Atikameksheng 2024 Election Appeal Board – Summary

Pursuant to section 18(g) of the Code, the Appeal Board shall publish a short summary of their decision in the community newsletter or other media within (7) seven days of their decision.

Date: November 26, 2025
Source: *Final Draft Executive Summary of the Atikameksheng 2024 Election Appeal Report*

Background

After the 2024 Atikameksheng election, two community members **—** Ms. Shawbonquit and Mr. McCoy — appealed the results. They believed several election rules were not followed properly. Their main concerns involved how the Appeal Board was created and how the Electoral Officer and other officials handled the election process.

To make sure everything was fair, the KPMG law firm was asked to investigate and provide factual findings. Then, the Appeal Board reviewed those findings and issued its official and final report.

PART I: Administrative Issues – Appeal Board Appointment

Main Issue:
The Appellants said the Appeal Board was not set up before the election, which they believed made it invalid under Section 7(b) of the Election Code.

Findings:

- It was true that no official resolution (BCR) had been passed to appoint the Appeal Board before the election.
- This happened because of confusion in the administration — the new political office didn't realize the rule had changed, and staff thought appeals would be handled by another body.
- The Board admitted this was a procedural mistake but said it didn't affect fairness of the election nor the right to appeal.

Board's Decision:
Even though the Board wasn't appointed in time, it decided that a delay didn't take away its legal authority. It reasoned that:

- The purpose of the rule is to make sure there's an appeal process, not to cancel it because of timing.
- The Board worked in good faith, was fair, and gave everyone the chance to participate.There was no evidence that this mistake changed the election results.

Outcome:
The claim that the Appeal Board lacked authority was found unsubstantiated (not

supported by evidence).

PART II: Electoral Officer Conduct

The Appellants made seven separate complaints against Mr. Johnston, the Electoral Officer.

1. Candidate Eligibility

They claimed some candidates didn't take proper leave from their jobs before running.
→ No proof or names were given. Unsubstantiated.

2. Neutrality

They said the Electoral Officer showed bias by removing one candidate's signs but not others.
→ He removed all signs from the property equally. No evidence of bias. Unsubstantiated.

3. Nomination Packages

There were mistakes in notices sent to voters (missing positions, outdated info).
→ Errors were admitted and corrected quickly. No evidence of harm to the election. Unsubstantiated.

4. Polling Hours

They claimed polls stayed open late.
→ The building stayed open for counting only — not voting. Unsubstantiated.

5. Scrutineers / Agents

They said too many agents were present during counting.
→ The count was open for observation as usual. No interference found. Unsubstantiated.

6. Ballot Box Seals

The Electoral Officer didn't initial the seals.
→ Boxes were still secure with locks and witnesses. Technical error only. Unsubstantiated.

7. Internet Voting Issues

They said the Electoral Officer didn't help people having online voting problems.
→ There was no clear evidence or specific examples. Unsubstantiated.

PART III: Conduct of Council and Staff

1. Council's Decision Not to Dismiss the Electoral Officer

Mr. McCoy wanted the Electoral Officer removed. Council reviewed it but decided he could continue.
→ The Board agreed this was reasonable and within their rights. Unsubstantiated.

2. Council Recess During Campaign

Council took a paid break during the campaign.
→ While this was new practice, there's no rule against it and no evidence it affected the election.

3. Staff Memorandum

A memo sent to staff about job security during the election was claimed to be "politically motivated."
→ The memo was reviewed and found to be professional and neutral. Unsubstantiated.

Overall Conclusion

The Appeal Board acknowledged that there were some administrative and technical errors, especially around when it was appointed and how some election notices were handled.
However, there was no proof that these issues changed the election results or showed bad faith by officials.

Final Outcome:
All allegations were found to be unsubstantiated.
The Board concluded that the election was conducted fairly and that the community's democratic process was respected.

Accordingly, the appeal is dismissed and the results of the 2024 Atikameksheng election, held on June 29, 2024, stand.

Respectfully submitted:

Mr. Larry Hay
Chair-Atikameksheng Election Appeal Board, and

Mr. David Souliere
Member-Atikameksheng Election Appeal Board