



Factum

Majority of Torontonians (54%), Ontarians (58%) and Canadians (57%) Oppose Doug Ford's Use of Notwithstanding Clause to Reduce the Size of Toronto City Council

Majority of Torontonians (65%), Ontarians (59%) and Canadians (59%) say they're More Upset about the Process than the Policy

Toronto, ON, September 20, 2018 — A majority of Torontonians (54%), Ontarians (58%) and Canadians (57%) 'oppose' Ontario Premier Doug Ford's use of the notwithstanding clause to push through a reduction of the size of Toronto's city council, according to a new Ipsos poll conducted on behalf of Global News.

The new majority PC Government in Ontario, led by Premier Doug Ford, recently passed a bill (Bill 5) to reduce the size of Toronto City Council from 47 councillors to 25. A court challenge resulted in the law being overturned, citing a violation of the Charter of Rights and Freedom's guarantee of freedom of speech, because the changes were made during the election campaigning period. Premier Doug Ford has recalled the Ontario legislature and vows to pass the bill to cut the size of council again, invoking section 33 of Canada's Charter of Rights and Freedoms, or, what's called the "notwithstanding clause," to do this. The notwithstanding clause, which has been used rarely in Canada, allows a government to pass a law that the courts have ruled violates Canada's Charter or Rights and Freedoms. This decision could impact a lot about how provincial and municipal governments operate across the country.

Even though the use of the notwithstanding clause in this instance most directly impacts the residents of the City of Toronto, because it is so infrequently used in Canada, all Canadians were given the opportunity to weigh in on its use:

- Less than half (46%) of **Torontonians** support (19% strongly/27% somewhat) the use of the notwithstanding clause in this instance, while a slim majority (54%) opposes (32% strongly/22% somewhat). Moreover, strong opposition (32%) outnumbers strong support (19%).
- Four in ten (42%) **Ontarians** support (15% strongly/27% somewhat) their Premier's use of the notwithstanding clause, while six in ten (58%) oppose it (33% strongly/24% somewhat). Once again, strong opposition (33%) is more prevalent than strong support (15%), by a two-to-one margin.
- Nationally, four in ten (43%) **Canadians** support (13% strongly/30% somewhat) the use of the notwithstanding clause by Ontario Premier Ford, while six in ten (57%) oppose (26% strongly/31% somewhat) it. Continuing the trend, strong opposition (26%) outpaces strong support (13%).

This issue has piqued the interest of many Canadians, Ontarians and Torontonians alike. Fully eight in ten (79%) Torontonians are familiar with the issue (35% very familiar and following closely, 44% somewhat familiar and have heard some details). Seven in ten Ontarians are familiar with the issue (70% total, 27% very/43% somewhat) as are 47% of Canadians (15% very/33% somewhat).

Those who are very familiar with the issue are more likely to be polarized in their opinions. Among those following closely, 45% support the Premier's use of the notwithstanding clause (33% strongly/11% somewhat), while a majority (55%) opposes it (49% strongly/7%

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somewhat). It is not often in public opinion where one finds opinions so polarized and visceral, leaning decisively towards the “strongly” responses than the middle-ground “somewhat” responses.

The issue has elicited such a strong reaction, particularly among those who strongly oppose, that a majority of Torontonians (63% -- 26% strongly/37% somewhat), Ontarians (58% -- 22% strongly/36% somewhat) and Canadians (59% -- 17% strongly/42% somewhat) agree that since Prime Minister Trudeau and the federal Parliament can overturn the law that Premier Ford is passing using the notwithstanding clause, they should step in and overturn the Premier’s new law.

It’s more about Process than Policy

Despite the prevailing belief that Toronto City Council is about the right size, it appears that people are more upset with *how* Doug Ford is going about reducing the size of council than the actual policy to do so. A majority of Torontonians (65%), Ontarians (59%) and Canadians (59%) agree that they’re **more upset about how Premier Ford is going about reducing the size of Toronto City Council than they are about the actual reduction of the size of council itself**. This is also a prevailing belief among those paying close attention to the issue, with 64% agreeing (45% strongly) that they’re more concerned about the process than the policy itself.

Most Torontonians believe the size of their city council is “about right”.

The issue sparking Doug Ford’s use of the notwithstanding clause is the belief that City Council is too large. On this issue, just 28% of Torontonians believe that the size of council is too big and should be cut, while a majority (61%) believes that the size of council is about right. Just 11% believe that the size of council is too small and should be expanded.

Torontonians aren’t alone in their beliefs. Most Canadians believe that the size of their town or city council is about right (71%), two in ten (22%) believe councils are too large, and few (7%) believe councils are too small and should be expanded.

Doug Ford’s Motivations

While some have argued that Premier Ford is motivated by the desire to make council work more efficiently and save money, others have charged that the Premier is driven by the desire to retaliate against city councillors who he feels mistreated the Ford brothers while they were on council. Canadians, Ontarians, and Torontonians apparently believe that both motivations are at play:

- Six in ten Torontonians (57%), Ontarians (58%) and Canadians (60%) agree that **Premier Ford’s actions to reduce the size of Toronto City Council are motivated by the desire to save money and make council more efficient**.
- A similar proportion of Torontonians (58%), Ontarians (53%) and Canadians (55%) also believe that **Premier Ford’s actions to reduce the size of Toronto City Council are motivated by revenge and the desire to “pay back” city councillors for the way they treated Doug Ford and his brother Rob Ford while they were city councillors**.

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The Balance Between the Court and Politicians

One of the reasons this issue is being so closely followed by many Canadians, living in Toronto or not, is because of the implications it has on the balance between politicians’ rights to legislate, and court’s rights to quash legislation – and ultimately who should prevail in cases of fundamental disagreement. The following demonstrate the attitudes of Torontonians, Ontarians and Canadians on this fundamental issue.

	Toronto	
	% agree (strongly/somewhat)	% disagree (strongly/somewhat)
Canada’s courts have become too involved in areas that really should be left to our elected politicians to decide	47% (15%/32%)	53% (15%/38%)
What Premier Ford is doing is fundamentally undemocratic. Once a court has ruled against a law they have passed they should obey what the court has said	68% (32%/36%)	32% (13%/19%)
Canada’s judges should be elected by the people like some judges are in the U.S., instead of being appointed by the government like they are today	68% (21%/47%)	32% (9%/23%)

	Ontario	
	% agree (strongly/somewhat)	% disagree (strongly/somewhat)
Canada’s courts have become too involved in areas that really should be left to our elected politicians to decide	50% (13%/38%)	50% (16%/34%)
What Premier Ford is doing is fundamentally undemocratic. Once a court has ruled against a law they have passed they should obey what the court has said	67% (31%/37%)	33% (12%/20%)
Canada’s judges should be elected by the people like some judges are in the U.S., instead of being appointed by the government like they are today	69% (24%/45%)	31% (8%/24%)

	Canada	
	% agree (strongly/somewhat)	% disagree (strongly/somewhat)
Canada’s courts have become too involved in areas that really should be left to our elected politicians to decide	51% (12%/39%)	49% (12%/38%)
What Premier Ford is doing is fundamentally undemocratic. Once a court has ruled against a law they have passed they should obey what the court has said	68% (26%/42%)	32% (8%/24%)
Canada’s judges should be elected by the people like some judges are in the U.S., instead of being appointed by the government like they are today	70% (23%/46%)	30% (7%/23%)

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About the Study

These are some of the findings of an Ipsos poll conducted between September 13 and 18, 2018, on behalf of Global News. For this survey, a sample of 1,560 adults aged 18+ was interviewed online, including a sample of 506 residents of the City of Toronto. Weighting was then employed to balance demographics to ensure that the sample's composition reflects that of the adult population according to Census data and to provide results intended to approximate the sample universe. For Ontario provincial results, and national results, the Toronto sample was weighted down to reflect its population size vis a vis the population of Ontario and Canada. The precision of Ipsos online polls is measured using a credibility interval. In this case, the poll is accurate to within +/- 3.0 percentage points, 19 times out of 20, had all Canadian adults been polled, and +/- 5.0 percentage points had all Torontonians been polled. The credibility interval will be wider among subsets of the population. All sample surveys and polls may be subject to other sources of error, including, but not limited to coverage error, and measurement error.

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