications regulator to which the elections watchdog referred some complainants — [has the digital sleuthing expertise to conduct the investigation](#) without a public inquiry being called, or it can go out and hire people with the necessary skills and expertise.

“They don’t have to notify people, they don’t even have to notify parliament,” he said. The statutory authority under the Elections Act, gives the chief electoral officer the authority to spend whatever monies are required for the purposes of enforcing the law. “During an election if you need to charter a plane you just charter a plane, if you need to hire more investigators you just hire more investigators,” he said.

Over the weekend, other Conservative spokespeople attempted to make hay of which party in the 2011 election used U.S.-based firms for telemarketing services. This, even after Prime Minister Stephen Harper in the Commons wrongly pegged the Liberals as having used a U.S. firm for voter identification.

On Sunday, Harper spokesman Andrew MacDougall said in an email that the Conservative Party of Canada uses the company RMG — Responsive Marketing Group — for its voter identification, and get-out-the-vote efforts, saying it was done “all out of Canada.”

He said Harper was “not speaking to individual campaigns,” but MacDougall went on to say the Liberal Party “uses First Contact and Prime Contact. First Contact this week admitted that it has servers in the U.S. for townhalls.”

However, as the *Star* reported on the weekend, [several individual Conservative campaigns also used a U.S.-based company](#), Front Porch Strategies, for town halls.

Kingsley said it matters not whether a campaign is buying services from a U.S.-based firm as long as the campaign expenditure is clearly reported.

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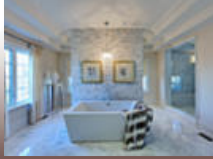




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