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Monitoring and enforcement of laws and policies in Canada: the bad, the ugly and how we can get to good

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Enforcement and monitoring in Canada: the bad, the ugly and getting to good

Christianne Wilhelmson
Executive Director
As American as apple pie

As Canadian as possible, under the circumstances
• ....(one) systemic weakness afflicting Canadian environmental law and policy is a failure to effectively implement and enforce the law, dating back to the 19th century slaughter of the buffalo...

• If there is a chasm between environmental laws and their enforcement in the United States, then in Canada there is a Grand Canyon.”
What are we told stops effective enforcement and monitoring?

- budget cuts
- personnel constraints
- political interference
What REALLY stops it?

- Lack of political courage or will
Orcas – paper protection
Private Prosecutions
What REALLY stops it?

- Lack of political courage or will
- Lack of transparency/clarity of the law and policy
Salmon farms – who’s in charge?
What REALLY stops it?

- Lack of political courage or will
- Lack of transparency/clarity of the law and policy
- Industry and businesses often designed with pollution/damage to environment as part of the business model
  - Cost of doing business
  - Costs externalized

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Abandoned vessels
What’s the solution?

- Stop tinkering
- Enforce laws on the books
- Work with industry to eventually remove assumptions that pollution/environmental harm is part of doing business
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