

No peace, no order

"Peace, order and good government" may well be the words fundamental to Canada's national character. We say "sorry" at the drop of a hat, devoutly anxious that we might somehow have disturbed the peace and order of our neighbours. Our laws and regulations define what we can and can't do, especially in matters regarding freedom of speech; unlike the US, where the onus is on the defamed party to prove injury, Canada's laws regarding libel and defamation favour plaintiffs, encouraging individuals to respect others.

But farmers, who the province is set to exclude from the definition of persons for the purposes of land exclusions under Bill 15 (set to pass shortly after this issue goes to press), are in danger of losing their protection from defamation.

The recent decision of Crown prosecutors to drop charges against an animal rights activist who entered an Ontario hog farm because they didn't think the case would result in a conviction – even though the activist herself admitted to the act and had video footage of what she had done – could well embolden activists there, as well as in BC.

It's already happening, in fact. Two years ago, undercover footage of livestock mistreatment by staff at a Chilliwack chicken catching business grabbed headlines. But the province's privacy commissioner told the business it couldn't equip staff with body cameras to monitor animal handling practices. "Video surveillance should only be used as a last resort," the commissioner said.

It wasn't true for activists then, and it wasn't true this spring when cameras were installed at a hog farm in Abbotsford, resulting in footage that triggered an invasion of the farm by protestors at the end of April and a cyberattack that compromised the business of the packinghouse it supplies. Police are investigating the break-and-enter that led to the footage, but the BC SPCA notes that the footage is hardly grounds for convicting some of filming it. Even someone claiming to have shot the video isn't enough; there must be proof that the suspect actually installed the cameras.

While the BC SPCA has found no evidence the farm mistreated its animals, the defamatory footage will live on because, it seems, no one can be held accountable for releasing it. It's one more instance where farmers have lost their rights under the law.

There was neither peace nor order when activists descended on the BC



hog farm at the end of April, and no one seems sorry for the inconvenience caused the farm or the rest of the supply chain. Good governance demands more, especially in a province where industry codes of practice for livestock are, as of this month, part of provincial statutes that also include right-to-farm legislation.

We all want to protect livestock. Who will protect farmers?

Farmers, not just farmland, need revitalization

Bill 15, the Agricultural Land Commission Amendment Act 2019, is poised to become law. When it does, BC agriculture minister Lana Popham will have fulfilled the first item on the list of agriculture-specific directives in the mandate

letter she received when she became minister in July 2017.

Minister Popham appears to have all of her ducks smartly in a row: appropriate recommendations from the independent advisory committee appointed last year to recommend ways to revitalize the ALR and ALC;

support from within the farm community, including the BC Agriculture Council; and the ever-claimed, and always alluded-to, backing of 95% of the public. Even the membership of the Canadian Federation of Independent Business, not generally known for welcoming government regulation, voted 56% in favour of imposing stricter regulations on the use of farmland in the ALR when questioned in an internal survey that simplified the issue to a choice between protecting food supply or allowing residential development.

There has been some pushback.

BC Liberal MLAs are framing Bill 15 as an attack on the property rights of farmers and ranchers, several farmers institutes are voicing concern and there is plenty of sceptical resignation among the rank and file that make agriculture happen. There is little chance any of this will alter the outcome.

There will be a lot of tub-thumping from the moral high ground when the bill finally passes, and salvation proclaimed for BC farmland. I have no quarrel with the premise, but as my Granddad used to say: there's two sides to every story and two answers to every question.

Let's look at the other side of this story: farmers and ranchers.

Sure, 95% of the population support farmland preservation. Health care and education probably enjoy the same level of support, but what good is a hospital without doctors or nurses? What good is a school without teachers? Hospitals and schools are only buildings until doctors, nurses and teachers turn them into places where health care and education actually happen.

Similarly, it's ranchers and farmers who turn the ALR into agriculture. Among them are the resigned sceptics who understand the value of their land but balk at the possibility of having another stone piled on the ever-increasing load of red tape and regulation they shoulder. They have watched the ALR saving farmland for 45 years but have seen agriculture fading away. They worry about where the regulatory hammer might fall if a growing bureaucracy starts playing Whac-A-Mole to enforce compliance. They understand the necessity of diversified income – ideally generated on site – to making agriculture happen.

Premier John Horgan's mandate letter to Minister Popham outlined several priorities, both general and specific to agriculture. Among them was "build a strong, sustainable, innovative economy that works for everyone" and "create good-paying jobs in every corner of the province, and ensure people from every background have the opportunity to reach their full potential."

BC has some of the lowest farm incomes in Canada. To be sustainable, farms need money for investment and to support the families who turn the ALR into agriculture. At the very least, they should be permitted and encouraged to identify and pursue innovative opportunities that allow them to achieve the premier's stated objectives.

Perhaps the time is right for Minister Popham to consider striking an independent advisory committee for revitalizing agriculture in BC.

Bob Collins raises beef cattle and grows produce on his farm in the Alberni Valley.