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Chair: Mr. Ken McDonald



Standing Committee on Fisheries and Oceans

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• (1100)

[English]

The Chair (Mr. Ken McDonald (Avalon, Lib.)): I call this meeting to order.

Welcome to meeting number 134 of the House of Commons Standing Committee on Fisheries and Oceans. This meeting is taking place in a hybrid format, pursuant to the Standing Orders.

Before we proceed, I would like to make a few comments for the benefit of witnesses and members. Please wait until I recognize you by name before speaking. For those in the room, you can use the earpiece and select the desired channel. Please address all comments through the chair.

Pursuant to Standing Order 108(2) and the motion adopted by the committee on Thursday, February 8, 2024, the committee is resuming its study of the Fisheries Act review.

I'd like to welcome our witnesses on the first panel. On Zoom we have Nikki Skuce, the director of Northern Confluence, and Claire Canet, project manager for the Regroupement des pêcheurs professionnels du sud de la Gaspésie.

Thanks for taking the time to appear today. You will each have five minutes or less for your opening statement.

Ms. Skuce, you have the floor for the first five minutes.

Mr. Rick Perkins (South Shore—St. Margarets, CPC): Mr. Chair, I have a question of privilege.

The Chair: Yes, Mr. Perkins

Mr. Rick Perkins: I would like to move a question of privilege.

I apologize to the witnesses, but the House of Commons Standing Orders require that a question of privilege be moved at the earliest opportunity.

I'm raising a question of privilege related to the Minister of Fisheries' testimony on estimates last week. The minister misled this committee in response to my questions on enforcement in the Bay of Fundy. The minister said on December 4 that, effectively, this work started with fisheries associations. That was in relation to consultations.

I have letters and have had conversations over the weekend with most of the groups attached to me. They were shocked to learn that the minister made such a claim, because none of them had been consulted by the minister.

Given that, I would like to move the following privilege motion, Mr. Chair:

Given that,

(a) Minister Lebouhiller told the committee, on December 4, 2024, "Effectively, this work started with fisheries associations" in reference to the department's work on fisheries enforcement in the Bay of Fundy; and

(b) various fisheries associations have advised committee members that no such consultations or discussions were held with any interested stakeholders, including the Bay of Fundy Inshore Fishermen's Association, Brazil Rock 33/34 Lobster Association, Coldwater Lobster Association, Scotia Fundy Inshore Fishermen's Association, Cape Breton Fish Harvesters Association, Eastern Shore Fishermen's Protective Association, Fundy North Fishermen's Association, Gulf Nova Scotia Bonafide Fishermen's Association, Guysborough County Inshore Fishermen's Association and Richmond County Inshore Fishermen's Association;

the committee instruct the analysts to prepare a report to the House forthwith, outlining Minister Diane Lebouhiller's potential breach of privilege.

That motion, I believe, has been circulated. The clerk can circulate it to members when available.

It is an important issue when a member's privilege is breached. When the minister comes before a committee on estimates, she's expected to tell the truth.

I asked, as I do, a forthright question that was very clear and unambiguous in either language. I asked how much consultation and discussion she did in enforcement. In fact, I held up the DFO response to my Order Paper question, which showed that absolutely no enforcement is going on.

This isn't the first time the minister, both before this committee and publicly with the media, has claimed that there was a lot of enforcement going on. Not only that, she claimed she was talking to fishing associations.

I'll read what some of these associations have written to me as a result of the minister's statement.

Heather Mulock from the Coldwater Lobster Association wrote that she was watching the committee testimony, and I would like to point out that there has been no consultation between the Coldwater Lobster Association and the federal minister on enforcement in the Bay of Fundy since the minister, Lebouhiller, has been appointed, not just since summer. She says any indication otherwise is untrue.

This is from Dan Fleck, with the Brazil Rock Lobster Association. Dan is a former DFO employee. He wrote that in regard to the minister's statement in FOPO, she has not been working with associations. He has never met with her. He had one 15-minute phone call over a year ago. He said she and her DMs have not attended a southwest Nova Scotia, SWNS, association meeting. He said in September 2024, a weekly call commenced with local C and P, a 20-minute call, during which he was told, "Can't talk about ongoing operations, and we see some traps from unknown persons. We made an arrest, which may or may not have been in southwest Nova Scotia."

There has been no consultation going on with these groups.

• (1105)

Colin Sproul, who represents Unified Fisheries Conservation Alliance, the largest fishing organization in the Maritimes, representing almost 5,000 harvesters, wrote to me. He said the Unified Fisheries Conservation Alliance is not being consulted by the Department of Fisheries and Oceans—

The Chair: Mr. Perkins, we have a point of order from Mr. Morrissey.

Mr. Robert Morrissey (Egmont, Lib.): I just put my hand up to speak when he's done.

The Chair: I thought it was a point of order.

Go ahead, Mr. Perkins.

Mr. Rick Perkins: Colin Sproul, who speaks for the Unified Fisheries Conservation Alliance, which represents about a dozen fishing organizations and almost 5,000 harvesters in the Maritimes, wrote that the Unified Fisheries Conservation Alliance is not being consulted by the Department of Fisheries and Oceans in any meaningful way in any hopes of improving fishery enforcement on the Bay of Fundy. He said they continue to be ignored while their fisheries and communities descend into chaos and that any statements otherwise are misleading and dismissive of the crisis that continues to widen across the Maritimes. He said they are ready and willing to sit down at any table to collaborate on fishing conservation.

These are important statements by the most important fishing associations in the Maritimes, which totally contradict the minister's assertion before this committee that she was consulting with these associations and talked to these associations this summer. Most of these associations—all of them, in fact—have said they have never talked to her on any issue, let alone on conservation.

For the minister to sit here and tell members of Parliament in a parliamentary committee that she started on the enforcement issue and consulted with associations is a fabrication. It's unconscionable and it's a breach of the privilege of members of Parliament.

Can we have a Minister of Fisheries come here and acknowledge the fact that they have not done their job? The fact is that the minister has never come to southwest Nova Scotia and met with any fishing groups. She has never even picked up the phone and called any southwestern Nova Scotia fishing groups on the issue of enforcement or any other issue. However, when pressed here, she said she started by consulting with the fishing associations. That's clearly not true.

In fact, on a number of occasions, these groups, in particular the Unified Fisheries Conservation Alliance, asked this summer for meetings with the minister and the minister's office. Guess how many meetings happened. There were none. The minister has the gall to sit here in committee in the middle of a fishing crisis that's built up over six Liberal fisheries ministers, particularly numbers four, five and six, who ignored everything and all the poaching that is and has been going on in the lobster fishery.

Lobster fishery reports in the first two weeks of the season in southwest Nova Scotia show that catches are down over 30% over last year's December catch, which was a terrible year. After seven to eight years of illegal poaching in the birthplace of lobster, St. Marys Bay, where lobsters from New England and all over Nova Scotia go to breed and are fished in the summer with 10,000 traps, there is zero enforcement. By the minister's own numbers, out of 10,000 traps, they seized 239 this past summer. That is not enforcement; that's a joke, and they're destroying livelihoods.

Could there be some connection? Do you know? I don't know if members on this committee realize that it takes seven years for lobster to grow to the minimum size to catch them.

Is it shocking to members that the minister doesn't seem to care? This minister knows, after seven or eight years of poaching, that we're finding year after year in southwest Nova Scotia that the catch is down, and it's down because we've gone back to pre-1977.

Do you know what happened in 1977? I will give credit to a former minister of fisheries, Roméo LeBlanc, who said this had to stop. We were down to 23,000 metric tons of lobster catching, so they created the lobster fishing areas and said no longer was anyone going to fish year-round because fishing year-round and when lobsters were breeding would destroy the stock. We're not even sure now that dropping from 100,000 metric tons down to 23,000 metric tons is actually going to—

• (1110)

Mr. Ken Hardie (Fleetwood—Port Kells, Lib.): Mr. Chair, I have a point of order.

The Chair: I don't think you can raise points of order, Mr. Hardie.

Mr. Rick Perkins: I don't think you can raise points order in a privilege discussion, but I'll leave it to the chair.

Mr. Ken Hardie: Who knows? You could even challenge that this is a point of order.

I think the honourable member is litigating the issue. Until we've heard both sides.... He's raised the issue. It would be useful if he went right to what he sees now as the resolution. What would he like to have happen now?

We have witnesses here, at their time and expense, and we would obviously like to get to them. This is not to diminish what the honourable member has brought up, but can we put a bow on this one and get on with the business of the Fisheries Act?

The Chair: Is that for me to rule on?

Mr. Rick Perkins: Was that a point of order or a point of debate?

The Chair: A question of privilege takes precedence, as the member said.

Mr. Perkins, you have the floor.

Mr. Rick Perkins: Thank you.

The whole point of creating these areas was so that the fishery was not fished when lobsters were breeding. The result is that we've gone up to about 130,000 metric tons, which is a decline in the last couple of years. To that point, it's why enforcement is so critical but is not happening.

The minister has had lots of opportunity since she became minister to ask her department what is really going on. She's had lots of opportunity to talk to the actual groups, which she has chosen not to do. She has had lots of opportunity to come to Nova Scotia and meet with the groups. If she doesn't have that courage, then at least she should have picked up the phone when these groups were asking for meetings with her on enforcement.

It got so bad this summer that the local head of C and P admitted to the Scotia Fundy Inshore Fishermen's Association after their protest in New Brunswick that they had had zero enforcement in the Bay of Fundy. It's because that group threatened to go on the water within three days and enforce the law that DFO sent in some boats—and as the police say, showed them the doors—for four or five days to try to calm everything down. Those were the only four or five days when there was any enforcement whatsoever on the Bay of Fundy this summer.

For the minister to come here after all of that.... If she didn't hear it directly from the groups, she might have read it in the paper and in the newspaper clips she would have been given by her team, at least to see. It was all over the news. If she wasn't willing to read the newspaper clips, she could have seen the TV clips on it. If she didn't know which channel to look at or which website to look at, she could have looked at her favourite one, CBC, which has been covering this all summer, both on TV and in person. For some reason, the minister was still oblivious to that and came here and claimed that she had started on enforcement consultation with fishing groups.

The evidence is clear. I can table and will table all of these notes from the associations. The process, as I understand it, Mr. Chair, is that the clerk prepares a report on this for you to present to the House and the Speaker, if it is felt that the minister has breached privilege. That requires not only the words of the minister here, which are self-evident, but also the response from the fishing

groups, which I can provide to this committee so they and the clerk can take a look at them and even double-check and call those folks. They'd be more than willing, I'm sure, to talk to the research analysts and the clerks as to whether or not they agree with me that the minister misled this committee.

To Mr. Hardie's point, I will leave it there, because I'm sure there are others who want to comment on this. I'll reserve to come back later if I need to add anything further.

• (1115)

The Chair: I have Mr. Morrissey.

Mr. Robert Morrissey: Thank you, Chair.

Well, the premise of Mr. Perkins's question of privilege is his reference to the minister stating that she consulted. For somebody to rule that there was a privilege violation, they would have to understand the thought process that the minister had when she made that comment.

Consulting as a minister is both plural and singular. A minister can reference that they began consulting by simply having the staff of the department that's responsible advise and go through that. Mr. Perkins is leading us to believe that ministers themselves would have to be present and engaging with everybody, knowing that this simply could not be the case.

Any minister would have access to information and be briefed on information using a plurality of the mediums they have access to. I was confident that the minister was providing accurate information. Also, it's important for this committee to note that the minister is a francophone and that in understanding the questioning and giving answers, things sometimes get lost. However, to view that a member's privilege was violated by the minister saying she consulted because a member has pointed out that the minister was not on the ground in the area to talk to people...really? A minister would, as any politician, be valid in indicating that they consulted by using various methods, including being briefed by department personnel and others on exactly what may be happening in an area.

Mr. Chair, I do not feel there was any breach of privilege, but that's not for me to decide; that's for you as a chair. I think it's important to note that it would have to be clear that the minister knowingly provided an erroneous answer and that the minister knew it was erroneous. That's a tall order.

Thank you.

The Chair: I'll now go to Ms. Barron.

Ms. Lisa Marie Barron (Nanaimo—Ladysmith, NDP): Thank you, Chair.

I was just reading up on how questions of privilege work and the process.

There are a couple things to note. First of all, I want to thank MP Perkins for bringing forward this concern and the concerns being brought forward by associations in his riding. I think if information was not clear or was untruthful, it is important that we talk about it. I'll be honest. I don't feel the minister, quite frankly, answered my questions very well either when I was here, but that's a whole different story.

I have a few questions that I was hoping MP Perkins could answer, and then we can take it from there. Are there any other associations that aren't listed in this motion that the minister could have been referencing? That was the first question that came to mind. The other question is this: Was there a process of trying to receive clarification from the minister on what she was referencing when she said she had done consultation?

The other thing that stands out to me is that, while this is a breach of privilege motion, the motion itself says that there's a "potential breach of privilege". The two don't coincide for me. Is it a breach of privilege or is it a potential breach of privilege, and does that change our process moving forward? I know the process, if there is a breach of privilege, is that the committee write a letter to be presented to the House, as was being described, but if we don't have actual evidence of that breach of privilege, what is our process moving forward?

It's not that I agree or disagree; I'm just asking for more information. If there isn't evidence of a true breach of privilege, would it be more appropriate for us to, for example, write a letter to the minister asking for answers to the questions and then determine whether there is a breach of privilege based on the minister's response?

I'm just trying to make sure that we're moving forward in the most effective manner to get the answers we need so we can decide as a committee how we want to move forward. However, just to clarify, I do agree with the concerns, and my goal is to have us move forward in the most effective way to bring to light the concerns that MP Perkins has brought to the table today.

• (1120)

The Chair: Thank you, Ms. Barron.

We'll now go to Mr. Bragdon.

Mr. Richard Bragdon (Tobique—Mactaquac, CPC): Thank you, Mr. Chair. I appreciate you allowing me to speak about this.

What Mr. Perkins brought to the floor is very important. It's a matter of him doing his job in representing the concerns of his constituents and key stakeholders in the industry. We're dealing with people's livelihoods. They have huge concerns, and a lot of frustration has built up over a number of years. All of us around this table—I just haven't spent time with you—want to do everything we can to ensure there's a future healthy stock of lobster and fish so the livelihoods and ways of life of many Canadians, coastal Canadians in particular, are protected.

Mr. Perkins raised this to—

The Chair: Wait one second, Mr. Bragdon.

Ms. Barron and Mr. Perkins, if you want to have a conversation, could you take it outside? I'm hearing three voices coming through.

Thank you.

Go ahead, Mr. Bragdon.

Mr. Richard Bragdon: I feel it's very important that this is taken seriously and that a determination is made on it. It is about not only his parliamentary privilege but also the privilege of every one of us at this table. If we're not getting accurate, forthright and honest information when questions are asked, it's hard to make good decisions, do accurate reports and put together recommendations, especially when a minister is speaking about something. That carries weight, especially in the determination of what kind of report will come back and what recommendations will be given.

We have to ensure that the feedback being given by the minister is accurate, honest and forthright and that it does not mislead the people most affected by these decisions, nor the members of Parliament around this table. I appreciate any consideration that the clerk, the team and the chair can give to this matter.

We can certainly find out about this. To me, it's very apparent, based on the feedback we got directly from stakeholders.... You would think that any minister who is doing their job seriously and is concerned about the future of the fishery in that region would be communicating and consulting with the very groups named by Mr. Perkins. If not, there's something severely lacking, because they are the ones who represent the people whose livelihoods will be directly impacted by the action or inaction of a particular minister.

I really think the committee deserves a clear answer on this. Canadians deserve a clear answer on this.

Thank you, Mr. Chair.

The Chair: Go ahead, Mr. Small.

Mr. Clifford Small (Coast of Bays—Central—Notre Dame, CPC): Thank you, Mr. Chair.

I'd like to apologize to the witnesses. We're very appreciative of them. In addition, I'd like to apologize to all witnesses—well, I don't have to apologize; it's the other side that needs to apologize—who have come here. They've borne their heart and soul to this committee. They've given evidence that's been referenced in our reports, reports that have been reflective of their testimony.

Things aren't getting done. We're not seeing any movement on the reports we're putting through to the minister—any activity or any action whatsoever. I know it's frustrating for our witnesses, and it's even more frustrating for us to have to do this today.

MP Barron just mentioned that her questions didn't get answered last week by the minister. My questions didn't get answered. She answered every single one of them with the exact same talking points.

Stakeholders reached out to me and asked what's going on and why the minister wouldn't answer questions. Well, is it for the same reasons that she ignores the reports coming out of here on the owner-operator corporate concentration of fishing licences? That report is just sitting there. I'm sure Ms. Canet understands that and that one of the biggest things on her mind is that the owner-operator issue has fallen through the cracks in the Fisheries Act.

MP Perkins just referenced Mr. Sproul. I spoke to Mr. Sproul and emailed Mr. Sproul quite a few times this summer. While the lack of enforcement and out-of-season fishing was happening, he reached out to the minister several times. The minister had been in Nova Scotia, in Halifax, a couple of hours' drive away from Mr. Sproul and those who sit on the board of his association. They were completely ignored. They couldn't get meetings to discuss this very important subject.

The latest I've heard from stakeholders who I've spoken to in southwest Nova Scotia is that St. Marys Bay is a desert. It's barren. There's absolutely nothing left. The catch rates are bad enough on the outside, 30, 40 or 50 miles offshore, where lobsters born in St. Marys Bay would have migrated out. It's bad out there. It's 30% below last year, which was 30% below the year before. In the inner waters of St. Marys Bay, there's absolutely nothing.

These concerns have been raised again and again by commercial lobster fishermen in southwest Nova Scotia. This has been going on for years and years, so as the minister referenced the consultations she's had, I'd like to see documented for transparency who these stakeholders were she consulted. Obviously, she's not consulting with stakeholders whose livelihoods have been thrown under the bus. There may be some stakeholders she's consulted with, but they certainly don't represent fishers and crew members in the fishing enterprises that right now are facing excruciating times economically. It's also about to get worse.

You might say that lobster is \$11 a pound and that someone landed 5,000 pounds of lobsters last week. Well, you're looking at enterprises that have \$1.5 million or \$2 million in financing at a bank with interest rates that are through the roof.

• (1125)

The mental health of this fleet of lobster fishers in Nova Scotia right now is at a breaking point. It's bad. They've watched this get progressively worse. If you look at the trajectory that the lobster fishery in southwest Nova Scotia is on—where it's come from and where it is—it's pretty easy to connect the dots and make a projection of where it's going. It's going to be many times worse, and it doesn't have to be. There are seasons for reasons.

For the minister to come out and say that she consulted with stakeholders is erroneous. She has been careless with the truth, and I'd like to see some evidence of these consultations. I heard Mr. Morrissey reference the minister's thought process that day. Well, I'm sure the minister had several days of preparing for the meeting last week.

• (1130)

Mr. Robert Morrissey: Mr. Chair, I have a point of order.

I did not reference the minister's thought process. I could not do that. I made the comment that I did not understand what the minister's thought process was.

The Chair: He did not understand. That's what he claims he said.

Mr. Clifford Small: Okay. He referenced her thought process, that he didn't understand her.

Mr. Chair, whether he didn't understand it or understood it, he did reference her thought process.

The Chair: Yes, he said that he didn't understand her thought process.

Mr. Clifford Small: Then he did reference the thought process.

This issue needs to be dealt with by the committee. The fact is that the minister has failed—the sixth minister, the sixth failure—fish harvesters, the processing side of the industry and the coastal rural communities of southwest Nova Scotia.

It's not just southwest Nova Scotia where out-of-season fishing is happening. My colleague Mr. Perkins will be able to speak to that a bit later, but it's happening in several areas of Nova Scotia. He referenced what was happening in the Bay of Fundy.

This is a very big deal. This is something we're going to be dealing with two or three years down the road, with the potential closure of that fishery if this keeps going the way it's going. We're at a point now where we can do something to stop that from happening. The southwest Nova Scotia lobster fishery is worth around \$2 billion per year. It's a very big deal.

If not for the mismanagement, we wouldn't be discussing this question of privilege here today, and I thank my colleague for bringing it forward. It's very important. I hope that when we're through the process on this question of privilege, we can see the direction and action that are desperately needed for the lobster fishery in southwest Nova Scotia.

Thank you, Mr. Chair.

The Chair: I'm going to suspend for a moment. The clerk wants to have a word with me, so I'll be right back.

• (1130)

(Pause)

• (1130)

The Chair: Okay, we're back.

I know I have a couple of people left to speak. I know that Mr. Arnold had his hand up and that Mr. Perkins wants to speak as well.

Normally, in a situation of presenting a motion of privilege, all the evidence would have to show that it was actually a question of privilege, and then it would be ruled on. I will go back, look at everything that's been said today up to this point and come back with a ruling for the committee on whether I consider it a question of privilege or debate, one or the other.

Mr. Arnold is next on the list.

Mr. Rick Perkins: Just on your—

The Chair: Okay, go ahead.

Mr. Rick Perkins: I'll just let you know that I don't know if that cuts off debate or not. It's not my intent to spend all day debating this, but I have some stuff from the rules that I would like to quote, which I didn't do the first time.

• (1135)

The Chair: It does mean that we're cut off. My ruling is that I will look at the evidence that's been given. If you have any other evidence, by all means send it in. I will review it all and come back to the committee with a decision.

Mr. Rick Perkins: Well, in response, I am at least owed the chance to respond to MP Barron's questions about what the rules and process are on this and to add more detail on how they fit in. As part of my evidence, I need to talk a bit about the big green book, Bosc and Gagnon, and a couple of the things in it.

The Chair: I don't think you need to reference Bosc and Gagnon right now. If somebody wants to know how a question of privilege is moved, the clerk would be only too glad to tell them how it works.

Mr. Rick Perkins: I just want to make it clear for the record.

The Chair: I'm not asking you to make it clear. I'm saying that the clerk will make it clear to everybody.

Mr. Rick Perkins: Well, then, could she? I'd like her to go to breaches on page 1060 of Bosc and Gagnon, which deals with this, so members know about it. That deals with the role of the committee, how privilege gets dealt with in committee and by the Speaker, and the rules on answering questions and the truthfulness of questions.

The Chair: I don't have a copy of Bosc and Gagnon with me today.

Mr. Rick Perkins: There's one right there.

The Chair: That's not mine.

Mr. Rick Perkins: Well, I can read it to you, then. Let me read to you—

The Chair: I'd rather you didn't, but if you want to kill the rest of this half-hour, go ahead.

Mr. Rick Perkins: I don't.

The Chair: Go ahead. You're taking away time from witnesses.

Mr. Robert Morrissey: Mr. Chair, on a point of order, you have given direction on this.

The Chair: Yes, I did.

Mr. Robert Morrissey: Is this a challenge? Is the member now challenging the chair?

Mr. Rick Perkins: We're still on the privilege motion. I didn't think—

Mr. Robert Morrissey: The chair did report to—

Mr. Rick Perkins: I don't think you can cut off a question of privilege debate.

The Chair: Mr. Arnold, do you have point of order?

Mr. Mel Arnold (North Okanagan—Shuswap, CPC): Yes.

Mr. Chair, the rules state that if the chair determines the question relates to parliamentary privilege—not whether privilege has been breached, but whether it relates to parliamentary privilege—the committee may then consider presenting a report on the question to the House. Then they go on to say what the report shall be. It's simply a matter of you deciding whether this issue relates to a question of privilege.

The Chair: That's why I said that I will come back. I will look at the information and come back to committee with my ruling on it. It's no different than if you raise a question of privilege in the House of Commons. The Speaker often says that he will look at the evidence and what has been presented and come back to the House with a decision, whether it's considered a question of privilege or considered a point of debate—or anything else, for that matter.

Mr. Rick Perkins: Well, that's only one of the two issues regarding the rules and—

Mr. Robert Morrissey: Mr. Chair, on a point of order, again, where are we going on this? You made it clear; you gave clear instructions. You're the chair. We have witnesses here so let's return to the meeting.

The Chair: I will look at the information that has been presented, determine whether I think from the information I got that it is a question of privilege or disregards members in any way, and come back to the committee with a ruling. That's the end of it.

Mr. Rick Perkins: I won't read them out, but 443, 444 and 445 of Bosc and Gagnon on the answers to questions should be considered.

Mr. Robert Morrissey: The member is challenging you—

Mr. Rick Perkins: Did you hear me say that? Are you trying to discern what's in my mind and my thinking?

The Chair: Order.

I've said what I've said. I don't need anybody to point out what paragraph to look at or what sentence to look at. I will come back with a ruling on whether I feel that it's a question of privilege.

I'd like to have time for the witnesses here today to at least give their opening statements.

Mr. Rick Perkins: I would like to challenge the chair and his ability to cut this discussion off before we've been able to present all the evidence.

The Chair: We'll suspend.

• (1135)

(Pause)

• (1140)

The Chair: We're back.

Mr. Perkins, you can't challenge the chair on something that hasn't been ruled on, so you'll have to wait until I rule to challenge my decision.

Mr. Rick Perkins: No.

The Chair: Yes.

Mr. Rick Perkins: I'm sorry, Chair. I'm challenging you on your ability to shut down the discussion and presentation of evidence. Are you telling me that you're not going to allow a challenge to the chair on your ruling to shut down the privilege motion discussion and the presenting of evidence?

It's a privilege motion. You can't shut down the presentation of evidence. Check Standing Order 116(2). You can't do that.

The Chair: I checked the Standing Orders last week when you were speaking too, so—

Mr. Rick Perkins: No, you didn't.

I'm challenging the chair. That's not a debatable motion.

The Chair: I haven't ruled on it.

Mr. Rick Perkins: You did. You ruled to shut down the discussion on the motion.

The Chair: I haven't ruled on the question of privilege. That's what you can challenge. When I rule on on it, you can challenge it.

Mr. Rick Perkins: You're not listening once again, Mr. Chair.

The Chair: Oh, I'm listening plenty.

Mr. Rick Perkins: No, you're not.

Mr. Chair, I'm challenging your ability—

The Chair: You're challenging my ability?

Mr. Rick Perkins: Just let me finish my sentence.

The Chair: I'd like to challenge yours.

Mr. Rick Perkins: I'm challenging your ability to cut down debate when evidence is still being presented on the motion. I'm not challenging that you didn't make a ruling on the privilege motion. I acknowledge that. You made a ruling to shut down debate on the presentation of evidence on the privilege motion and I'm challenging your ruling on that.

The Chair: It's because—

Mr. Rick Perkins: There's no “because”. It's not debatable.

The Chair: Oh, I'm sorry. Jeez, you're the chair.

Mr. Rick Perkins: Well, learn the rules. When I challenge a chair, it's not debatable. It's only votable.

The Chair: Go ahead, Mr. Kelloway.

Mr. Mike Kelloway (Cape Breton—Canso, Lib.): Can we vote? That's my small-town way of getting to the point.

The Chair: It's not a ruling.

Mr. Rick Perkins: Then I'll keep presenting my evidence if it's not a ruling.

The Chair: We'll all leave you here in the room by yourself.

Mr. Rick Perkins: It's a ruling to shut down the debate or it isn't, Clerk. Which is it? The chair is shutting down the debate, and I'm challenging his ruling on that. Are you telling me he hasn't shut down the debate?

The Clerk of the Committee (Ms. Geneviève Dubois-Richard): He heard what he wanted to hear, and he will deliberate on the motion to—

Mr. Rick Perkins: Of course he heard what he wanted. He's cutting off the evidence because he doesn't like the issue, but he

doesn't have a right as chair to cut down the presentation of issues on a privilege motion. That's the ruling he made.

I challenged the chair on that, so I think it's an obligation of yours to hold a vote, under the rules.

The Chair: It's not a ruling. The clerk is telling me we can't vote on it because it's not a ruling.

Mr. Rick Perkins: It is a ruling. You ruled that I could not continue my presentation of evidence. If that's not a ruling, I'll continue my presentation of evidence.

The Chair: Is there a point of order, Mr. Arnold?

Mr. Mel Arnold: I'd like to read the rules on this. They say the following:

If a member wishes to raise a question of privilege during a committee meeting, or an incident arises in connection with the committee's proceedings that may constitute a breach of privilege, the committee Chair allows the member to explain the situation. The Chair then determines whether the question raised in fact relates to parliamentary privilege.

The Chair: It seems we can't move on further.

Mr. Rick Perkins: You can. You allow the privilege debate.

Are you going to shut down the discussion on privilege and my presentation of the evidence?

The Chair: Did I say that?

Mr. Rick Perkins: Yes, you did.

The Chair: No, I didn't.

Mr. Rick Perkins: You did.

The Chair: You just asked me if I was going to shut down—

Mr. Rick Perkins: Then can I present the rest of my evidence?

The Chair: What else do you have to present?

Mr. Rick Perkins: You won't know unless you let me continue.

The Chair: Well, I'm not fussy about you continuing, to tell you the truth. You've had the floor more than anyone else sitting around this table today.

Mr. Rick Perkins: That's only because you don't know how to rule, Mr. Chair.

The Chair: Oh, I know how to rule, and you'll find out pretty soon if you keep talking to me.

Mr. Mike Kelloway: I have a point of order, Mr. Chair.

The Chair: Yes, Mr. Kelloway.

Mr. Mike Kelloway: I used to umpire baseball, so I'm going to come in and see if we can get—

The Chair: Don't go calling strikes.

Mr. Mike Kelloway: I'm not going to call strikes or anything like that, but I think we need to collect ourselves.

I'm listening to what Mr. Perkins is saying and to what you're saying. My understanding is that you told us you're willing to see written documents based on the verbal items Mr. Perkins has put forward.

I think it's time to move forward. If not, as much as I don't want to see them go, we should let the witnesses go. We need to be respectful of their time and try to find another avenue to have them back. I know things are tight, but I think we have to land the plane on this one right now.

• (1145)

The Chair: Go ahead, Ms. Barron.

Ms. Lisa Marie Barron: Thank you, Chair.

I have a couple of things to say.

The first thing is that it's frustrating that we're not hearing from our witnesses right now. I agree with that sentiment.

I would also like to express my concern about how my colleague Mr. Perkins is being responded to by the chair. I do not feel that many of the comments being made are appropriate. I also agree the rules clearly state that the member is able to express his concern about a question of privilege. He made it very clear that he is trying to get through it quickly. He is trying to respond to a couple of questions I asked directly on whether other organizations within this group are not included, which I have not yet heard.

I understand the process. I've read the book. I don't need somebody to explain that to me. My question was more about getting information so I'm able to determine how I feel about the situation.

I have some concerns about the way this process is unfolding. Quite frankly, I agree that my colleague Mr. Perkins has not been heard with respect to his final comments. I feel this could have been completely avoided if the process had been done differently. We could have been talking to witnesses at this point.

I'm just expressing frustration. My hope is that we can have fewer comments during this decision-making process that are unhelpful for the situation.

The Chair: Thank you for that.

Mr. Perkins, I'll allow the committee to vote on your challenge to the chair.

Mr. Rick Perkins: Okay. Standing Order 116(2)(a) reads:

Unless a time limit has been adopted by the committee or by the House, the Chair of a standing, special or legislative committee may not bring a debate to an end while there are members present who still wish to participate. A decision of the Chair in this regard may not be subject to an appeal to the committee.

You've broken Standing Order 116(2)(a).

The Chair: I won't respond to you right now.

I'll ask the clerk to go to the vote, please.

The Clerk: This is to challenge the decision of the chair. To vote yes is to sustain the decision, so we would stop debate and go to the witnesses. If you vote no, we will come back to the debate on the motion of privilege.

(Ruling of the chair overturned: nays 6; yeas 5)

The Chair: We're going back to the debate.

Mr. Arnold, go ahead.

Mr. Mel Arnold: I provided the points I wanted to say. The chair is to hear from the member raising the question of privilege.

The Chair: Mr. Perkins, go ahead.

Mr. Rick Perkins: Thank you, Mr. Chair.

The Chair: You're more than welcome.

Mr. Rick Perkins: Mr. Chair, MP Barron raised a couple of procedural questions in her opening response. I'd like an opportunity to respond to clarify the issue.

One of the questions she asked was why the word "potential" is in the motion. The word "potential" is there because this committee cannot determine a breach of privilege. Only the Speaker can.

I will quote page 1060, chapter 20, of Bosc and Gagnon, where it says, "The Chair of a committee does not have the power to rule on questions of privilege; only the Speaker has that power."

It goes on to say the following:

The Chair then determines whether the question raised in fact relates to parliamentary privilege. If the Chair determines that the question does relate to parliamentary privilege, the committee may then consider presenting a report on the question to the House. The report should:

clearly describe the situation;

summarize the facts;

provide the names of the people involved, if applicable;

state that there may be a breach of privilege; and

ask the House to take such measures as it deems appropriate.

Ordinarily, presentation of a report to the House is a prerequisite for any question of privilege arising from the proceedings of a committee.

MP Barron, that is the outline overall. That's why it says "potential" and why the chair and the committee don't have the power to determine privilege, but have the ability to determine whether it is a question that should be proposed to the Speaker.

It then goes on to say in Bosc and Gagnon, about committees, "There are no specific rules governing the nature of questions which may be put to witnesses appearing before committees, beyond the general requirement of relevance to the issue".

My questions on estimates were about enforcement, which was relevant at the time.

Bosc and Gagnon also says:

Witnesses must answer all questions which the committee puts to them. A witness may object to a question asked by an individual committee member. However, if the committee agrees that the question be put to the witness, he or she is obliged to reply. Members have been urged to display the "appropriate courtesy and fairness" when questioning witnesses.

The question I posed was about the issue of enforcement. The minister chose to reply. The minister's reply was, as I've said earlier, that she began consultation on enforcement.

MP Morrissey said that he couldn't discern what was in her mind and I agree that's an impossibility. What is possible to determine is whether or not the minister and/or the department had engaged in consultation. The minister represents both of them and said she had consulted.

All of the letters and evidence from the fishing groups clearly indicate that neither the minister nor the department reached out and answered MP Morrissey's question. It wasn't a question where she was reflecting on whether or not somebody else in her department had done the consultation with these groups. In fact, these groups have said that neither the department nor the minister did that.

I think that answers MP Barron's procedural questions. It's our job to prepare a report, which the clerks do. I will give all of these letters to the analysts and the clerk for them to look at as part of their discussion of this question of privilege.

When the minister said she began this situation by consulting with individual fishing associations, that was misleading the committee. Neither she nor the department had done that. The evidence is clear.

I ask that this committee and the chair be impartial when they look at the evidence and make an appropriate report back to the House that there has been a breach of privilege. Ministers have to tell the truth before committee. This minister did not.

There's no language barrier to this. That's a lame excuse for a very simple question about consultation and enforcement. She had interpretation. The interpretation was clear. Her response was clear.

• (1150)

Her response was that she began with consultation. She didn't begin. She didn't start in the middle, and she never ended. To this date, she hasn't had consultation with any of the maritime fishing groups regarding the Bay of Fundy enforcement—neither her nor her department.

We will share that evidence, Mr. Chair, and those letters from those groups with you and the clerk so that you can make your ruling. Your ruling is only on whether the question was in order. The chair's ruling is not on whether there's been a breach of privilege, but on whether misleading the committee is a question of privilege.

Thank you, Mr. Chair.

• (1155)

The Chair: Thank you, Mr. Perkins.

Go ahead, Madame Desbiens.

[*Translation*]

Mrs. Caroline Desbiens (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, BQ): Thank you, Mr. Chair.

I have two things to say.

First, I can see that sometimes we get evasive answers from witnesses, whether it's the minister or public servants. In the field, I've heard from people who say that's not true, that the minister hasn't met them. So I quite agree with my colleagues.

What I would like to do, first of all, is thank the witnesses who are present and who have taken time to come and testify. We absolutely must put them back on the schedule. It's fundamental.

Secondly, I'd like to highlight the fact that there's a difference between denouncing this and launching another process like the one our Conservative neighbours have led us into over the past few

weeks, that is, an interminable question of privilege in the House of Commons that is hugely paralyzing the work of each and every one of us. So, let's be concise, let's be clear and let's do things the right way. We should have more confidence from our constituents, who have put us here to work and to solve their problems.

I agree we have a problem with fisheries. It's the same thing with Quebec; there's a lack of listening and a lack of consultation. We've said so many times, and witnesses have said so many times. In this respect, the problem absolutely must be resolved. If we have to go that far, we will.

[*English*]

The Chair: Thank you.

Go ahead, Mr. Bragdon.

Mr. Richard Bragdon: Thank you, Mr. Chair.

Just to follow up on what Ms. Desbiens said and what has been said thus far, it's important that this matter get established, has full vetting and is able to be determined. Those who are expecting the work of the committee to produce results know that for there to be good results, good outcomes and accurate reporting recommendations, there has to be total transparency and open and honest answers coming from the witnesses before us, most particularly from the minister herself. It's incumbent that we re-establish or establish confidence in the answers that are being given.

Mr. Perkins is doing his job as an MP to stand up and fight for stakeholders, fish harvesters and organizations in his region. They send us here to represent the concerns of our constituents. As he has borne witness to here, he has had repeated conversations with key stakeholders and industry representatives who are telling him that they were absolutely frustrated and flabbergasted with what they heard. He has given air to that. He's doing his job in making sure their voices are being heard on this matter at the Standing Committee on Fisheries and Oceans.

As to the seriousness of this, when people look to the committee, they want some semblance of confidence that what we're doing matters and that we're taking it seriously. If there's been a complete breach like this, or what we feel to be a complete breach, there should be repercussions for that, and we should be willing to do whatever we have to do to make sure that the transparent answers that are expected are being given. The minister has an obligation there, not just to this committee and the member who asked the question, but to every Canadian and, most importantly, those whose industries and livelihoods depend on all of us getting things right here.

That's why this question is important. As important as all of the other things we're doing are, with all of the other hearings and the witnesses we want to hear from—it's all important and good work—if we don't get this right, it erodes the confidence in the whole process. It erodes the confidence in anything we're going to recommend going forward because people are going to ask how they can trust testimony if they don't have absolute assurance.

This is a worthy exercise in establishing the merits and the importance of having accurate, honest and transparent testimony, so that when a member raises questions on behalf of his or her constituents, they have the absolute assurance that whoever is giving an answer, particularly the minister responsible for a file, is being transparent and honest with it.

Mr. Chair, I appreciate you taking the time to consider this matter, and I appreciate the deliberations that are going on. It's important that those at home understand that we take very seriously the concern that's been raised by one of our members, who feels that his constituents were totally misrepresented and that their concerns are going to be heard when they feel that way. Mr. Perkins is doing the job of an elected official to represent those in his riding, especially on a matter that pertains to their future livelihoods.

Thank you, Mr. Chair.

• (1200)

The Chair: We'll go to Mr. Arnold and then to Mr. Small.

Mr. Mel Arnold: Thank you, Mr. Chair.

I think the question of privilege is being raised because we've finally come to a head with this. I recall studies in the 42nd Parliament, and the issue around St. Marys Bay came up. We first learned about it because of the MPA, the protective process that was put in place through consultation and agreement with the harvesters in the area to protect the spawning and breeding areas of the lobster. That took place because of proper consultation, which is what the minister alluded to but clearly has not happened according to the evidence that Mr. Perkins has provided so far. He says that he'll be providing more.

I want to relate this matter to further studies the committee did on the smallmouth bass and the treatment of smallmouth bass in the Miramichi. I recall having department officials here and one of them stating that we could not use rotenone in Canada anymore. I knew at the time, and I probably should have raised it as a question of privilege, that rotenone was being used in Canada to treat water systems for aquatic invasive species.

It's just another case regarding the privileges of committee members, and I say all committee members on all sides of the House. When we are misled by testimony by witnesses, by department representatives or, at worst, by the minister herself, it is something that we cannot tolerate. We cannot do our work as a standing committee if we cannot trust the information that is provided to us. If we are being given misleading information, what faith can the stakeholders, harvesters and communities that rely on the fisheries have in ministers to manage departments in their best interests?

I think the whole process Mr. Perkins has raised has been boiling under the surface for an extended period of time. As I said, I can go back to the 42nd Parliament to cases of privilege that should have probably been brought up at that time, and we're now finally getting to raise these issues.

Mr. Chair, after you've heard the presentation of the information, I hope you will determine that it has the potential to be a question of privilege and raise it to the Speaker with a report from this committee.

Thank you.

• (1205)

The Chair: Go ahead, Mr. Small.

Mr. Clifford Small: Thank you, Mr. Chair.

I echo Mr. Arnold's comments. To have the minister come before this committee again and again—she's been here a couple of times—to answer questions using talking points, giving the same answer for every question, is despicable. The industry wants better. It's no wonder that they've lost faith in this minister, who is number six.

I'm hoping that you, being a good Newfoundlander and Labradorian with quite some respect within the industry, will make the right decision, Mr. Chair.

The Chair: Thank you, Mr. Small.

That's it. We can suspend to switch out panels.

Mr. Rick Perkins: Are we going with the first panel? I think there's a witness here. I don't know if she's on the first or second panel.

An hon. member: She's on the second panel.

Mr. Rick Perkins: Okay.

The Chair: We'll suspend for a moment while we switch out.

I apologize to the witnesses who have been online and unable to give their statements or answer any questions. Hopefully we can get a written submission from each of you and include that in our deliberations.

• (1206)

(Pause)

• (1214)

The Chair: Welcome to the witnesses on our second panel.

We have, on Zoom, Gideon Mordecai, research associate at the Institute for the Oceans and Fisheries at the University of British Columbia, and Jesse Zeman, executive director of the B.C. Wildlife Federation. Also, Sonia Strobel, co-founder and chief executive officer of the Skipper Otto Community Supported Fishery, is with us here in the room.

It's good to have you. Thank you for taking the time to appear today.

You will each have five minutes or less for your opening statements.

Mr. Mordecai, you have the floor.

Dr. Gideon Mordecai (Research Associate, Institute for the Oceans and Fisheries, University of British Columbia, As an Individual): Thank you for allowing me the opportunity to speak to you today.

I'm a research associate at the University of British Columbia working on the health and disease of Pacific salmon, and I'm here today to speak on behalf of the scientific process and the critical role of evidence-based science in decision-making and shaping good policy.

The Fisheries Act describes scientific information as one of the key considerations for decision-making. However, concerns about industrial and political interference undermining scientific integrity at DFO have been raised by first nations, academics, NGOs and the DFO scientists' union.

While there are many excellent scientists within DFO carrying out world-class research, it's the structural processes for reviewing and summarizing science that can be the issue. DFO's internal science advice has diverged from international scientific consensus on certain issues. The fisheries minister and other decision-makers can receive advice portrayed as science, yet it isn't evidence-based, impartial or independently reviewed—essential components of trustworthy, high-quality scientific practice.

A paper I co-authored last year used salmon aquaculture in B.C. as a case study to examine this phenomenon. In the paper, we described how DFO science was captured by industry, how data implicating the industry in harm to wild salmon was repeatedly pushed aside, how key papers were suppressed and how DFO's own scientists were silenced. DFO claims that its CSAS review process is the gold standard, yet it allows industry stakeholders to influence risk assessments concerning their own impacts on wild salmon.

All in all, these problems mean that DFO continues to assess some of the pathogens that I study, like piscine orthoreovirus and tenacibaculum, as not causing disease or not posing a risk, despite evidence suggesting otherwise.

Another example was last year's CSAS report on sea lice. The report's authors cherry-picked their results to suit their narrative, ignored a huge body of pre-existing evidence and then had the report externally reviewed by one industry-associated professor, who signed off on it.

In order to fix these kinds of issues, our paper recommends the establishment of an independent scientific body. This body would provide credible fisheries science advice to decision-makers, a suggestion that has been made numerous times in the past by other senior fisheries scientists. There are numerous examples of these types of independent science advice bodies both within Canada and internationally, such as, for example, the Committee on the Status of Endangered Wildlife in Canada, known as COSEWIC, but when it comes to fisheries science advice, Canada is lagging behind international standards.

Science needs to be just science, based on evidence and free of political and economic influence. This will ultimately help to rebuild trust in DFO decision-making and guard against regulatory capture. In our paper, we identified key features for the independent body to uphold, which I'll submit in writing. They include a strict conflict of interest policy, editorial independence and freedom of scientific inquiry.

I'd also like to take a moment to highlight the precautionary principle, a key concept that emphasizes the importance of caution. It underscores that the absence of scientific certainty should not be used as an excuse to delay action that could prevent serious harm to fish or their ecosystems.

Take, for example, the study of how diseases impact wild fish populations. It's pretty rare to identify a clear, definitive cause-and-

effect relationship—what you might call a smoking gun—yet when fish populations are in critical decline, it's crucial to act with precaution. Decisions made under these circumstances can be the difference between recovery and collapse.

Finally, I want to emphasize the need for greater transparency in the science that is used in decision-making. Increased openness would allow external scientists to assess the quality and relevance of the advice being applied. While it's understandable that economic and social considerations play a significant role in these decisions, they should be weighed alongside the science, not used to influence the interpretation of the science itself.

Thank you very much.

• (1215)

The Chair: Thank you for that.

We'll now go to Mr. Zeman for five minutes or less.

Mr. Jesse Zeman (Executive Director, B.C. Wildlife Federation): Thank you, Chair.

Thank you to the committee for the opportunity to speak again. I won't give you a refresher on the B.C. Wildlife Federation, because we've been here a number of times in the past.

This year, the B.C. Wildlife Federation and its partners restored over 350 hectares of wetlands and streams, conducted a number of salmon habitat restoration projects and installed 71 beaver dam analogues. Over the past two years, we've helped remove nearly 45,000 kilograms of garbage from the Fraser River tidal marsh. Our partners include first nations, ENGOs, local communities, private landholders, the Government of Canada and the Province of B.C.

The 2019 modernization of the Fisheries Act provided a number of positive amendments, particularly around rebuilding plans, alteration and destruction of habitat, environmental flow needs and the return of the HADD provision. However, the application of the Fisheries Act is perhaps more important than the Fisheries Act itself.

In the world of conservation, the future of salmon is dependent upon outcomes, not process. This year, for Fraser River sockeye, we had the second-lowest return on record, with a final end season estimate of 456,000 fish. That's 100,000 fewer than what was originally predicted.

With the second-lowest return on record, one would expect additional enforcement efforts to protect this dismal return. However, Pacific Salmon Commission data indicates that legal fisheries, such as test fisheries and food, social and ceremonial fisheries, caught just over 6,100 fish. The United States, our treaty partner, reported zero fish caught. In addition to that, Canada reported 15,000-plus sockeye in what DFO calls “other” fisheries. DFO defines other fisheries as fisheries that may include “unauthorized directed retention or unauthorized bycatch retention in fisheries directed at other species”.

The 15,000 fish is an underestimate, as those numbers are primarily from fisheries managers, not fisheries officers. We know this because fisheries officers were virtually non-existent on the mid-Fraser. DFO enforcement spent 1,000 hours patrolling the mid-Fraser in 2022. In the past, it was 1,000 more than that. This year, it was around 100 hours. To my knowledge, there were no night operations or helicopter operations on the mid-Fraser, but there were a number of reports of poaching.

In November 2023, we spoke to the committee about illegal, unregulated and unreported catch and similar issues within DFO. A number of fisheries officers who were passionate about fish conservation have now left compliance and conservation and protection entirely or have left DFO, and some have recently left the Canadian government to work for the province. Additionally, a number of managers in the conservation and protection part of DFO came from the Canada Border Services Agency. This has eliminated advancement opportunities for DFO staff, but more importantly, it has put those who know very little about fisheries conservation and protection in charge of enforcement.

As we said in November 2023, I believe the committee has a number of questions to ask DFO conservation and protection about historical data related to officers on leave, turnover and the number of night patrols and helicopter and boat patrols on the lower and mid-Fraser River over the past five years. This would give the committee a better temperature check on the changing effectiveness and culture within conservation and protection. The number of fisheries officers in Lillooet, Williams Lake, Quesnel and Prince George is now fewer than half of what it was in 2011. Without enforcement, the Fisheries Act is merely a paper tagger.

There are similar issues in relation to quagga and zebra mussels, as well as whirling disease.

Thanks for your time.

● (1220)

The Chair: This is the first time somebody has left me a minute on the clock.

Mr. Jesse Zeman: I watched what happened before this, so I figured I'd cut off some time.

The Chair: I appreciate that very much.

We'll now go to Ms. Strobel for five minutes or less.

Ms. Sonia Strobel (Co-Founder and Chief Executive Officer, Skipper Otto Community Supported Fishery): Thank you so much.

I'm so grateful to be here in person for this review of the Fisheries Act. It's a powerful tool for shaping how all Canadians benefit from the richness of our vast coastlines and from our abundant fisheries resources.

My name is Sonia Strobel, and I come to you today from my home on the traditional and unceded territories of the Coast Salish people in Vancouver, B.C. I'm honoured to bring to you the perspectives of my extensive networks of west coast harvesters, shore-side businesses, academics, environmental NGOs and seafood consumers.

I've been here before, but I'll introduce myself. I'm the co-founder and CEO of Skipper Otto Community Supported Fishery. It's an innovative way for Canadians to buy seafood directly from Canadian fishing families. Our network of 45 fish harvesters in B.C. and in Nunavut provides seafood directly to some 8,000 member families across five provinces, from Victoria to Montreal, through a unique subscription model.

Since founding Skipper Otto 16 years ago, I've dedicated my life's work to protecting a small-scale fishing way of life in Canada's coastal and indigenous communities, and to building a robust local seafood system that ensures Canadians have access to Canadian seafood.

In addition to my work at Skipper Otto, I'm a member of the Fisheries for Communities network, which is a grassroots movement working to ensure that the many values of B.C. fisheries flow to the people on the water, on the dock and in adjacent communities. I'm on the executive committee of the Local Catch Network, based out of the University of Maine, which is a hub for knowledge exchange and innovation to support local, community-based seafood systems in North America. In 2023, I co-founded the Local Catch Canada network. It's expanding our work at the Local Catch Network and centring indigenous knowledge-holders to build an equitable community-based seafood system within the uniquely Canadian context.

I'm a mentor to many small-scale fishing businesses in Canada and in the U.S. I often speak on these topics to media and at conferences, like the B.C. salmon recovery and resilience conference in Vancouver last week, which was hosted by the Pacific Salmon Foundation and the First Nations Fisheries Council.

In preparation for my appearance, I consulted with members of these many networks, and I did my best to synthesize what I heard from them so that I could bring that to you today.

The most common and consistent refrain I hear from my networks is that the true value of our fisheries lies in how the bounty of our oceans enriches our communities socially, economically, culturally and as a food source, and that the health and well-being of our oceans, our fish, our ecosystems and our people are inextricably linked. When you prioritize protecting the way of life of the people who live and work on the water in our fisheries, you're necessarily supporting the objectives of the act, which is protecting fish and fish habitat, advancing reconciliation with indigenous peoples and ensuring the long-term sustainability of marine resources.

The modernization of the act in 2018-19 began to address the inequities that it continues to perpetuate, but the realities on the ground for fishing communities, for businesses like mine and for seafood consumers have actually only gotten worse. If time allows during question period, I'd be happy to provide some specific and current examples of how members of my community are harmed by the lack of protections in the act for active fish harvesters and for everyday Canadians.

For now, I'll just briefly highlight three things that this review of the act could undertake to address if we're to address the inequities that are continuing.

First, the act should define its own purpose at the outset. The courts have consistently upheld that the social, cultural, economic and food system benefits are the purview of the act, so regular reviews of the act should help to ensure the protection and equitable distribution of those benefits to Canadians, especially to those who live and work in fishing communities and who are on the water actively harvesting.

Second, the act should enshrine fleet separation and owner-operator protections in all of Canada, not just on the inshore fleets in the maritime provinces and in Quebec.

Third, the act should ensure that the minister's discretion does not override her obligation to take into consideration social, economic and cultural factors.

My written brief provides specific sections of the act that I believe could be changed to meet these outcomes, but time is of the essence. With every new minister, it seems that we're back to square one. We're trying to cut through the noise and trying to convince her that protecting active harvesters in our coastal and indigenous communities is important and is in her power. With an election looming, it's more important than ever that we wrap up all the years of study on this topic and finally enshrine into the act the protections that we need for the people who live, work and fish in coastal and indigenous communities.

• (1225)

Thank you.

The Chair: Thank you. That was good. You were right on the five-minute mark.

We'll move to our first round of questioning.

Mr. Arnold, you have six minutes or less.

Mr. Mel Arnold: Thank you, Mr. Chair.

Before you start my time, could I ask the clerk if there's a possibility to get extended resources so we can get a full hour with these witnesses?

The Chair: You need the permission of the chair to extend as well, and that's hardly going to happen today.

Mr. Mel Arnold: It's not happening. Okay. Thank you.

Mr. Zeman, you mentioned changes in the act. Some were good, but the results were more important than the process. Could you elaborate a little further on that?

Mr. Jesse Zeman: Sure. Thanks for the question.

This ties into the lack of enforcement. On the mid-Fraser, we reached out to DFO. We got a message response back on why there was no enforcement. There are parallels around the world of whirling disease and invasive mussels. We have laws that say you can't transport whirling disease or aquatic invasives, but we know there's no protection around our borders to keep them out.

A number of committee members probably don't know what whirling disease is. To make a very long story short, it's a parasite that affects salmonids. It can get into their spinal column. They essentially get a kink in their tail or in their body and they swim around in circles until they die. B.C. just reported three positives on Friday in Kootenay Lake.

The point is that we can have all the laws we think will change the outcome and take care of fish, but if we have no enforcement of those laws, the laws don't mean anything. B.C. is one of the few places left in Canada that currently does not have quagga and zebra mussels. Until last year, we didn't have whirling disease. Quite frankly, DFO, on both fronts, has been nowhere to be found.

• (1230)

Mr. Mel Arnold: Are you saying that in enforcement, the inspection of watercraft or water-borne vessels, tools or implements is lacking and putting B.C. waters at risk?

Mr. Jesse Zeman: Yes. From our perspective, no watercraft should enter B.C. without being inspected and decontaminated and possibly quarantined. DFO did provide \$400,000 a year to the invasive mussel defence program until 2023. This year there was no money provided federally. The BCWF partnered with the Pacific Salmon Foundation and the Habitat Conservation Trust Foundation to try to provide some bare minimum funding. I believe DFO did buy a couple of trailers.

From our perspective, again, we have federal regulations that prohibit the transportation of invasives, but if there's no money and there's no enforcement of laws, B.C. will end up with mussels. We now have whirling disease in two places.

Mr. Mel Arnold: We're doing a review of the changes to the Fisheries Act in 2019. Are there tools in place within that act to implement enforcement and inspection and so on, or are changes needed in the act?

Mr. Jesse Zeman: For enforcement, there are regulations on aquatic invasive species under the Fisheries Act, so I would say, yes, the legislative and regulatory tools are there. What's missing is funding and capacity to actually make sure those things don't happen.

Ms. Lisa Marie Barron: Mr. Chair, I have a point of order.

The Chair: Go ahead, Ms. Barron.

Ms. Lisa Marie Barron: I'm so sorry to interrupt our valued witnesses. It is for that reason that I am calling a point of order.

The time with our witnesses is so important. We have many questions we want to ask them. For that reason, I want to challenge the chair's decision not to request that the clerk seek additional resources for us to have the full hour.

The Chair: The clerk is checking to see if there is extra time available. That's not saying that it will go ahead.

Ms. Lisa Marie Barron: I understand that. The information that I just heard you say was that you were not going to be looking into additional resources.

I'm happy to hear that the clerk is checking.

Thank you.

The Chair: Thank you.

Continue on, Mr. Arnold.

Mr. Mel Arnold: Thank you.

Ms. Strobel, it's good to see you here again. The committee did a study on owner-operator and vessel licensing on the west coast in 2019. We revisited that again last year. Action had been very slow. Can you say where there could be changes in the act or within the regulations under the act that would move that process along?

Ms. Sonia Strobel: Thank you, Mr. Arnold.

This committee has been studying the topic of owner-operator and fleet separation for many years. Reports in 2019 and 2023 were very clear about recommendations for changes that needed to be made. We are still hoping to see those changes. There's very little progress and actual work being done.

There was yet another study. Lindsay Gardner is working very hard, but she is asking questions about whether we should undertake reforms in the Pacific region. She's holding round tables and asking the same questions we've been asking and have been presenting to this committee for six years. Instead, what she should be asking is, how should we modernize west coast fisheries policy?

This time and these taxpayer dollars could be so much better put to use if there was simply a ministerial order that said the decision has been made and we are moving to owner-operator in the Pacific region. We can start the conversation about how.

In the community, we've been asked to present how that could look for different fisheries, but that's like asking us to do homework when it hasn't been decided that it's going to happen. There would be much more creative energy put toward it if that decision was made.

As it relates to the act, section 2.5 talks about the—

• (1235)

Mr. Mel Arnold: Could I ask you to submit that in writing? I have one more question that I want to try to fit in for Mr. Zeman.

Ms. Sonia Strobel: Absolutely.

Mr. Mel Arnold: Mr. Zeman, do you feel that the purposes listed in the Fisheries Act adequately address the conservation of fisheries and fish stocks for commercial and recreational use or should the purposes be modified?

Mr. Jesse Zeman: That's a challenging question and I don't know if I'll be able to give you a perfect answer to it.

There is definitely a sentiment or concern around public access to things like fish and nature, generally. There are probably improvements to be made, but I wouldn't be able to provide you with specific targets today.

Mr. Mel Arnold: If you can provide us with anything in writing, we would appreciate that.

I see the chair is preoccupied, so I'm going to carry on.

Ms. Strobel, is there anything you would like to add to that? Are there components in the purpose of the act that are missing or should some be added?

Ms. Sonia Strobel: Do you mean as they relate specifically to the conservation of fish stocks? Sorry, can you rephrase that question?

Mr. Mel Arnold: I'm referring to the conservation or sustainability of fisheries.

Ms. Sonia Strobel: I think the written remarks that I've provided specifically relate to the protection of the socio-economic and cultural factors in fisheries. I have those comments there specifically—

The Chair: I'm sorry, Mr. Arnold. Your time is up. You've gone well over.

We'll go on now to Mr. Weiler for six minutes or less.

Mr. Patrick Weiler (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Thank you, Chair.

I want to thank our in-person witness for being here and our witnesses joining virtually by video conference as well.

I want to start with Mr. Zeman.

It's great to see you at committee, although you mentioned some very alarming facts, like the fact that now there are fewer than half the fisheries officers there were in 2011. I remember that in 2012 in my riding, the DFO office on the Sunshine Coast was shut down by the Harper government. I remember that several years later, there was an effort to shut down the DFO office in Squamish. I think we're seeing an overall centralization of DFO services. I think you quite accurately pointed out the concern that some of that has led to IUU fishing in different places.

I was hoping you might be able to speak a bit more to that. Also, do you see any mechanisms or opportunities to better utilize technology and data in some of the detection and enforcement efforts?

Mr. Jesse Zeman: Yes, we are seeing a lack of officers. We're seeing a brain drain happen, with people heading to other parts of the Canadian government and people leaving. As I said, there are people leaving who are coming to work for the province and the Conservation Officer Service. There's a challenge with people who love fish and wildlife. They don't do it because they make more, get a better paycheque or it's a better job. They sacrifice those things because they're so passionate about the resource. Sometimes you see—we're seeing it provincially too—some pretty serious issues around morale because there's a lack of funding.

How do we change that? I know that B.C., definitely, has more fisheries. We have a bigger recreational fishery, more indigenous communities and more species at risk, probably, than every other place to the east of us, but per capita we definitely have far fewer fisheries officers, so we need some kind of commitment to ask, "What do we need? How many people do we need?" This is as opposed to a makeshift approach where, when we have budget cuts, it's a matter of priorities. Our priority is fish and fish conservation.

On technology, the BCWF actually built a tool called the conservation app. We need to update it, but it gives citizen scientists the ability to basically report infractions on their phones. For a bit of backstory, when we started putting it to use about six or seven years ago, DFO was opposed to it because they were worried they would be overwhelmed by the number of reports and they wouldn't be able to respond to them because there weren't enough people. Is the technology there? Yes, absolutely.

As it relates to enforcement, the big picture is funding, capacity, and then outcomes. It's hard on all of us when fisheries officers, biologists and managers, who care so passionately about the resource, say they can't even do their jobs, they're not allowed to leave the office and they can't travel—all those sorts of things. There's a big picture, and maybe DFO can spend some time looking at what's an appropriate level, but there have been multiple commissions, and every single commission that comes up always says there aren't enough enforcement officers. Sometimes you get a bit of a bump, which fades off over time.

• (1240)

Mr. Patrick Weiler: I want to ask the next question of Dr. Mordecai.

You spoke about the need to establish an independent science body to provide advice for decision-makers and about some of the examples of what we already have in Canada and in other countries as well. I was hoping you might be able to speak a little more about that, and particularly about how that might fit into legislative changes to the Fisheries Act so that it can have proper guidelines or direction to ensure that it meets the qualities you mentioned.

Dr. Gideon Mordecai: I'm not a scholar of how policy is made legally, but what I can provide.... We can talk about other examples within Canada, about why policy is so important and about some of the really big issues, like the example of how vaccines are reviewed for public safety. It's all about trust, and to get that trust, there's a body with a really strict conflict of interest policy so people can trust the information they're receiving. I think something analogous needs to happen for fisheries, because right now trust isn't there.

One key feature of our independent body that we recommend is a legislative basis that makes sure science advice from an independent body is enshrined in law. That's one input to the decision-making. Exactly how that would look, I'm not sure, but looking at the Fisheries Act, I see it states that science is one of the considerations when it comes to decision-making, so maybe, similar to some of the other issues you've heard today, it's more about an implementation gap and making sure that the science is of a good enough quality and is provided, rather than not being in the law itself.

Mr. Patrick Weiler: As an add-on to that, I note you also spoke about the precautionary principle. Do you see the need to provide any guidelines saying that it will be considered in decision-making and provide more definition to what the process needs to be like in decision-making?

The Chair: Your time has expired, Mr. Weiler, so I would ask Mr. Mordecai to respond in writing to the committee, please, on that question.

We'll now go to Madame Desbiens for six minutes or less.

[*Translation*]

Mrs. Caroline Desbiens: Thank you, Mr. Chair.

I'd like to thank the witnesses for being here today. Their testimony is always extremely valuable and I thank them for sharing their expertise.

Mr. Mordecai, earlier you were talking about key scientific articles, which have occasionally been suppressed. You also mentioned that it's absolutely essential to restore trust through a certain amount of scientific mediation.

Maybe you know Ms. Lyne Morissette, who came to testify before the committee recently. She works more in the eastern regions. She shares the view that we need to set up a non-partisan body, a committee that operates horizontally and includes not only scientists from the Department of Fisheries and Oceans, but also independent scientists. They would be able to provide precise, non-partisan insight into the directions the government needs to take to improve the situation. This must be done urgently.

We are experiencing a major crisis on both sides of this territory. We absolutely must have such a committee, which would leave politics somewhat out of the exercise, since it serves only to enforce laws and make decisions in light of the conclusions of this committee, this environmental mediation body. What do you think?

• (1245)

[English]

Dr. Gideon Mordecai: That's something we thought about when we put together our paper. It uses salmon aquaculture in B.C. as a case study, but we see the same issues across the board. I think it makes the work of the decision-makers at DFO very difficult if they can't necessarily trust the information they are receiving. While on paper sometimes things look okay in terms of how DFO gets their science advice, it doesn't always work out to be the case. This isn't about a few isolated cases. There's a kind of structural issue regarding how science is handled, which is why we came to the recommendation of a body independent from political and bureaucratic influence.

I used the example of COSEWIC because I think overall it has the respect and trust of the public given the science and work done there. I've spoken to some of the chairs of that body. Because of their conflict of interest policy, they know they're just there to review the science. There are stops and processes involved to make sure that kind of bureaucracy or political influence doesn't get involved in the process.

[Translation]

Mrs. Caroline Desbiens: Thank you. That's very enlightening.

Ms. Strobel, I was listening to you speak and what you said really made me think of an organization in my region, in Quebec, called Mange ton Saint-Laurent! It's pretty much the same approach. I'd even say there are elements that are similar to supply management on the agricultural side.

There's this principle that we should establish a balance between consumption and fisheries to give back to the community, as a priority, the product of these fisheries. This aspect was also raised at the fisheries symposium held by the Bloc Québécois in Caraquet. This was an apolitical event, but it was the Bloc Québécois that launched this initiative.

We also noted that over 80% of our very high-quality products are exported. Of course, you have to export, you have to trade, you have to have a profitable fishery. I understand all that. However, as a matter of principle, priority must be given to local, autonomous consumption in coastal regions that fish, which isn't always the case on the Quebec side.

As I understand it, you're also pushing the people involved to get things done. So tell me what you think of the following proposal: we could recommend that the act oblige the department to express its intention to give priority to a certain share of Quebec consumer products, before moving on to exports. This would ensure a balance between supply and demand. Is this a proposal that appeals to you?

[English]

Ms. Sonia Strobel: Thank you very much for those comments.

I think we see very similar things in fisheries in Canada. We export around 90% of the seafood we catch. About 80% of what we eat in Canada is imported seafood, and we know it comes from fisheries that are not as well managed as ours, fisheries where the water isn't as clean and where we don't have labour laws to protect workers.

Canadian consumers should be benefiting and nourishing their bodies from the bounty of our oceans. I don't see much—or anything—in the Fisheries Act that looks at fish as nutrition for Canadians. This is, I think, an oversight. I think it comes from a colonial history, where we've thought about our resources as products to extract to benefit someone far away. We have not thought about the bounty of this land in terms of the people here.

I agree that in the act we lack protections that look at fisheries as a food source for Canadians. I think protecting harvesters and putting the power into the hands of harvesters to have agency over where they're selling their catch would go a long way to feeding Canadians. If the vast majority of our licences and quotas are owned by large export-oriented companies or foreign entities, we've given up our resource even before we've given Canadians the opportunity to nourish themselves with fish.

It is absolutely within the purview of this act to protect the fish in our waters for Canadians not only to harvest and benefit from, but also to nourish themselves all across the country.

• (1250)

The Chair: Thank you, Madame Desbiens. You're a little over your time.

We'll go to Ms. Barron for six minutes or less.

Ms. Lisa Marie Barron: Thank you, Chair.

Welcome, Ms. Strobel, Dr. Mordecai and Mr. Zeman once again. It's nice to see all three of you. I have lots of questions, so I'll try to get through them fairly quickly and efficiently.

My first question is for you, Ms. Strobel. Could you, as you mentioned this in your opening statement, provide us with some of the ways members of your community are harmed by the lack of protections in the act for active fish harvesters and everyday Canadians? Perhaps just narrow it down to one.

Ms. Sonia Strobel: Sure.

I'll give you one quick example. One of the harvesters in our community spoke with Mr. Kelloway on Friday about the fact that right now he's waiting to head out on a halibut fishing trip. Of that catch, 77.5% of the landed value will go to the licence owner, the licence-holder. That's before he can even pay for the cost of his trip and his crew and, hopefully, pay himself.

This fall, the licence-holder has postponed his trip and postponed it and postponed it again. He's waiting at the docks. He can't go fishing because the licence owner is still negotiating for the best deal, which in theory will benefit this harvester somewhat. However, this harvester sits at the dock penniless and unable to go fishing because he doesn't own access to the resource. This is a kind of modern feudal system where he is an indentured worker and has absolutely no agency and no power.

I think it's unthinkable. It's unconscionable that we continue to allow this to happen on the west coast, particularly when we've implemented changes, regulations and laws on the east coast to prevent this from happening in other parts of Canada. Why do we allow this to continue on the west coast?

Ms. Lisa Marie Barron: That's a really important example. Thank you so much, Ms. Strobel. I'm going to come back to you, but I am going to move to Dr. Mordecai.

Dr. Mordecai, you talked about the precautionary principle. One thing I hear over and over again in the community when I'm talking to various people about open-net fish farms is that the rationale to either delay action or justify action not being taken is based on the fact that there's inconclusive science. I hear that from people who have concerns.

My question is, how does that argument contradict directly the responsibility of the minister to move forward with the precautionary principle?

Dr. Gideon Mordecai: When it comes to complicated scientific questions, there's lots going on. There are lots of different stressors, so there are a few ways to answer this.

One is that this is one stressor and there is evidence of some risk, so if you remove it, you're making a precautionary decision. The other example of the precautionary principle comes down to just looking at individual pieces of evidence. As I often see in my work, DFO won't assess some of the diseases we study as disease agents because there's not a causal relationship with diseases in a population. Sometimes the bar is set so high by DFO that with the level of evidence they require, it's almost impossible to know if something is having a population effect with 100% certainty.

That's why the precautionary principle is so important. You won't always have that level of certainty, but we have to make important decisions about populations that in some cases are in severe states of decline.

Ms. Lisa Marie Barron: Thank you, Dr. Mordecai.

I'm going to move back to you, Ms. Strobel. In the final pieces of your opening statement, which was right on time today, you mentioned in point three that the "act should ensure that the minister's discretion does not override her obligation to take into consideration social, economic and cultural factors." Can you expand a bit more on that and why that's important?

Ms. Sonia Strobel: With the way the act is currently worded, section 2.5 says, "the Minister may consider, among other things", and then it lists, under paragraph 2.5(g), "social, economic and cultural factors in the management of fisheries" and, under paragraph 2.5(h), "the preservation or promotion of the independence of licence holders in commercial inshore fisheries".

There are a few problems there. First, indicating that she may consider these things is not strong enough wording, and I think that makes it difficult. I think it makes the minister and the department nervous to make bold decisions, because the act is vague. I think the wording should embolden them by saying "will" or "must" when considering those things.

Also, the wording about the independence of licence-holders in commercial inshore fisheries is often used by the department to say that this part only applies to the east coast, so that language needs to be changed. Although Minister LeBlanc at the time said that the use of the word "promotion" of independent licence-holders made it also apply to the west coast, in actual practice on the ground, it's not being used in that way.

I think the act specifically needs to make very clear that the minister's responsibility is to always consider these things and that these things apply to the west coast as well.

• (1255)

Ms. Lisa Marie Barron: I only have 30 seconds left, so I'm trying to figure out how best to use that 30 seconds—apparently by just talking about nothing.

I'll ask my last question now, and perhaps if I get another round, I'll get you to respond to it then.

Ms. Strobel, in your first point, you talked about helping to "ensure the protection and equitable distribution of those benefits to Canadians". The question that I'll hopefully get you to respond to in my second round is this: In what way do you see that happening? What is the best way to move us in that direction?

The Chair: Thank you, Ms. Barron.

We'll now go to Mr. Small for five minutes or less.

Mr. Clifford Small: Thank you, Mr. Chair.

I'd like to thank the witnesses for being here today.

Mr. Zeman, I heard you mention funding capacity and outcomes. DFO funding is three times higher now than it was in 2014, and its staff is 50% higher. Why don't we have conservation outcomes, do you think, when conservation is supposed to trump all in the Fisheries Act?

Mr. Jesse Zeman: That's a really good question, and I think it's a matter of priorities. Our priorities as an organization are about the conservation of fish, first of all, and second of all, they're about access and opportunity. We definitely struggle with these things.

We talked at committee before about pinnipeds, and a number of folks gave testimony. We engaged DFO on that afterwards, and the response from DFO was completely inconsistent with what everybody had said at committee.

I don't have a good answer for you, but I think the best answer is that the department's priorities might not line up with our priorities.

Mr. Clifford Small: There was quite a bit of talk for the first couple of years of this Parliament about pinnipeds. Last year in Newfoundland and Labrador, fewer than 32,000 of a possible harvest of 450,000 were taken, so it's on your coast and in Atlantic Canada as well. There seems to be a lot of lip service.

This summer, DFO admitted to a lack of patrols. They wouldn't admit it on the Atlantic side, but they did admit it on the B.C. side. What do you think of the arguments that were made to support their cutting back on their patrols? Do you think they are legitimate arguments, or do you think somebody influenced the PMO for that outcome?

Mr. Jesse Zeman: That's a good question.

When we asked why there was no enforcement on the mid-Fraser, this was the response we got from DFO:

In order to preserve operational integrity and to maintain strategic flexibility, DFO's Conservation and Protection (C&P) Branch does not provide specific statistics on numbers and frequency of enforcement patrols.... The C&P enforcement program uses a wide range of tools to protect Canada's fisheries resources. Using a risk-based, intelligence-led approach, C&P deploys fishery officers throughout the province to respond to priority issues using a variety of methods....

Maybe you got a response, but that was the response we got when we inquired why there were no fisheries officers on the mid-Fraser this summer and why sockeye poaching on the mid-Fraser was rampant. They didn't even acknowledge there was a shortage of fisheries officers.

Mr. Clifford Small: The number one purpose of the Fisheries Act is conservation. Do you think that's the number one priority right now, within the current DFO set-up?

Mr. Jesse Zeman: It doesn't seem that way.

Mr. Clifford Small: Ms. Strobel, not long ago, you were at the B.C. Women of the Year Awards. Congratulations. You came very close...and I'm sure your work around this table is a feather in your cap. Keep up the good work.

There, you said, "I think certain voices just haven't been heard." How do you think this applies to the construction of the current Fisheries Act?

• (1300)

Ms. Sonia Strobel: That's a great question.

Consultation, right now, happens in advisory boards, which are largely made up of licence owners, so we have the perpetuation of a system where DFO consults with those who own and control access to the resource. Those are, generally speaking, not active harvesters or people working in coastal communities. The more licences you own, the more say you get, so this is a self-replicating system.

The act talks about these advisory boards. We really need to modernize that so the department is consulting with people in communities who are actively engaged in harvesting.

Mr. Clifford Small: You're saying that the advisory boards are failing because of the composition of the boards.

Ms. Strobel, I'd like you to submit something in writing about the precautionary principle affecting your business.

The Chair: We'll now go to Mr. Hardie for five minutes or less.

Mr. Ken Hardie: Thank you, Chair.

Dr. Mordecai, I captured your thoughts about separating science from DFO. What level of confidence do you have that, whoever provides it to DFO, the science is passed along objectively and in an action-oriented way to the minister?

Dr. Gideon Mordecai: There are a few ways for me to answer that question.

One is that I've reviewed internal science advice within DFO, and I have no confidence in the quality of it. I know it's not in line with the international science research on those topics. I don't have time to go into detail on that right now.

The second aspect is that, even when I was involved in work with DFO scientists themselves, I had no confidence that results would be communicated up the chain towards the minister. For that reason, we sought external ways to provide that information.

The short answer is that I have low confidence. I think having an external body might help some of those issues, because you'd cut out some of the ladders of hierarchy where that information might get blocked.

Mr. Ken Hardie: Ms. Strobel, we're going to hear from another witness, Jennifer Silver. You probably know her. She's going to make the point that the Fisheries Act needs to be more engaged in the whole social and cultural background of the fishery.

Do you agree with that? Do you have any comments on that?

Ms. Sonia Strobel: I agree with that.

Through working with the Local Catch Network in the U.S., I have a lot of contact points with community-based fishers there. Their interaction with their department, the NOAA, is significantly different from what's in Canada. I think that stems from the relationships our department has. It is very much a top-down, policing, absolute-discretion entity. In the U.S., it feels very different. It comes from things in the act.

I agree that the Department of Fisheries and Oceans needs to be looking at social and cultural ties to fishing in the communities. That's going to come out of collaboration and true consultation with people in communities and actually listening, rather than this top-down dictation we see.

Mr. Ken Hardie: I don't know which of you would like to answer this one.

Canada is a big country. We have the north coast, the east coast and the west coast, and we have one department that is supposed to reflect everything going on. Do you think we should break up DFO into three separate departments—north, west and east—or devolve the whole function to the provinces?

Mr. Zeman, I'll give you a shot at this one.

Mr. Jesse Zeman: That's a loaded question. We always say to be careful what you wish for, and we've seen that go in both directions.

I can speak provincially. Right now, the Ministry of Water, Land and Resource Stewardship is suffering probably from even worse budget cuts than DFO is.

I don't have a good answer, but I will indicate that there is definitely a feeling out west that, first of all, our fisheries are different from those out east. That's 100% true. There is a major attachment across the country around fish, but there's definitely a perspective that the folks out west get managed the same way as the folks out east do, but our fisheries are very different on this side of the country.

On the question about DFO, yes, there is definitely, among our membership, discussion about whether the organization is structured for success. It clearly isn't. Would there be interest in moving it to a B.C.-based or Pacific region focus? Yes, I absolutely think so.

• (1305)

Mr. Ken Hardie: That's it. I'm good.

The Chair: Thank you, Mr. Hardie.

We'll now go to Madame Desbiens for two and a half minutes or less.

[*Translation*]

Mrs. Caroline Desbiens: Thank you, Mr. Chair.

It's all very interesting. There's even some momentum towards the resumption of self-determination. I love this provincial principle.

That said, at the fisheries symposium held in Caraquet, we again raised the fact that, even if Quebec were to become a country—which could happen in the next few years—we will always have contact, a deep and sincere relationship with the entire fisheries of the Gulf of St. Lawrence, the river, the estuary and everything that lives there. It binds us together, against all odds, to the end of time.

I'd like to address any witnesses who would like to respond, even though we don't have much time. Would it be interesting to have an umbrella body for all this, within the department or elsewhere, that would perhaps consider the western sector in one way, the eastern sector in another way, with the Maritimes, and the northern sector in another way, too? Of course, we'd still need the support of environmental mediation, because, as we know, everything is infinitely interconnected when it comes to nature.

[*English*]

Dr. Gideon Mordecai: I'll jump in quickly. I don't know if I'm going to answer your question, but I think about what policies will ensure that independence is really independence and that it's not tied into any other types of influence. It is just a scientific body.

The other thing I'd draw upon, which came up in the discussion, is about being careful what you wish for with the province versus the federal government and who's in charge. I think the thing to think about is what happens when things go wrong and when decisions are made that aren't fair. In B.C., we have an ombudsperson who can independently judge if things are fair. There's no such federal ombudsperson to investigate those kinds of things within DFO, so that might be something to think about.

The Chair: Thank you, Madame Desbiens.

We'll now go to Ms. Barron for two and a half minutes or less.

Ms. Lisa Marie Barron: Thank you, Chair.

First and foremost, thank you to my colleague Mr. Small for bringing to my attention the incredible accomplishment that you received, Ms. Strobel. I don't know how I missed that. I'm talking about you being named runner-up in the BCBusiness 2024 Women of the Year Awards for change-maker in natural resources. That's an incredible honour, and I want to reiterate that it is so well-deserved.

I was so honoured to tour Skipper Otto and see the incredible work happening there. I'm very impressed, to say the least.

I would love to get an answer from you to the previous question, just as a reminder of what you feel would be the best way to move forward with the protection and equitable distribution of benefits to Canadians.

Ms. Sonia Strobel: Thank you so much for the question and for your kind words.

The most important thing we need to do is embed into the act protections for harvesters, local community members and Canadian consumers. That can come in some of the forms I've mentioned so far, but certainly, embedding consultation into the act is another important point. The ways in which community members are consulted in the management of fisheries, whether that's through advisory boards or round tables, is important.

The minister's discretion on shared decision-making can be looked at in the act. That can help ensure community members are consulted, not only licence owners. That's really important. There's also ensuring that owner-operators and the protection of licensed active harvesters are embedded into the act. Those are some of the critical things we need to see here.

I thank Mr. Hardie for bringing up the question about how fisheries should be managed. As we face climate change and further uncertainty, our fisheries need to be nimble. They need to be able to respond to the crises that are continuing to unfold.

Globally, locally managed fisheries tend to fare better with managing and being more nimble. If we look to our neighbours to the south, where fisheries are managed by the state, we see them being better positioned to hear from local constituents and active harvesters and to make changes to protect fisheries.

Those are some of the important things we need to see to protect community-based harvesters.

• (1310)

The Chair: Thank you, Ms. Barron.

We'll now go to Mr. Bragdon for five minutes or less.

Mr. Richard Bragdon: Thank you, Mr. Chair.

I want to address my question to you, Ms. Strobel. Thank you for being here today and for your incredible accomplishments. Skipper Otto is a truly remarkable story. It's inspirational, to say the least.

Obviously, I'm speaking to the Fisheries Act, but I want to take it to a broader level and get your input and insight on this. From the various witnesses we've heard from throughout my time on the committee, anytime we're talking to those closest to the ground and those who are actually in the harvesting business, they say they're seeing areas of incredible opportunity and potential within their sectors that don't seem to be recognized at the government level, and that adaptation is not happening nearly as quickly enough to pivot and take advantage of those opportunities. I was wondering if you could speak to that.

So many times, we've heard about what's wrong in the sector, what needs to be addressed and the challenges we face. There's a plethora of that. However, I would be interested to hear where you see opportunities if the fisheries in Canada were repositioned better to take advantage of them.

Ms. Sonia Strobel: Our fisheries don't feel nimble. We don't feel that the Fisheries Act allows for rapid enough change to address climate change and changes in abundance.

We don't feel on the west coast that there are mechanisms for west coast harvesters to feel heard. We don't feel that those mechanisms are there. On the knowledge of fish harvesters and the people based in communities, there isn't a mechanism to share knowledge or for knowledge to be respected. We hear harvesters all the time commenting that fish are returning to one river or another, but there are no officers monitoring those rivers anymore. That knowledge isn't even getting back.

We feel the Fisheries Act was written at a time, initially, before British Columbia was even part of Canada. Really, considerations aren't in place to recognize the knowledge of the people on the ground and to feed that back to decision-makers to have quick decisions made.

We'll continue to see those changes. As water is warm, we will have species coming up from California and have no fisheries for them because we're not acting in a way that's nimble enough. The act needs to be reconsidered at a high level in light of respect for the knowledge in fishing communities from harvesters and from people who are on the ground.

Mr. Richard Bragdon: We need to get it closer to the ground so that those closer to the ground have more decision-making authority.

I know on the east coast, Atlantic Canada, there's more stuff under provincial jurisdiction than there is on the west coast. They're often quite emphatic about making sure we understand that jurisdictional distinction. Sometimes there's nothing worse than someone who's further away making decisions that have massive consequences for those living in fishing communities, whose livelihoods are dependent upon fishing.

Based on the input from the harvesters and people in your area, do they feel, under the current construct, that they have direct access or that their concerns are being heard? Do you want to comment a bit on that?

Ms. Sonia Strobel: I will definitely say that the harvesters in our community don't feel there is a mechanism for them to be heard, particularly because most of the young harvesters are leasing li-

cences. They don't have a seat at advisory board tables because they don't own the access. It's very difficult for them to be heard. Even right now with the round tables that are happening, they refer to people like me as one community and then refer to the industry as the people who own licences.

We as active harvesters find it challenging that we're not even considered part of the industry because we don't own the access. The entire language is set up for there not to be a mechanism for our voices to be heard, so we hear that frustration.

When I call harvesters up to say that I'm going to Ottawa and I have an opportunity to speak to the Fisheries Act, I hear the despondence. I hear, "Why even bother? They don't listen to us. We don't have a say." To me, that's a crisis of democracy. If people—Canadian citizens—don't feel that it's even worth trying anymore, that's a real problem.

• (1315)

The Chair: Thank you.

We'll go to Mr. Morrissey now for five minutes or less.

Mr. Robert Morrissey: Thank you, Chair.

I'm listening with interest, and it concerns me, Ms. Strobel, when you say that fishers on the west coast have given up. Could you give one recommendation to this committee on one change to the act that would allow us to begin the process of structuring the west coast fishery more along the lines of owner-operator? The coasts are very different. Could you give an opinion on that?

Ms. Sonia Strobel: It's correct that the fisheries on the east coast and the west coast are very different. What is consistent, though, is that without protections for active harvesters, the dollars flow away from them.

Mr. Robert Morrissey: I agree. You articulated that well. Quite frankly, it should be unacceptable to a G7 country like Canada that the resource is going away, but if we don't begin, we will never get there. That leads to the lack of confidence among B.C. fishers that you are articulating here. It didn't occur on the east coast overnight.

What preliminary steps would you recommend that you would like to see in the Fisheries Act to begin the journey towards owner-operator?

Ms. Sonia Strobel: I would argue that the Fisheries Act already provides the authority to the minister, with a stroke of a pen in a ministerial order, to say that west coast fisheries are moving toward a made-in-B.C., owner-operator policy. I think a bit of vagueness in the act makes that a grey area. When there's a grey area, people don't act.

If the language in the Fisheries Act would change to say that the minister “must” consider socio-economics in her decisions, that would give her the confidence to act immediately. As soon as that's done, as soon as that direction is indicated.... As you said, it's going to take time, but the time should start from the moment we say that British Columbia or the Pacific region will move toward owner-operator and fleet separation policies. Then we can begin the seven-year clock, as we did on the east coast, and figure out how to do that based on each fishery. Without the initial statement, that's what's holding us up.

Mr. Robert Morrissey: Thank you for your candidness and clear direction on one recommendation.

I want to go to Mr. Zeman.

I believe it was you who referenced that the department is not “structured for success”. Could you elaborate on that?

Mr. Jesse Zeman: There are a few pieces to that. I appreciate the discussion with Dr. Mordecai, because we experienced this with steelhead.

We would call it a separation between state and church. Instead of having people who identify what's available and people who identify regulations running into the same stream, the science piece, the fishery stock assessment piece and the species at risk piece should be a separate channel from the manager's piece. You would have people on one side who lift up the science and the harvest that's available. That would then go over to people who can identify how the harvest is carried out.

Currently, those two things run into each other and we end up with externalities. We end up with the case of steelhead, where we had ATIPs that showed the deputy's office was interfering in what's supposed to be an independent process. How do you create independence? You give them lines of authority that are separate. That's the best choice or the best approach.

The other thing that really concerns us is that we're moving into a world where—

Mr. Robert Morrissey: Excuse me, Mr. Zeman.

Those lines of authority, ultimately, must go to the top, which is the minister. Is that correct?

Mr. Jesse Zeman: Yes. You may have structures that go to two separate places. As long as the minister isn't reaching in....

What we're trying to identify is that Canadians need to see a place where the science is carried out without being fettered by someone from above. That's the concern. It's well documented as well.

• (1320)

Mr. Robert Morrissey: There's been a history in the department. We've seen it over the years. When the science recommendation went to the minister, it ran afoul of the political expedience of the day and was being pushed.... Generally, the opposition of the day cries foul when a department rolls back quotas based on science, or overturns them, and the fishers are always right. How would you advise or recommend that this not occur?

Mr. Jesse Zeman: That's a great question.

You could go to an independent model. I believe that's what the other witness referred to when she talked about how people are engaged and more nimble in the States. That's because they have commissions down there. That's one solution.

As it relates to the high end, you can always have policy- and decision-makers making decisions. The big thing for Canadians is to see transparency around the scientific advice that happens. I think that's part of it.

The Chair: Thank you, Mr. Morrissey. You've gone a couple of seconds over.

That concludes our round of questioning in the second panel.

I want to say a huge thank you to Ms. Strobel, Mr. Zeman and Mr. Mordecai for being here today, both in person and on screen, to provide their knowledge to the committee as we go through this report.

Hearing nothing else, the meeting is adjourned.

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