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Time to Salvage the Cohen Inquiry

OTTAWA— “A major rethink is required if the Cohen Inquiry is to be salvaged as a vehicle for the renewal of Fraser River sockeye,” said John Cummins, M.P. (Delta-Richmond East). “Shutting down the Cohen Inquiry for two weeks will not get the Inquiry out of the massive hole it has dug for itself.”

Lawyers complain they are overwhelmed with documents, yet the real source of the problem is within the Commission of Inquiry itself, not with the number of documents to be read.

The Inquiry was established on November 5, 2009 by the Prime Minister. From day one the Commission has failed to understand its assignment. Instead of meeting with fishermen and environmentalists who were concerned about DFO’s management of the Fraser salmon fishery and who in desperation had called on the government to establish the Inquiry, the Commission spent the first months meeting with DFO. As a result the Commission focused on the interests of the Department. Those who understand the problems in the fishery were ignored.

The Commission received a budget of approximately \$15 million and kept the lion’s share, some \$12 million, to pay for its own staff and internal operations. Only \$3 million was allotted for the various organizations granted standing, all of which was to go to pay for lawyers who know nothing about the problems inside the department.

Though the Commission is funding DFO insiders and DFO consultants, not one cent has been allotted to fishing and environmental organizations which have countless of years of fisheries knowledge and experience and know what is broken inside DFO. The people inside these organizations could offer invaluable assistance to the Commission, but have been left sitting on the beach as the Inquiry sails away into oblivion.

The hearings to date have focused on ambiguous policy issues far removed from the actual management of the fishery. Instead of reviewing management decisions, the Commission is floundering in a multitude of vague policy documents from DFO. Without a change in focus the Commission will never be able to understand the problems in the fishery.

If the Commission is to get on track, Justice Cohen must radically refocus the Commission's work on DFO's actual failures in fisheries management and in doing so provide a real opportunity for fishing and environmental organizations to participate.

That could be achieved if Justice Cohen were to--

- Re-allocate a significant part of the Commission's \$15 million budget from lawyers and the Commission's staff to fishing and environmental organizations to allow them to effectively participate in the work of the Inquiry.
- Use public hearings to get at the real problems in the fishery rather than wasting valuable time and limited resources by having them review vague DFO policy statements.

"Canadians need the Cohen Commission to be successful. The Fraser is at the heart of British Columbia. It is critical that Justice Cohen, even at this late date, undertakes radical surgery to salvage his Inquiry," concluded Cummins.

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