

May 12, 2022

Premier Heather Stefanson
c/o Grant Stefanson
MLT Aikins LLP
30 – 360 Main Street
Winnipeg, MB R3C 4G1

Tim Johnson
Provincial Secretary
Manitoba NDP
803-294 Portage Avenue
Winnipeg, MB R3C 0B9

Dear Premier Stefanson, Mr Johnson and Mr. Stefanson

On September 27, 2021, I received a complaint from Tim Johnson, Provincial Secretary and Chief Financial Officer of the Manitoba NDP. The complaint alleged that Ms. Stefanson incurred expenses related to the PC Party leadership contest before the leadership contest period had formally begun. This would constitute an offence under s. 99(4) of *The Elections Financing Act* (the “EFA”), which provides:

99 OFFENCES

(4) — Offence relating to leadership contest

If an individual who is or who intends to become a leadership contestant accepts a contribution or incurs an expense related to the leadership contest before the leadership contest period begins, he or she is guilty of an offence.

During our investigation, Premier Stefanson confirmed that she incurred approximately \$1,800.00 in expenses before the leadership campaign period formally began on August 23, 2021. Premier Stefanson acknowledged that with the benefit of hindsight these expenses were incurred prematurely and apologized for her error. She explained that she had failed to consider that spending money on her campaign at that time was prohibited

Our investigation did not uncover any evidence to contradict the conclusion that Premier Stefanson breached the EFA unintentionally. In my view, it would not be in the public interest to commence a prosecution and I do not propose to do so. Nevertheless, the early start to one leadership hopeful's campaign may have resulted in a benefit to that candidate and I don't believe it would be appropriate for me to entirely ignore this breach of the legislation.

Section 98(4) of the EFA grants me discretion to issue a formal caution where an alleged offence was inadvertent or of a technical nature. I have decided to exercise this discretion and I have sent a formal caution to Premier Stefanson, a copy of which is attached to this report. I now consider this matter completed.

Yours truly,

A handwritten signature in blue ink, appearing to read "Bill Bowles", with a stylized flourish at the end.

Bill Bowles

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Premier Heather Stefanson
c/o Grant Stefanson
MLT Aikins LLP
30 – 360 Main Street
Winnipeg, MB R3C 4G1

Dear Premier Stefanson:

As you are aware, I received a complaint with respect to expenses incurred by your leadership campaign before the PC Party leadership contest formally began.

Section 99(4) of *The Elections Financing Act* prohibits a leadership contestant from incurring an expense before the leadership contest begins. It provides as follows:

99 OFFENCES

(4) — Offence relating to leadership contest

If an individual who is or who intends to become a leadership contestant accepts a contribution or incurs an expense related to the leadership contest before the leadership contest period begins, he or she is guilty of an offence.

You have acknowledged that this was a mistake and I accept that you did not intend to violate *The Election Financing Act*.

Given the inadvertent nature of the offence, it is my view that a prosecution is not required in this case. However, it is the responsibility of leadership candidates and their team to familiarize themselves with the provisions in the Elections Financing Act which apply to leadership campaigns, and I am therefore exercising my discretion under s. 98(4) of *The Elections Financing Act* to issue this letter to you as a formal caution.

Yours truly,



Bill Bowles