

Government Orders

where they will have to go out and promote better management and better protection of the fisheries habitat than existed before.

With regard to habitat protection in particular I want to make a few comments. The summary of the information and background material provided to the committee by the minister regarding fisheries violations was very interesting in terms of the number of ticketed offences, some of the habitat convictions, what has happened as a result interventions by fisheries officers, and whether in fact there was any follow through. I ran one particular figure by the witnesses who appeared to see how relevant it was, whether it related to their first-hand experience when it came to the fisheries resource.

In 1988 in the Pacific region there were 1,959 convictions, resulting in about \$320,000 in fines. Habitat convictions totalled 11. I asked virtually all the witnesses concerned about habitat protection who appeared before the committee if this reflected in their view the problem that we are having with habitat protection, at least on the west coast. It was a clear no from virtually all of the witnesses. They said there were severe problems that Fisheries and Oceans officers had in a number of areas. In particular, they said that there was a sense within the department that when officers in their field work come across a skidder running across a creek, damaging a stream or whatever, they are reluctant to charge the particular operator. There is a sense that senior Fisheries and Oceans management will not back them up or support them. In fact it may go as far as Ottawa, that there may not be support there to back them up. If they are in fact charged, just exactly what does happen when it gets into the courts? They are slapped on the wrist, given a \$100 fine and off they yet there may have been serious damage done.

That became painfully clear when an internal Fisheries and Oceans memo was released to the public which summarized, in the view of this particular Fisheries and Oceans officer, some of the very clear internal problems within the department when it comes to protecting the fisheries resource. I want to read into the record the particular quote from this memo, because it is clear to me that this officer felt strongly enough about the way the department was conducting itself to write to a supervisor to express concern.

I think it is an important message that we heard in committee and that we talked about in report stage. It has to be repeated today. If we are not aware of how important protecting the fisheries resource and habitat is, we must ensure that the department carries through with any of its concerns. I would like to quote from the memo which reads:

We (DFO officials) have determined that DFO friendly corporations—will enjoy relative immunity from the Fisheries Act.

The memo went on to state:

—it must be appreciated that DFO habitat enforcement has reached an all time high in inconsistency—

The memo went on to state that “it must be appreciated that DFO habitat enforcement has reached an all-time high in inconsistency”. The memo states with respect to current violators of the Fisheries Act, that “because of the immunity phenomenon—a large number of violators—are not being properly pursued—It could appear that Alcan—et cetera, are given immunity from the law and we are just after the little guy”.

• (1630)

Probably nothing sums up the concerns which people have with the Fisheries Act than that particular paragraph. It should tell this House how important it is that these amendments and this legislation carries through with the kinds of policies and procedures that will ensure our fisheries will be protected.

In fact, even in today's vague plan—not the green plan because it is really lacking in a great deal of specifics. One of the particular parts of the green plan released today talks about the release of the enforcement and compliance document. It is a very important document for this reason, and it was referred to in our committee by witnesses from the West Coast Environmental Law Association.

This document is the operating manual that fisheries officers use in their day-to-day field operations but has yet to see the light of day. We see yet another promise in the green plan to have it released. It is very important that that document see the light of day because it speaks directly to the comments made in this weak memorandum that the fisheries officers do not feel that they have the support in their department to carry out habitat protection work and to ensure that those kinds of provisions are carried forward.