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## Cuts to Forest Service are too Deep

By Ben Parfitt

*There are many things that distinguish "supernatural" British Columbia from other jurisdictions. But one of the most enduring of them is its abundance of publicly owned lands.*

While many of us may not realize it, about 94 per cent of BC is Crown or public land. And over the decades the wealth generated from that land—the royalties and taxes from forest, natural gas and mining activities—has enriched public programs such as health care, education and transit to the tune of tens of billions of dollars.

Lately, however, our provincial government is behaving as if there's nothing particularly important about our great, shared natural assets.

Nowhere is this clearer than in the speed at which one of BC's longest standing public agencies has been gutted and dismantled—to the point where it is dangerously close to becoming irrelevant.

I speak of our Forest Service. In less than a decade, the provincial government has axed one quarter of the agency's staff (1,006 positions) and cut the number of fully staffed district offices in half, effectively severing the link between the agency and 21 communities that it once so ably served.

The depth of the cuts to the nearly 100-year-old agency is a serious concern. And when one bores down to what the cutbacks mean on the ground—our shared ground with First Nations—the alarm bells really go off.

To give perspective, consider the United States and its national Forest Service of nearly 30,000 employees. Each of its employees is responsible for an average of 2,700 hectares of national forestland. BC's Forest Service is roughly one-tenth the size, but individual staff members are responsible



for nearly 7.5 times more land—about 20,000 hectares each. And in northeastern BC, where the natural gas industry is cutting through forests faster than a knife through soft butter, each Forest Service staff person is responsible for about 232,000 hectares of land, or more than 580 Stanley Parks each.

Just about every facet of BC Forest Service work has been compromised by the cuts. Field investigations by compliance and enforcement staff—who work to ensure that companies do not illegally log trees on public lands or engage in environmentally destructive logging—are down by more than 14,450 visits annually over what they were a decade ago, and will likely continue to decline due to more recent job cuts.

Audits of company reports on the value and volume of Crown timber they log are slipping as Forest Service "scaling" personnel diminish in number. With the most recent job losses, government scalers are now responsible for an average of 36,961 truckloads of logs each—a 7,500 truckload per person increase since 2002-2003.

Meanwhile, inventory specialists—who count trees to help determine sustainable rates of logging—have been reduced to just 39 people. That's down from an inventory staff at Victoria headquarters alone of 100 people in the early 1990s and at least another 48 inventory staff in regional

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# How BC's Third Party Election Advertising Rules Missed the Mark

By Shannon Daub and Heather Whiteside

*The idea that everyone should be able to speak freely and that citizens should have access to a broad range of viewpoints are two fundamental principles of a democracy—and never are they more important than during an election. Yet many BC non-profit groups experienced a very different reality in the lead-up to the 2009 provincial election.*



*“For groups to be scared to speak up about the government...or scared to know what they could and could not do, is really bad. It was not a good feeling.”  
—research participant*

The culprit? Bill 42, enacted in 2008, introduced new rules governing third party election advertising—meaning advertising by individuals and groups other than political parties and candidates. The rules capped third party spending at \$150,000 province-wide, and \$3,000 within a single constituency.

According to then-Attorney General Wally Oppal, these rules were needed to create a more level election playing field, to prevent “the hijacking of the process by wealthy participants.” Bill 42 set off a storm of controversy, most of which focused on the implications for “big spenders”—those groups most likely to spend money on election ads, such as corporate interests and large unions.

In the lead-up to the election, however, we heard from several small charities and non-profits that were struggling to figure out how the new rules would affect them, and in some cases were self-censoring as a result.

The problem is twofold. First, Bill 42's definition of election advertising captures all kinds of activities most people would not likely think of as advertising, such as free or low-cost tools like websites, social media, email, petitions or public forums.

The definition of advertising also includes public communication that takes a position on *any* issue associated with a political party or candidate. Which in practice means just about anything under the sun.

Second, there is no minimum threshold below which a third party need not register with Elections BC. Even if a group plans to engage only in free or very low-cost activities, it must first register and be publicly listed on Elections BC's website as a third party advertiser.

In practice, this means that in the lead-up to a provincial election, a group of citizens concerned about any number of public policy issues is required to register with Elections BC before it starts a Facebook

group or distributes leaflets to neighbours, for example. And for non-profits, charities, coalitions and social service agencies, it means information and analysis of government policies long posted on their websites is suddenly redefined as election advertising when an election draws near.

In late 2009 and early 2010, we conducted research with 60 non-profits, charities, coalitions, unions and citizen's groups to find out if the problems we heard about leading up to the election were more widespread.

Of the organizations that took part, about one third self-censored during the election campaign directly as a result of the third party rules, and not because they'd spent anywhere near the limits.

In six cases, groups kept their heads down because they did not want to be labeled as “advertising sponsors,” which they felt posed a serious risk to their non-partisan reputations or charity status. In other cases, groups had difficulty interpreting the rules and decided to err on the side of caution.

The activities these groups censored had little to do with commercial advertising. For example, nine groups did not post new materials on their websites during the campaign, and four went so far as to remove previously posted materials. Four refrained from issuing or endorsing a call for changes to government policy or legislation. Five avoided commenting in media stories. Four cancelled or decided not to proceed with public events (in two cases, these were all-candidates forums). The list goes on.

Other organizations did not self-censor, but diverted extensive time and energy to figuring out the new rules and second-guessing their actions. For groups with only one or two staff members, or no staff at all, this was a waste of precious resources.

The clearest indication that these rules missed the mark, however, comes from the 232 disclosure

# Rights-based Legal Aid: Rebuilding BC's Broken System

By Alison Brewin and Kasari Govender

*Legal aid is a vital, legally mandated social service. We need legal aid in order to have a functioning justice system and promote equality and justice in our society. Drastic cuts have cost Canadian society and taxpayers in unmet legal needs and the resulting expenses of social exclusion. Underfunding legal aid services is no longer a viable option in BC.*



In the fall we published a paper which updates and expands on *Legal Aid Denied: Women and Cuts to Legal Services in BC*, co-published by the CCPA-BC and West Coast Women's Legal Education and Action Fund (West Coast LEAF) in 2004. We examine the continued cuts and changes to legal aid in the last six years, within the context of a full 15 years of deteriorating legal aid services.

## KEY FINDINGS

### *Reduced access to legal aid:*

- The number of legal aid cases approved for legal representation declined dramatically between 2001 and 2010: the number of family law cases approved dropped from 15,526 to 6,270 and poverty law referrals went from 40,279 to 0 (legal representation for poverty law—housing, welfare, disability pensions, debt—has been eliminated).
- BC is now the third lowest province in Canada in per capita spending on legal aid, and our system does not cover many family law issues that other provinces do.
- Legal aid representation in civil court has been restricted to high risk family law cases, child apprehension cases, certain prison and mental health related issues, refugee claims, and immigration cases where the client risks deportation.
- Since 2009, the Legal Services Society (which provides legal aid services in BC) closed five regional centres (two remain, in Terrace and Vancouver) and the family law centre; laid off 96 staff; reduced funding for family, immigration and criminal law; imposed stricter screening and eligibility for clients; and reduced services for people who cannot access legal representation through LSS, including the elimination of the LawLINE telephone service and the Community Advocate Support Line (though the latter was picked up by the Community Legal Assistance Society, a Vancouver non-profit).

### *Costs of an inadequate legal aid system:*

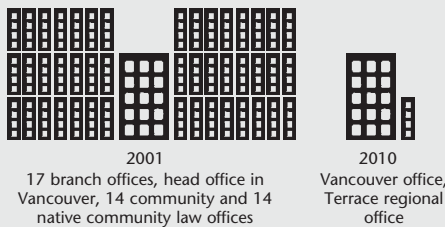
- There is a great need for legal aid. The Legal Services Society's (LSS) own research shows that 83 per cent of BC residents with annual incomes under \$50,000—1.5 million people—are likely to have a civil legal problem in a three-year period, and only 11 per cent retain a lawyer.
- Research from other jurisdictions shows that cuts may save money in the very short term, but they increase costs in the long term:
  - While the government saves by not paying for legal representation, cases in which the parties lack legal representation are more likely to go to trial, which is extremely costly to the public.
  - Unresolved legal issues, particularly family law issues, result in expensive social problems, such as poor health,

*All citizens should have the right to access the justice system with legal representation in any legal matter where human dignity is at stake.*

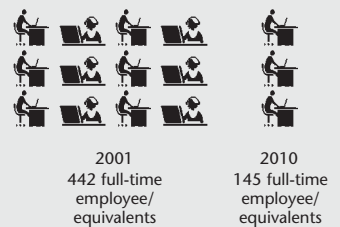
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## Snapshot of Legal Aid in BC

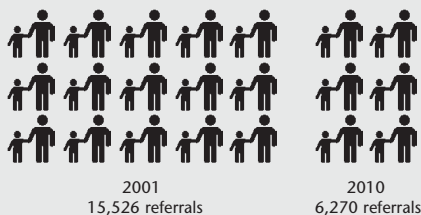
### OFFICES



### STAFF



### FAMILY LAW REFERRALS



### POVERTY LAW



and district offices. Is it any wonder, then, that government accounts of how many trees are found and where are in some cases 30 years or more out of date?

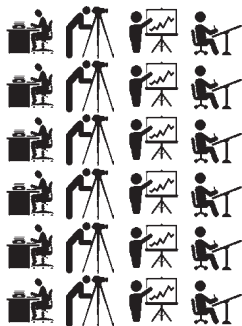
As if the drop in public servants wasn't troubling enough, what is left of the Forest Service has been cleaved in two as a result of October's cabinet reorganization—a move that saw internationally renowned departments within the Forest Service, such as its 83-year-old research branch, completely disbanded and scattered among four different ministries. To what end, no one inside the Forest Service seems to know.

All of this and more occurred against a backdrop of escalating forest losses due to a surging natural gas industry, increasing losses of trees due to devastating insect attacks and severe forest fires, and a rapidly growing stock of insufficiently reforested lands.

Twenty years ago, a crisis of a different sort was confronted when the so-called “war in the woods” saw pitched battles between environmental organizations, unions and rural communities. Back then, the provincial government correctly responded by appointing the Forest Resources Commission to solicit public opinion and arrive at a new vision for BC's public forests.

Today's challenging environment demands no less a response. It's time for an independent commission to determine whether or not the public service can any longer protect our publicly owned forests. Until the commission is finished we should declare a moratorium on any further cuts to our dramatically reduced Forest Service, and a halt to the cabinet reorganization that almost certainly means an end to the institution as we know it.

*Ben Parfitt is a resource policy analyst with the BC Office of the Canadian Centre for Policy Alternatives and the author of Axed: A Decade of Cuts to BC's Forest Service, co-published with the Sierra Club of BC and available at: [www.policyalternatives.ca/axed](http://www.policyalternatives.ca/axed).*



Research 2000



Research 2010

*Research—once a great hallmark of the Forest Service—has lost 60 per cent of its staff since 2000. Among them are hydrologists, biologists, ecologists and silviculturists.*

increased reliance on social assistance and programs, unemployment, domestic violence and relationship breakdown.

## RECOMMENDATIONS

We propose that instead of trying to fix our damaged legal aid system, we build a new, rights-based system that would ensure legal representation for low-income people, improve the justice system for all British Columbians, and reduce social and economic costs. Our recommendations include:

- All citizens should have the right to access the justice system with legal representation in any legal matter where human dignity is at stake. This includes custody and access, spousal and child support, immigration and refugee matters, poverty law issues like debt and access to social assistance, and employment matters. (LSS and the government have fought efforts by legal advocacy groups to expand constitutional rights to legal aid.)
- Legal information, advice and representation should all be funded, as opposed to simply focusing on legal information (often known as “pamphlet law”).
- Legal Services Society should regain its independence from the provincial government, which was lost in 2002 when the LSS board was fired and the government legislated control over LSS budgets.
- An effective legal aid system should include a mix of legal aid clinics, private lawyers paid through a tariff system, and staff lawyers in community organizations.

Without access to the means of enforcing one's legal rights, those rights are meaningless. With a rights-based system, justice will be accessible to all British Columbians, not simply those wealthy enough to afford legal representation. By providing representation in addition to advice and information, this system will enable more legal issues to be resolved, improving the overall functioning of our justice system, and decreasing the social and economic costs that result from lack of access to justice.

*Alison Brewin and Kasari Govender are, respectively, the Executive Director and Legal Director of West Coast LEAF. They co-authored the report Rights-Based Legal Aid: Rebuilding BC's Broken System, available at [www.policyalternatives.ca](http://www.policyalternatives.ca).*



### Feds Got it Right on Prosperity Mine

By Marvin Shaffer

*The federal government made the right decision in rejecting the Prosperity mine proposal. The project would have had significant adverse environmental effects, and that, for some, is reason enough to deny approval. But even if one were willing to accept the environmental impacts, it is not at all clear that there would have been net economic benefits that could offset the adverse environmental effects.*

One of the great weaknesses of the environmental assessment process is that it does not properly address the economic benefits and costs of the projects being reviewed. Project proponents, including the provincial government in this case, simply tout the amount of employment, income and taxes the project is estimated to generate. However, they do not consider what the economic benefits of those impacts would be, and what economic costs also need to be taken into account.

Though generally lost in the press releases promoting different projects, there is a big difference between the number of jobs associated with a new project, and the economic benefit those jobs actually offer. The amount of benefit depends on what those hired would otherwise be doing. They would not all have been unemployed, which is effectively what one has to assume to equate number of jobs with benefit.

The same is true for the tax impacts. The estimated amount of taxes generated by a project does not properly measure the benefit to government. Some of the personal income taxes would have been paid in any event. The estimated corporate taxes are uncertain and typically deferred for many years, greatly reducing their present value. And the taxes would in part be offset by increased demands for government services due to any inflow of families into the region or province due to the project.

When the province concluded after its Environmental Assessment that the Prosperity

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### A Revenue Negative Carbon Tax?

By Marc Lee

*BC's carbon tax was supposed to be "revenue neutral," meaning all carbon tax revenue would be "recycled" to British Columbians through personal income tax (PIT) cuts, corporate income tax (CIT) cuts and a low-income credit. The 2008 provincial budget provided a forecast that had revenues precisely match tax cuts and credits, with about one-third of revenues going to each of PIT cuts, CIT cuts and the low-income credit.*

But recent budgets have shown a carbon tax deficit: tax cuts have completely swamped carbon tax revenues. While some were concerned that the carbon tax would be a "tax grab," instead we have a carbon tax that is revenue negative, not revenue neutral.

In the tax's first year, the result was not too bad: projected revenues of \$338 million came in much less than expected at \$306 million, due to the recession the government completely failed to see coming. But for the same reason, tax revenues fell and so did the value of the personal and corporate tax cuts, to \$313 million. This modest shortfall is arguably within the margin of error given that this was a brand new tax.

But the carbon tax deficit swelled in 2009/10. Carbon tax revenues were \$542 million, while tax cuts and credits cost \$767 million, a deficit of \$225 million on the carbon account (detailed on p. 105 of the 2010 budget plan). For a government concerned about its deficit, and that has imposed massive spending restraint on the public sector, a commitment to tax cuts that far exceed carbon tax revenues is bizarre. One can make the argument that tax cuts should be part of a stimulative fiscal policy (although their effectiveness is generally weak), but that is very different from the rationale for a revenue neutral carbon tax.

Looking forward, budget projections show that the trend of deficits on the carbon account continues for the duration of the three-year fiscal

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*Cutting corporate taxes is the worst possible way of using carbon tax revenues.*

*This is because of the intense concentration of ownership of capital at the top of the income scale, and also because shareholders outside BC, who pay no carbon tax, benefit from corporate tax cuts.*

*Continued from page 5  
Feds Got it Right on Prosperity Mine*

project was justified by the economic benefits it would generate, it didn't bother to estimate what the magnitude of those benefits would in fact be. It ignored the difference between impacts and economic benefit. Further, it failed even to recognize there would be very significant economic costs because of the large amount of electricity the mine would need—an amount roughly equivalent to one-sixth of the output of the proposed Site C hydroelectric dam.

The problem very simply is that the rate a large industrial customer like Prosperity pays BC Hydro for the electricity it uses is less than half the cost of new sources of supply. BC Hydro would have lost at least \$35 million per year, possibly much more, to acquire and then sell to Prosperity the electricity the mine would have needed.

It doesn't matter that Prosperity would have paid the same electricity rate as other large industrial customers. Nor does it matter that the provincial government has directed BC Hydro to sell power at rates that reflect its historic average costs, not the cost it is incurring to acquire new supply today. The fact remains that BC Hydro would have lost a lot of money if Prosperity were to go ahead—a loss that ultimately would be borne by all existing customers. And that is an economic cost of the mine going ahead that needs to be recognized in any balanced assessment of benefits and costs.

Economic-environmental trade-offs are often central in public policy debates. The province supported the Prosperity project because it considered the economic benefits to outweigh the environmental costs. The federal government decided otherwise.

Inasmuch as trade-off issues like this will no doubt arise again, possibly with Prosperity and almost certainly with other projects, one of the lessons from Prosperity is that major project assessment processes should carefully consider what the economic benefits and costs in fact are. There are well established principles by which this can be done. Important public policy debates should be informed by more than promotional press releases about taxes and jobs.

*Marvin Shaffer is author of the CCPA's 2004 Olympic Costs & Benefits: A Cost-Benefit Analysis of the Proposed Vancouver 2010 Winter Olympic and Paralympic Games, and adjunct professor in the Public Policy Masters Program at SFU.*

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A Revenue Negative Carbon Tax?*

plan. In response, the budget does not scale back tax cuts. The general corporate income tax rate, cut from 12 per cent in the first half of 2008 to 10.5 per cent in 2010, will drop another half-point to 10 per cent in 2011. And it is not like BC businesses have not already received tax cuts (hello, HST).

Corporate tax cuts are now absorbing the lion's share of carbon tax revenues. In 2010/11, they will be equivalent to 57 per cent of carbon tax revenues, compared to one-third in 2008/09. Cutting corporate taxes is the worst possible way to use carbon tax revenues. This is because of the intense concentration of ownership of capital at the top of the income scale (when you hear corporate tax cuts think upper-income tax cuts), and also because shareholders outside BC, who pay no carbon tax, benefit from corporate tax cuts. While it might make sense to provide tax credits for investments in energy efficiency, corporate tax cuts essentially reward the worst offenders when it comes to greenhouse gas emissions.

A final note: the 2010 budget provides for an increase in the low-income credit as of July 2011 to \$115.50 per adult and \$34.50 per child. That will represent an increase of 15.5 per cent in the value of the credit since the carbon tax was introduced in July 2008. Meanwhile the tax itself will be 150 per cent higher as of July 2011. The result is an increasingly regressive carbon tax and revenue "recycling" regime.

*Marc Lee is Senior Economist at the CCPA's BC Office and Co-Director of the Climate Justice Project, a research partnership with UBC's School of Community and Regional Planning that examines the links between climate change policies and social justice. He is also co-author (with Toby Sanger) of Is BC's Carbon Tax Fair? An Impact Analysis for Different Income Levels, available at [www.policyalternatives.ca](http://www.policyalternatives.ca).*

**Read more Climate Justice Project research and commentary at [www.policyalternatives.ca/projects/climate-justice-project](http://www.policyalternatives.ca/projects/climate-justice-project).**

*It is not at all clear that there would in fact have been net economic benefits that could offset the adverse environmental effects.*

# Every Bite Counts: Climate Justice and BC's Food System

By Marc Lee, Herb Barbolet,  
Tegan Adams and Matt Thomson

*The abundance of the modern supermarket is the ultimate product of a post-WWII food system based on industrial-scale agriculture, cheap fossil fuels and global trade. Examining our food through a climate change lens, however, suggests a rethink is in order—from reducing the greenhouse gases produced throughout the food system, to making the food system resilient to supply disruptions. BC also needs to develop a more just distribution of food, better support farmers, farmworkers and fishers, and seek healthier nutritional outcomes from our food system.*



While we do not know exactly how climate change will affect global food supplies over the next few decades, we have good reason to be concerned that a warming world will be one that systematically affects crop yields due to changes in precipitation patterns and higher temperatures, plus periodic extreme weather events, diseases and insect infestations that will hammer global supply chains.

BC imports about half of its food, making the province vulnerable to food supply disruptions and price spikes. A top priority is for a BC food planning framework that enhances resilience and self-reliance, while reducing dependence on imports and large global agribusiness. This must be balanced against the benefits of trade in providing a variety of foods and a diversified food supply, and that guards against domestic disruptions due to climate change.

A food planning framework must include targets related to BC production for the domestic market to be effective. If BC could shift just 1.5 per cent of its overall consumption per year to local sources, the province would supply 80 per cent of its food needs by 2030. Based on projected population growth, achieving this target will require a doubling of production from current levels.

Farmers are the only part of the BC food system that do not have a high degree of corporate control. That lack of market power means farmers are often squeezed in the middle, receiving only a small fraction of the retail sales price for their goods. History has demonstrated that public or cooperative institutions in support of domestic production can benefit farmer incomes as well as better meeting our food demands. Although not without its problems, this is clearly the case in the supply-managed areas of BC agriculture

(dairy, eggs and poultry), a model—with added transparency and accountability—that could be implemented for fruits and vegetables, meat and other products.

In addition, wages and working conditions for farmworkers should be improved. An increasing number of farmworkers in recent years have come into the province as temporary migrants, leading to the bizarre outcome that the 100 Mile Diet could be made possible by workers imported from as far as 3,000 miles away.

Alternative supply networks have grown rapidly in recent years (including farmers' markets, Community Shared Agriculture, and home delivery services) but still represent a very small share of the market. The development of local and sustainable food systems can also be supported by leveraging the purchasing power of large public and non-profit institutions in urban areas, including schools, hospitals, universities, prisons and social housing units. If a growing portion of food budgets in the public sector were dedicated to local food sources, the multi-million dollar impact would be transformational in creating a more localized food system.

Food production is also a contributor to climate change—the greenhouse gas (GHG) emissions associated with food production in BC, and through our imports of food from other jurisdictions. While official statistics put agriculture well down the list of global warming culprits, these numbers count only a portion of agriculture's footprint. If we add in fossil fuels used on BC farms and in tractors, the transportation of fertilizers and feed to the farm, and the movement of product to

*If a growing portion of food budgets in the public sector were dedicated to local food sources, the multi-million dollar impact would be transformational in creating a more localized food system.*

market, GHG emissions from agricultural production in BC are much higher. From a consumption perspective, which adjusts for imports and exports, emissions from the food that British Columbians eat total about 6 million tonnes of carbon dioxide equivalent, almost triple the official estimate.

For crop production, the application of synthetic fertilizers and pesticides generates substantial GHG emissions. These can be mitigated through switching to organic and mineral fertilizers and by using composted animal manure in integrated farming operations. Organic practices build up the soil over time, and thus have great potential to mitigate the GHGs associated with food production. Because soils and plants can remove carbon dioxide from the atmosphere, enhancing the role of BC agricultural lands as carbon “sinks,” including greater growth of perennial plants and the addition of organic matter to soil, needs to be front and centre.

Livestock emissions are also a major part of GHG emissions associated with food. Cattle, in particular, produce large amounts of methane in their digestive processes. Reducing the demand for meat as well as shifts to pastured animals are need to develop a more sustainable system.

An over-arching concern in a shift towards a more sustainable and resilient food system is the potential impact on the cost of food. The 2008 surge in prices for basic staples revealed potential vulnerabilities down the road. Climate policies could worsen existing inequalities unless we actively try to reduce them through public policy design.

Because adequate access to healthy food is deeply linked to its cost, any price increases in food will result in greater food insecurity and/or increased malnutrition for vulnerable populations, both in Canada and abroad. Addressing income security is therefore a key component of meaningfully addressing food security in Canada and BC. The concept of a living wage is one important piece, as individuals and families need to be able to earn enough income from work to afford decent, healthy food.

Historically, policy approaches to food, housing and health have occurred in silos. Currently, taxes pay for the societal costs of food insecurity and poor nutrition through the health care system. A

more integrated approach to housing and food would also make great advances in reducing hunger and improving nutrition and health outcomes, while reducing numbers at the emergency room door. New investments in social housing are needed in BC, including supported housing models for people with health, mental illness and/or addiction issues, as well as affordable housing options for the working poor. Coordinating food programs in social housing in support of local, sustainable agriculture has great potential for win-win outcomes through bulk purchasing, community kitchen and meal programs.

That said, barriers to food security for marginalized populations are numerous and complex. In addition to income, challenges include the absence of nearby grocery stores selling fresh and nutritious food, travel costs associated with accessing distant grocery stores, and lack of food preparation and storage on-site. Developing nutritious food programming for individuals who suffer from mental health issues, addictions and disabilities must be sensitive to the needs and capabilities of particular individuals.

*Marc Lee, Herb Barbolet, Tegan Adams and Matt Thomson are co-authors of Every Bite Counts: Climate Justice and BC's Food System, available at [www.policyalternatives.ca](http://www.policyalternatives.ca).*

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*Third Party Election Advertising Rules*

reports filed by organizations registered as third party sponsors for the 2009 election. It turns out that more than half of them spent a paltry \$500 or less during the campaign, and more than three quarters spent less than \$2,000.

The citizens of British Columbia were deprived of the full range of voices that would normally be heard during an election as a result of the new third party rules. Yet the groups most impacted by them—the small spenders—are also the least able to mount a costly court challenge. We need the provincial government to fix the law, and soon.

*Shannon Daub and Heather Whiteside are co-authors of Election Chill Effect, released by the CCPA, BC's Freedom of Information and Privacy Association, and the BC Civil Liberties Association and available at [www.policyalternatives.ca](http://www.policyalternatives.ca).*

## BC COMMENTARY

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