
The changing landscape for nonprofit policy advocacy

SUMMARY: How should nonprofit organizations (charities or otherwise) respond to changing political environments, leverage digital tools, maximize their impact on policy change, and assert themselves as thought leaders? In her article, Joanne Cave discusses the implications of recent elections and draws a roadmap for effective advocacy during times of political stability. She offers 10 policy advocacy considerations for nonprofits and highlights three successful case studies: (1) the role of Clean Energy Canada and the Pembina Institute in shaping Alberta's Climate Leadership Plan in November 2015; (2) the efficacy of Dying with Dignity Canada's advocacy on the forthcoming federal assisted dying legislation; and (3) the coalition of women's organizations that have mobilized on the issue of missing and murdered Indigenous women and girls.

RÉSUMÉ : Comment les OSBL (organismes sans but lucratif, notamment organismes de bienfaisance) doivent-ils réagir face aux nouveaux contextes politiques, profiter des outils numériques, maximiser leur impact pour entraîner des changements dans le domaine des politiques et s'affirmer comme des chefs de file? Dans son article, Joanne Cave aborde les conséquences des récentes élections et montre la route à suivre pour exercer une influence en période de stabilité politique. Elle montre 10 points à considérer par les OSBL afin d'orienter les politiques, et met en lumière trois études de cas exposant des réussites en la matière : le rôle de Clean Energy Canada et du Pembina Institute dans l'élaboration du Climate Leadership Plan de l'Alberta (plan de leadership sur le climat), en novembre 2015; l'efficacité de Dying with Dignity Canada (mourir dans la dignité Canada) en vue d'influencer la prochaine législation fédérale sur l'aide médicale à mourir; et la coalition d'organisations féminines mobilisées sur la question des femmes et des filles autochtones qui ont été enlevées et assassinées.

Introduction

If the public outcry to the Canada Revenue Agency's tax audit "chill" in 2015 was any indication, policy advocacy is an important and valued function of Canada's non-profit sector. For many of us, non-profit organizations are also our means of democratic participation – we volunteer with, work for, and donate to organizations that support our vision of a better world. While Canadian charities can look forward to further clarification and guidance from the Canada Revenue Agency (CRA) about the parameters of their policy advocacy activities in 2016, the landscape of policy advocacy itself is also changing. How should non-profit organizations (charities or otherwise) respond to changing political environments, leverage digital tools, maximize their impact on policy change, and assert themselves as thought leaders?

In this article, I will discuss the implications of recent elections and draw a roadmap for effective advocacy during times of political stability. I will also highlight several successful case studies: (1) the role of Clean Energy Canada and the Pembina Institute in shaping Alberta's Climate Leadership Plan in November 2015; (2) the efficacy of Dying with Dignity Canada's advocacy on the forthcoming federal assisted dying legislation; and (3) the coalition of women's organizations that have mobilized on the issue of missing and murdered Indigenous women and girls. In my discussion I will reference two distinct but related types of activities – policy

advocacy and political activities. While registered charities are prohibited from engaging in *partisan* political activities, the Charities Directorate's reference to "political activity" (CPS-022) reflects the types of policy advocacy I discuss. The CRA defines political activities as explicit calls to political action (e.g., asking supporters to contact their elected officials); explicit communication about the need to preserve, change, or oppose a government policy; or materials that are intended to apply pressure on elected officials or policymakers to change a decision, policy, or law (Canada Revenue Agency, 2014). Policy advocacy may or may not occur as a political activity – many organizations engage in research, education, and consultation activities that inform policy development without an explicit political objective. These distinctions are particularly complex, in that: (1) Canada's policy landscape is increasingly hyper-partisan; (2) partisan policy objectives have, occasionally, bled into the work of the public service; and (3) the CRA's review and clarification of these guidelines is forthcoming. Further debate and discussion on these definitions is both important and necessary.

Canada's political landscape has transformed significantly in the last 12 months. At the federal level, Prime Minister Trudeau and a majority Liberal government will offer political stability with minimal risk of an early election. Several provinces also elected new majority governments in the last 12 months, including Alberta, Newfoundland and Labrador, and Prince Edward Island (for Alberta and Newfoundland and Labrador, these elections initiated a significant "regime change" with new political parties at the helm). At present, there are no remaining Conservative governments at the provincial or federal level in Canada.

In 2015, many non-profit organizations were busy preparing advocacy campaigns for the federal election (Imagine Canada, 2015): raising the public profile of key election issues, drafting research papers with policy recommendations and connecting with parties and political candidates. Many organizations used innovative approaches to increase civic engagement during an election cycle, such as customized Twitter hashtags (e.g., Engineers Without Borders' #PoliticsAside) and challenges for political candidates (e.g., Heart and Stroke Foundation's HealthyCandidates.ca website). However, outside of an election cycle, organizations should re-evaluate their policy advocacy tools and tactics. What worked in 2015, and what did not? How can your organization capitalize on the new political climate to maximize the impact of your policy advocacy efforts?

10 policy advocacy considerations

1. Engage early, and often.

The weeks following an election are exceptionally busy for public servants and political staff as they prepare briefing materials, prioritize projects, and orient incoming ministers. If your policy advocacy efforts align strongly with several ministries, make their job easier. Mail a succinct briefing package about the work of your organization, follow up with an electronic version, and find regular opportunities to update departments on your work and accomplishments. Position your organization as a leader and collaborator, now and for the future.

2. Use this time post-election to build new networks and coalitions.

Most non-profit organizations are working at a breakneck pace during election season and contending with uncertainty about future policies, programs, and funding opportunities. When

the dust settles after an election, it is the perfect time to reach out to partner organizations for a strategy session. Use this time to build networks, develop new partnerships, and convene roundtables to find opportunities to collaborate. These efforts will pay off later when your organization has several allies to work with on a joint advocacy campaign.

3. Improve your team's digital literacy.

The future of policy advocacy is online. Using new digital tools to reach your target audience will help you maximize your impact. Use this time to invest in digital literacy training, redesign your online assets, and experiment with new tools such as NationBuilder, Giveffect, IdeaScale or Change.org. These “quieter periods” are ideal for conducting user experience testing, developing an app or mobile-friendly website, and introducing new software for internal collaboration with your team.

4. Share your learning with other organizations.

An ethos of competition still exists in our sector – whether it's for funding, media attention, or access to elected officials. Policy advocacy does not have to be a zero-sum effort, and democratic participation has no upper limit. Use this spirit of generosity and collaboration to exchange tools, tips, and best practices with partner organizations and write case studies, blog posts, or white papers about your organization has learned about policy advocacy. As the emergence of the “sharing economy” demonstrates, organizations will be left behind if they do not adopt an ethic of sharing and reciprocity.

5. Move beyond constructive criticism – celebrate the positive.

For many organizations, it is often tempting to use their advocacy platforms (newspaper op-eds, press releases, or website announcements) to criticize policy decisions and offer their own alternatives. While incoming governments have lots of complex decisions to navigate and are often prone to missteps, your advocacy efforts will be more successful if you also offer credit where credit is due. If you celebrate and publicly acknowledge when policy decisions are headed in the right direction (no matter how small or incremental), you will position yourself as a cooperative, rather than adversarial, partner for policymakers.

6. Experiment with creative tools and tactics.

The absence of media scrutiny after an election is the perfect time to experiment with creative advocacy tools and tactics on a smaller scale. Explore online petition websites, crowdfunding platforms, and new social media tools (everything from Instagram to Periscope). There are also online tools to crowdsource policy ideas, vote on new initiatives, and invite members and supporters to share their experiences with a particular policy issue using multimedia tools.

7. Adapt your vocabulary.

New governments often adopt a signature vocabulary to assert a new direction on key issues (for example, Prime Minister Trudeau's renaming of the Ministry of the Environment and Climate Change, and Indigenous and Northern Affairs Canada). When interfacing with policymakers, adapt your organization's vocabulary to follow suit – your mission and impact will resonate even more with subtle changes to vocabulary. It is also important to identify emerging

public service buzzwords – Trudeau’s administration frequently uses the language of efficiency, delivery, and results (as per Michael Barber’s book, *How To Run A Government*); income security for the middle class; and collaboration, openness, and transparency.

8. Invest in policy research and media monitoring.

This is also an ideal time for your organization to refine its policy research and media monitoring systems. Do you use Google Alerts or custom spreadsheets? How do you collect, store, and catalogue research reports and statistical data? After an election, ensure you are receiving updates and news alerts from incoming ministers and new government departments and prepare weekly digests with relevant policy announcements and news releases to discuss with your team.

9. Plan for the future.

Take the time to develop a long-term government relations strategy with your team and determine which policy issues you will prioritize and what advocacy tools will be most effective in realizing those objectives. Invest in strategic planning processes now to provide focus and direction, resist short-term distractions, and adapt appropriately to emergent situations.

10. Continue the momentum – keep your supporters with you!

For many organizations, elections are important opportunities to engage with their supporters, evaluate parties’ platforms, and create calls to action. For voters, elections are periods where they may affiliate with an organization more strongly based on their ballot box priorities (e.g., a voter may seek information from a cancer charity to learn how parties’ platforms could impact their family and loved ones). Capitalize on this momentum after an election by communicating your election accomplishments and identifying multiple ways for supporters to stay involved – whether that’s donating, joining the board, or volunteering with a local chapter.

Case Studies

The following case studies illustrate three examples where non-profit organizations used innovative or provocative approaches to policy advocacy. Advocating on issues like climate change and missing and murdered Indigenous women and girls are, of course, a collective effort. The organizations I highlight in these case studies are just some of the organizations across Canada that have made immense contributions to these movements.

Case Study: Climate Change

Clean Energy Canada and the Pembina Institute have been two significant players in Canada’s efforts to address climate change, and each had a distinct role in the development of the Government of Alberta’s November 2015 Climate Leadership Plan. These organizations reflect two distinct approaches to influencing policy change: while Clean Energy Canada is a registered charity and former project of Tides Canada, the Pembina Institute is a registered non-profit organization that advocates for policy change without the constraints of charitable registration.

Clean Energy Canada has established a reputation as one of the country’s most authoritative research, monitoring, and policy organizations on renewable energy issues. In previous

publications, they identified the need for Alberta, and Canada, to experience an ‘energy revolution’ similar to that in Europe (Clean Energy Canada, 2015), and this publication helped shape Alberta’s Climate Leadership Plan. Their policy monitoring, future forecasting, network building, and thought leadership were a significant asset to the Government of Alberta, and as a result Clean Energy Canada Policy Director Dan Woynillowicz joined Premier Notley on stage during their announcement. Clean Energy Canada’s strength is its network – it frequently positions itself as an ally to industry leaders and policymakers, providing the analytical rigour and strong evidence base needed to make decisions quickly. Its frequent op-eds are one example of this approach: just one month before Premier Notley’s announcement, Clean Energy Canada articulated a clear path forward for Canada’s renewable energy industry (Woynillowicz, 2015).

The Pembina Institute is also a climate leader with deep knowledge of Alberta’s energy context. While the Pembina Institute is an incorporated non-profit organization, it maintains a contracting relationship with the Pembina Foundation (which maintains federal charitable status and executes Pembina’s research and education activities). Many organizations use such a legal arrangement to distinguish their research, education, and advocacy activities and accommodate the CRA’s 10% threshold for political activities.

Pembina submitted a very focused, well-researched briefing note (Pembina Institute, 2015) to the Alberta Climate Panel, but its policy advocacy did not stop there: it has consistently positioned itself as a thought leader on climate change and renewable energy issues. Pembina anticipated these climate change developments last summer, planning an Alberta Climate Summit in September and publishing a research paper on opportunities to improve Alberta’s climate change strategy. Pembina’s approach to advocacy demonstrates that it understands the importance of community engagement – it frequently share its findings with non-profit, industry and government partners, positioning itself as a natural convener and knowledge broker in the sector. Pembina’s policy advocacy is particularly impactful because it offers deep, specialized knowledge on several key issues: the phase-out of coal-fired power plants and the introduction of carbon pricing. By focusing its efforts, Pembina is able to reinforce its key policy messages in multiple publications and press appearances, demonstrate the depth of its expertise, and define success very clearly.

Case Study: Assisted Suicide

While the Supreme Court of Canada was the ultimate decision-maker in the February 2015 assisted suicide case *Carter v Canada*, non-profit advocacy campaigns had a significant role to play in shaping public opinion and political discourse about assisted suicide in the recent federal election. Founded in 1982, Dying with Dignity Canada is one of Canada’s leading non-profit advocacy organizations that focuses on assisted suicide and end-of-life care. It is important to note that Dying with Dignity Canada’s charitable status was annulled in March 2015 as the first organization to be deregistered under the Canada Revenue Agency’s charitable audits. The transition to non-profit status has allowed Dying with Dignity Canada to participate in political and advocacy activities without constraint, and reflects the importance of the Canada Revenue Agency’s role in clarifying and educating organizations on their role as advocates.

Assisted suicide legislation is currently under development, and Dying with Dignity Canada has had an important role throughout the legislative development process in encouraging and supporting public consultation, convening key stakeholders, and compiling research from other

international jurisdictions. While many other organizations, including the Canadian Hospice Palliative Care Association and Canadian Medical Association, have made significant contributions to the political debate on assisted suicide, this case study will focus primarily on the work of Dying with Dignity Canada.

Dying with Dignity Canada has a clear, focused four-part mandate: (1) educating the public about end-of-life options and advance care planning; (2) educating the public about patient rights and advocacy; (3) supporting individuals with decision-making at the end-of-life; and (4) disseminating research and knowledge about the choice-in-dying movement (Dying with Dignity Canada, 2011). The strength of Dying with Dignity Canada's policy advocacy is its commitment – its work is a perfect illustration of how policy advocacy wins, especially for contentious or value-laden issues like assisted suicide, result from persistence and ongoing effort. Dying with Dignity Canada adopted a multi-faceted approach to advocacy: it developed local chapters across Canada, commissioned public opinion polls with Ipsos-Reid, launched a nationwide political letter-writing campaign, and presented its findings and recommendations to the policymakers and the media, particularly during moments of heightened political interest.

Dying with Dignity has also been particularly effective because its advocacy – and the nature of its work – is distinctly person-centred: its advocacy is founded on the countless personal stories of Canadians defending their right to die with dignity and choice in situations of profound suffering. Storytelling is an important function of Dying with Dignity Canada's work, and the stories of assisted suicide advocates like Gloria Taylor and Gillian Bennett have been the most important tool in mobilizing their supporters to take action.

Case Study: Missing and Murdered Indigenous Women and Girls

The issue of missing and murdered indigenous women and girls is another example of the important, ongoing work of a coalition of advocacy organizations across Canada. This case study will focus on the advocacy of the Native Women's Association of Canada (NWAC), but I would be remiss to not also mention the significant contributions of the Assembly of First Nations, the Native Youth Sexual Health Network, No More Silence, Families of Sisters in Spirit, and Amnesty Canada's No More Stolen Sisters initiative.

The Native Women's Association of Canada was founded in 1974 and is a registered non-profit organization with 13 affiliated women's organizations across Canada. NWAC's Sisters in Spirit campaign started in 2005, and culminated with the launch of a statistical database of the 582 missing and murdered indigenous women and girls across Canada (Native Women's Association of Canada, 2015). This statistical database was the foundation for several groundbreaking research reports and several public awareness initiatives, including a nationwide vigil on October 4 and a series of paper-doll templates that culminated in a traveling art exhibit.

NWAC's advocacy was particularly compelling because it used both storytelling and statistics to raise public visibility for its work. NWAC positioned itself as a critical partner for policymakers, social justice organizations, and law enforcement officials by committing significant resources to developing an extensive evidence base. NWAC's advocacy efforts were successful because they were focused and strategic: they actively mobilized their supporters, convened a coalition of likeminded organizations, and identified creative, impactful ways to raise public awareness. As a result, NWAC's statistical database will be a significant resource to Prime Minister

Trudeau and his Cabinet as they launch an inquiry into missing and murdered Indigenous women and girls in 2016, and NWAC will be frequently consulted on the best path forward.

NWAC is also an important policy advocacy case study because it was resilient in the face of adversity: in 2010, the Government of Canada redirected NWAC's \$10-million funding allocation, discontinuing NWAC's Sisters in Spirit database work (APTN, 2010). In response, NWAC worked with two advocacy organizations (No More Silence and Families of Sisters in Spirit) to develop a community-led database with data provided by victims' families. NWAC and their partners demonstrated conviction and persistence, using grassroots organizing and community-led data collection to continue to raise the profile of missing and murdered Indigenous women and girls.

Conclusion: Lessons learned from advocating for change

These three case studies reflect distinct approaches to successful non-profit policy advocacy and offer a rare opportunity for us to reflect on lessons learned across subsectors. In each case study, the organizations demonstrated several core competencies: (1) clear and focused objectives with an ideal "end state" (for example, an inquiry into missing and murdered Indigenous women and girls); (2) an accessible public-facing presence, in which members of the public could learn about their work and easily demonstrate their support; (3) creative approaches to raising profile (everything from paper-doll templates to video narratives); and (4) commitment and persistence, often sustained over decades of advocacy and community engagement.

For many non-profit organizations across Canada, policy advocacy is not just critical to achieving their mission and vision – it's an opportunity to live their values and participate in our democracy. Apart from the case studies I selected, there are countless other Canadian examples of outstanding policy advocacy efforts – everything from pharmacare and child poverty to environmental preservation and disability rights. In the future, high-impact policy advocacy will increasingly rely on digital tools, storytelling, grassroots organizing, and creative representations of data. We can all benefit from exchanging best practices, collaborating with partner organizations and educating our staff, volunteers, and board members about emerging tools and tactics to succeed in our policy advocacy efforts.

What are other examples of creative, impactful non-profit policy advocacy campaigns? What tools or tactics does your organization use to advocate for policy change?

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