

Viewpoint: The hobbling of the B.C. forestry policing service sets a troubling precedent

September 9 2024, by Bryce J. Casavant



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The British Columbia forestry policing services (officially known as the [Compliance and Enforcement Branch \(CEB\)](#) is the province's primary environmental policing service. Like other Canadian provinces'

environmental policing services, the officers in B.C. are tasked with investigating wildfire causes, forestry offenses and other violations of laws designed to protect water and heritage sites.

Unfortunately, however, the [forestry](#) policing service in B.C. is facing critical challenges. Staffing is at [historic lows](#), while officers are [ill-equipped](#) to do their jobs and are [poorly supported](#).

The issues facing B.C. forestry policing also come at a time when [recent revelations](#) about "secret" [forestry maps](#) in the province point to the prioritization of industry interests and the flouting of the B.C.'s own forestry rules—all while severe forest fires grow ever more commonplace.

I previously worked as a provincial constable in B.C. both as a senior forestry investigator and an armed conservation officer. I have also [provided testimony](#) in the legislature, with my work [published](#). In my current academic role, I study environmental [policing systems and lecture](#) in the legal aspects of environmental management and legal philosophy.

In my view, the hobbling of forestry policing services [and timber management laws](#) raises the important question: who polices the government itself?

General Order #5

In 2023, the B.C. government's CEB executive issued a document titled . General orders are internal agency directives issued to policing personnel and form the basis of operating procedures. They are not normally released publicly, unless requested. A copy of General Order #5 was provided to me in mid-May 2024 by a senior government official who requested to remain anonymous.

In essence, General Order #5 is an instruction to the forestry policing service that the B.C. government would prefer the service not to conduct investigations into any potential government wrongdoing. In one particularly revealing statement, the order declares that:

"Pursuing enforcement action against government bodies creates a legal risk for government and it is an inefficient use of CEB resources that should be allocated to other high priority legislative investigations."

What exactly constitutes the alternative "high priority" investigations is never explicitly defined.

General Order #5 was issued without public consultation on the apparent advice of the Attorney General's Office—a highly unusual situation because it has no authority to direct the actions of provincial policing services.

If government wrongdoing is found, the order includes direction to "communicate the incident to the responsible government entity" and to "provide the responsible government entity with all appropriate documentation related to the alleged issue"—potentially disclosing sensitive investigative materials to those personnel under investigation.

Meanwhile, [two B.C. government investigations I led in 2018 as a senior compliance and enforcement specialist with the province](#) found worrying evidence of the systemic flouting of forestry rules by B.C. Timber Sales, [the government-owned and controlled entity](#) responsible for managing 20 percent of the annual allowable cut and other logging-related authorizations for industry. These matters were [later confirmed](#) by the Forest Practices Board.

I contacted [media relations](#) at the RCMP's E Division Headquarters to ask about the status of the federal Forest Crimes Unit in B.C. In an email

response from the RCMP in May, they confirmed the B.C. branch of the RCMP forest crimes unit was shut down in 2021. This move has left the compliance and enforcement branch as the only remaining forestry policing service in the province, a concerning matter as General Order #5 restricts investigative authorities.

Flouting international standards

When the B.C. [Great Bear Rainforest protection agreement](#) was signed in 2016, it was heralded as an effective and modern approach to balancing timber harvesting with [conservation objectives](#). Yet [loopholes in policy](#) remained and many old-growth areas of the rainforest were [still subject to clear-cutting activities](#).

Another troubling example of forestry mismanagement can be seen in Fairy Creek, an area the B.C. government opened up to old-growth logging. Timber practices in Fairy Creek and the [resultant protests](#) have been described as one of the largest acts of civil disobedience in Canadian history, with more than [1,000 people arrested](#), including the [deputy leader of the federal Green Party](#).

Members of the public had expressed concerns with the B.C. government's approval process for the Fairy Creek logging operations and many [charges against the protesters were later withdrawn](#). At least one [RCMP officer quit in the wake of the Fairy Creek scandal](#) as enforcement actions against protesters [continued into 2023](#).

If policing services are being disbanded and directed not to investigate government wrongdoing, how can the public be sure industry and government actions are lawful?

I reached out to the B.C. Government, Communications, Public Engagement team and asked if provincial forestry officers are

investigating allegations of government wrongdoing in the forest sector. In May, a branch director at the CEB responded in writing and confirmed that provincial officers "do not investigate government non-compliances as that is not the current mandate."

Setting a poor example

General Order #5 is an unprecedented move that undermines constabulary independence and the abilities of police services to apply the rule of law fairly and without fear or favor. Moreover, its stipulations that investigating officers hand over files and investigative information to parties under investigation presents troubling implications for transparent governmental oversight.

B.C. [forests are in crisis](#) and in this era of climate change and wildfires, it is essential the province ensures its timber laws are [applied equally to all](#), especially in recently announced [old-growth conservancies](#).

The practical effect of General Order #5 is to handcuff our forestry officers. An accountable forestry industry cannot exist without a robust and properly equipped enforcement service that acts independently from government under its constabulary authorities.

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