



January 17, 2017

Sent via email: [CitizenEngagement@gov.bc.ca](mailto:CitizenEngagement@gov.bc.ca)  
*Original to follow by mail*

Honourable George Heyman  
Minister of Environment and Climate Change Strategy  
PO Box 9047 Stn Prov Govt  
Victoria BC V8W 9E2

RE: Professional Reliance Review

Dear Minister,

The Business Council of British Columbia (the Business Council) is pleased to submit comments on the Professional Reliance Review being undertaken by your Ministry.

As you know, the contributions of natural-resource goods to the BC economy should not be understated. They represent about 75% of BC's international merchandise exports and 12-13% of the province's GDP (depending on the year). Use of qualified professional engineers, geoscientists, foresters, biologists, agrologists, and applied science technologists, among others, has been critical to the development of BC's natural resources in terms of health, safety, environmental protection, and innovation, thereby advancing the economic well-being of British Columbians.

In the decision-making process, between the complicated interplay of politics and scientific evidence, these professionals help to reveal important considerations for balancing the trade-offs among the economy, environment, and social attributes of various land-based activities. Neither governments nor industry could function effectively without the support and expertise of these qualified people who have and maintain complex systems of knowledge and the means of diffusing and improving those systems. They provide technical solutions, advice, and recommendations on the design, construction and implementation of a full spectrum of activities. As field practitioners, they are also a source of strategic insight on evolving policy and regulatory outcomes that enable BC to be a leader in innovative land and resource solutions involving both technology and policy. Failing to attract and retain this highly qualified talent will hurt BC's ability to compete.<sup>1</sup>

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<sup>1</sup> [http://bcbc.com/content/2560/BCBCInnovationPaper\\_Sept%2015%202016.pdf](http://bcbc.com/content/2560/BCBCInnovationPaper_Sept%2015%202016.pdf).

In our view, BC's professional reliance model is not broken (which is the implied message of the review). Some of the concerns that have been voiced about the model reflect perceptions rather than evidence. There is incomplete understanding of risk and risk management, the priming effects associated with outlier accidents, our natural tendency to see patterns in randomness, and media/social outlet coverage of environmental issues aimed at eliciting emotional responses. All of this attracts disproportionate attention to infrequent events and leads to exaggerated and distorted views of the adequacy of the existing system. In fact, the Ministry's 2012 survey on this topic found that many stakeholders are simply unaware of what these professionals do and how they are governed – and therefore do not understand how accountability is exercised or discipline meted out. Lack of awareness does not mean that our environmental, health, and safety protection mechanisms are inadequate.

Government should act with caution and avoid heavy-handed intervention when considering possible changes to the current model. As a first step in dealing with misperceptions, the Business Council supports increased communication about the roles, responsibilities, legislation, and work of the qualified persons' governing bodies.

The legislated self-governing nature of professional associations is a positive feature of the current model, one generally followed in most advanced economy jurisdictions with sophisticated environmental regulatory regimes. It embeds a legal responsibility and duty to protect the public interest, guiding the conduct of the professionals. Critically, professional associations standardize entry qualifications, licensing and certification regimes, and disciplinary functions, which is a more efficient use of resources than one based on government control and direct service delivery. The Business Council firmly supports maintaining the arm's-length relationships with professional reliance organizations and the use of independent audits to measure performance.

Professional associations are the best place for developing, implementing, and monitoring profession-specific best practices. Given the constant evolution of theory and practice in various fields of professional knowledge, standardization by government through policy or legislation is inefficient and any results will undoubtedly lag real-time innovation and application. When regulators are challenged with balancing prescriptive measures and results-based outcomes in decisions or enforcement actions, professionals play a key role in providing solutions that protect the interests of all British Columbians. It is wholly unrealistic to expect that government can or should replicate professional reliance infrastructure in-house. There is neither the capacity (ability to provide adequate oversight) nor sufficient funding to hire and retain the talent required.

Finally, it is our view that a broad-based public engagement approach on subject matter that is highly specialized and technical would be problematic. Therefore, we urge that you consider and pay close attention to the assessment of qualified professionals completed in 2012 and guidelines published in 2014. These reports offer a solid foundation for a focused discussion of areas for improvement. As well, since

many government employees belong to the relevant professional associations, the pathways for well-informed conversations are already established.

The Business Council, established in 1966, is an association representing 260 large and medium-sized enterprises active in every sector of British Columbia's economy. We are a public policy organization, providing research, analysis, commentary, and advocacy on issues relevant to strengthening Canadian and BC competitiveness and prosperity. We support competitive taxes, effective and nimble regulation, and responsible fiscal policies to enable vigorous business activity and provide the resources necessary to pay for education, health care, and other public services for citizens. We have a proven record of constructive policy advocacy on environmental sustainability, economic reconciliation with First Nations, innovation and productivity, climate change and energy, tax and fiscal policy, sound regulation, trade policy, and the development and attraction of skills and talent.

Our members come from all major sectors of the province's economy, including forestry, energy, mining, manufacturing, transportation, advanced technology, health research and life sciences, tourism, retail and wholesale trade, construction, utilities, postsecondary education, and professional, scientific, and technical services. Taken together, the enterprises, academic institutions, and sectoral associations affiliated with the Business Council account for approximately one-quarter of all private sector payroll jobs in BC.

Sincerely,



Jock Finlayson  
Executive VP and Chief Policy Officer



Denise Mullen  
Director of Environment and Sustainability