

October 10, 2024

Elections Manitoba  
120 – 200 Vaughan Street  
Winnipeg, Manitoba, R3C 1T5  
ATTENTION: Ms. Shipra Verma

Ms. Gabrielle Simard-Nadeau  
BY EMAL

Dear Ms. Verma and Ms. Simard-Nadeau:

### **Re: Forged Signatures on Nomination Papers**

On September 24, 2023, Elections Manitoba notified me that Ms. Simard-Nadeau, the Green Party candidate in Steinbach, had submitted a nomination paper containing two forged signatures. The forgeries were discovered by the Returning Officer in Steinbach, who knew the supposed signatories personally.

Section 183(5)(a) of *The Elections Act* (the “Act”) makes it an offense to knowingly provide false or misleading information when required to do so by the Act.

### **The investigation**

Ms Simard-Nadeau was asked to run for the Green Party in Steinbach. To be eligible as a candidate, she needed to submit a nomination paper that included at least 50 signatures from residents of the Steinbach constituency. As the deadline approached, she began to have trouble collecting the number of signatures she required. She asked a friend if she could suggest people who might be willing to sign the nomination paper. The friend suggested her parents-in-law, who were also known to Ms. Simard-Nadeau.

Ms Simard-Nadeau spoke to me and an investigator via Microsoft Teams on October 5, 2023, under caution. She decided not to have counsel present for the interview and confirmed that she understood that whatever she told us could be used as part of a prosecution under the Act.

Ms Simard-Nadeau admitted to forging the the signatures. She told us that she was in a rush to submit her nomination paper just before the deadline and decided to forge the signatures, because she did not feel that she had time to arrange to meet with the people in question. She did not deflect blame or minimize or rationalize her actions. She gave a sincere apology and, in my view, took appropriate responsibility for her own bad decision.

## Conclusion

Forging signatures on a nomination paper is a serious offence and in most cases would result in a prosecution. I have considered carefully whether a prosecution would be warranted in this case, and have decided it would not. There are several factors I have considered, none of which amount to a justification for what Ms. Simard-Nadeau did, but which do, in my view, suggest that a prosecution is not necessary. First, Ms. Simard-Nadeau was not an experienced politician or political operative. This was her first time being involved in an election and, although she clearly knew that she should not forge signatures, I believe she did so in the pressure of the moment without much understanding of the seriousness of the offence. Second, Ms. Simard-Nadeau forged signatures of two people she knew - people that she fully expected would have signed the nomination form, if asked. (In fact, both of those people have advised our investigator that they would have signed the form.) The rest of the signatures on Mr. Simard-Nadeau's nomination papers were legitimate ones. Thirdly, as noted above, Ms. Simard-Nadeau admitted what she had done and took full responsibility for her actions. Finally, I am satisfied that Ms. Simard-Nadeau truly regrets what she did and would never make the same mistake again.

I have prosecuted an offence for forged signatures in the past and will do so when appropriate in the future. In this case, however, I am satisfied that a prosecution would not be in the public interest.

The Elections Act permits me to enter into a “compliance agreement” with someone who has breached an election law and is prepared to admit they have done so. I have spoken with Ms. Simard-Nadeau and she has agreed to enter into such an agreement. The Elections Act requires that a compliance agreement be made public and a copy, signed by both of us, is attached to this report. If Ms. Simard-Nadeau abides by the terms of the agreement, I will consider this matter to be closed.

Yours sincerely,



Bill Bowles  
Commissioner of Elections for Manitoba

## Manitoba Commissioner of Elections

### Compliance Agreement

This notice is published by the Manitoba Commissioner of Elections (the “Commissioner”) pursuant to s. 187.6 of *The Elections Act*, C.C.S.M. c. E30 (the “Act”).

Effective July 9, 2024, the Commissioner entered into the following compliance agreement with Gabrielle Simard-Nadeau (the “Contracting Party”) pursuant to s. 187.2(1) of *The Elections Act*, as follows:

#### Facts

On September 24, 2023, the Commissioner received a complaint alleging that the Contracting Party forged two signatures on her candidate nomination form.

Section 183(5)(a) of Act makes it an offence for a person to knowingly provide false or misleading information when required or authorized by the Act to provide information.

#### Statements by the Contracting Party

For the purpose of this compliance agreement, the Contracting Party admits the following:

- The Contracting Party submitted a nomination form to run in the 2023 provincial election as the Green Party candidate in the electoral division of Steinbach.
- The Contracting Party forged two of the signatures that were included in her nomination form.
- The Contracting Party acknowledges and accepts responsibility for this conduct. She recognizes that honesty is fundamental to the Manitoba electoral system. She acknowledges that forging signatures on documents to be used within the Manitoba electoral system undermines the integrity of the system and contravenes the Act.
- The Contracting Party understands that acknowledgement of non-compliance does not constitute a guilty plea in the criminal sense and that no record of conviction is created as a result of admitting responsibility for acts that could constitute an offence.
- The Contracting Party acknowledges that the Commissioner has advised her of her right to be represented by counsel and she had the opportunity to retain and instruct counsel before entering into this compliance agreement.

## Factors Considered by the Commissioner

In entering into this compliance agreement, the Commissioner took into account the following factors:

- The Contracting Party has no past history of non-compliance with the Act;
- The Contracting Party cooperated with the investigation, admitted her wrongful conduct and expressed remorse for it; and
- The wrongful conduct of the Contracting Party did not impact the outcome of the election in the electoral division of Steinbach.
- The two people whose signatures were forged are the parents of a friend of the Contracting Party. The Contracting Party believed they would sign the papers themselves if asked but the Contracting Party was in a hurry to file her papers and so did not ask them. The two people whose signatures were forged have confirmed they would have signed the papers had they been asked to do so.

## Terms and Conditions

In accordance with s. 187.2(2) of the Act, within 90 days from the date of being informed that the Commissioner has signed this compliance agreement the Contracting Party undertakes to:

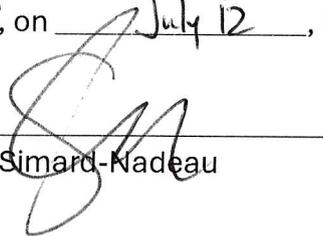
- Certify by letter to the Commissioner that she has read s. 183(5) of the Act and the Code of Ethical Conduct published on the Elections Manitoba website, and that she will comply with the Act and the Code of Ethical Conduct in the future.

The Commissioner agrees that the fulfillment of these terms and conditions by the Contracting Party will constitute compliance with this compliance agreement, at which time he will issue notice of the Contracting Party's compliance.

The Contracting Party consents to publication of this compliance agreement on the Commissioner's website pursuant to s. 187.2(3) of the Act.

The Commissioner and the Contracting Party recognize that once this compliance agreement is entered into and notice of compliance has been issued, the Commissioner will be prevented from laying charges against the Contracting Party for the same facts.

Signed by the Contracting Party in the city of La Broquerie, in the province of Manitoba, on July 12, 2024.

  
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Gabrielle Simard-Nadeau

Signed by the Commissioner in the city of Winnipeg, in the province of Manitoba, on August 6, 2024.

  
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L. William Bowles  
Commissioner of Elections