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Reforming the Professional Reliance Model

Professional Reliance occurred for two primary reasons, to decrease the size and expense of government and to respond to industrial calls for decreasing the burdens of regulation. Removing public service capability in favour of industry hired “qualified professionals” was the method, accompanied by the false flag of statutory decision makers “free from political interference” responding to science not government policy pressures. In order to provide a semblance of public interest it was determined that oversight from the professional bodies would be sufficient to keep the system honest. What has occurred, however, is that the professional reliance system has turned out to be weak in practice, an outcome of no surprise given the inherent potential for conflicts of interest among industry employed professionals, the inability of the professional organizations to police their members adequately and the overarching policy environment created by a sitting government. Subsequent erosion of public confidence in the system has continued to mount as natural resource management failures accrue.

The most expensive means of correcting the professional reliance model is to fully recreate capacity in the public service. This would mean hiring sufficient staff to provide systematic monitoring of resource management practices and outcomes with a strict focus on the public interest. This would still require that government policies adequately balance the economic and environmental interests that the public servants were tasked to uphold.

A more economical approach would be to enhance government oversight and public confidence by augmenting the capacity for independent audits of performance. Such a model is already in existence in the form of the Forest Practices Board. The Board is empowered to audit compliance with the law by both industry and relevant public resource management agencies. Further, it responds to public complaints and conducts special investigations of recurring resource management issues. The Board employs certified audit and investigation methods and is empowered to report directly to the public without prior government approvals of its conclusions. It is also empowered to make salient recommendations to both industry and government agencies not only with respect to legal compliance but also with respect to the actual effectiveness of the practices and agency oversight in meeting objectives set by government.

Enforcement of proper practices, and sanctions for inadequate or illegal ones, remain the responsibility of the statutory resource agencies of government and are backed up by the Environmental Appeal Board and the Forest Appeals Board.

The Board maintains a core staff of audit and investigation managers and augments its capacity by contracting with area specific experts as needed by the issues at hand. This gives it breadth of geographic and scientific expertise as well as economy of operation. This format made it possible, for instance, for the Board to conduct an audit of Oil and Gas industry practices in collaboration with the Oil and Gas Commission.

Currently there is no direct equivalent of the Forest Practices Board in other resource management sectors. This could easily be corrected by expanding the terms of reference of the FPB to a Natural Resource Practices Board. The expanded board would use the proven audit, investigation, recommendation and public reporting system already established. The independently reporting

function of a strengthened NRPB could assist government in addressing the lapse in public confidence in the current professional reliance model. This could be further augmented by making the NRPB report directly to the legislature.

Government also maintains a unit within FLNRO called the Forest Resource Evaluation Program (FREP) that monitors on the ground outcomes for specified forest and environmental values. It does not have independent reporting functions but could similarly be expanded into a Natural Resource Evaluation Program, NREP, forming a solid scientific companion to the audit functions of the Board. Further the current functions of Front Counter BC and the Integrated Resource Registry could be engaged to provide a comprehensive capacity for estimating current and future resource management intensity by landscape unit. There is much potential for an integrated approach using existing agency components without extensive growth of the public service.

Further, the FPB has worked well in the past with the Auditor General, providing specific audit and investigation information to support value for money audits conducted by the senior agency.

I outline these ideas and others at greater length in my recently published book "Saving Place: Land Stewardship in the Age of Limits" which is attached.

Regards,

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