



HOCKEY

Bargaining tactics

Gary Bettman’s cat-and-mouse game with the players’ association isn’t just about the Olympics, Eric Duhatschek writes

PAGE 3

Globe British Columbia

PUBLIC SAFETY

Officer intervention rules to change

Watchdog to revise protocols for police actions during overdoses due to concerns about potential liability when helping victims

ANDREA WOO VANCOUVER

British Columbia’s police watchdog is changing a policy to allay officers’ fears that efforts to provide life-saving interventions could subject them to investigation.

The change comes as the province reaches a record-level of illicit drug overdose deaths – an average of more than two a day this year. In the event of an opioid overdose, the slightest hesitation to administer the antidote nalox-

one, or perform CPR, could result in brain damage or death. The Globe and Mail first reported in July that some police agencies had concerns about officers intervening with such measures because of potential liability. Unlike paramedics and firefight-

ers, police officers in B.C. are subject to investigation by the province’s Independent Investigations Office (IIO) in any instance in which a person they interact with dies or is seriously injured. Marten Youssef, acting director

of public engagement and policy for the IIO, said the agency had occasionally heard complaints from police about the IIO investigating after an officer performed CPR on someone who ultimately died. Police, Page 2



Paula Freitag, a resident of Tofino, B.C., examines a shipping container chunk that washed up in front of Incinerator Rock at Long Beach. DREW PENNER

SHIPPING

From India to Incinerator Rock

DREW PENNER TOFINO, B.C.

A giant hunk of metal jutted up 9½ feet into the air off Long Beach in Tofino, B.C. Its guts were made of Styrofoam and refrigeration mechanics. Here lay the remnants of a human-made structure in one of Canada’s most sublime settings. Where did it come from? The container’s origins tell the story of garbage in the ocean, the beleaguered shipping industry and the challenges of responding to maritime accidents effectively, as Canada attempts to boost

trade with Asia. The tale highlights the realities surrounding ocean mishaps at a time when the Trans Mountain pipeline extension approval is opening the door to potential increases in Pacific traffic. On Nov. 3, the Hanjin Seattle cargo ship got caught in stormy seas and lost 35 containers overboard. They plopped into the ocean eight nautical miles off the West Coast near the mouth of the Strait of Juan de Fuca. According to public tracking websites, the last voyage undertaken by the container that

washed up last month on Long Beach – known in the shipping world as HJCU6132645 – started with a long haul from India to California. It began July 4 in Chennai. The container set off into the Bay of Bengal on the Maersk Sentosa, arriving at a Singapore port by 4:10 p.m. on July 14. Seven days later it would board the ship that would ultimately lose it, the Hanjin Seattle. The container carried 15,290 kilograms of Indian-made motorcycle and other vehicle parts across the Pacific Ocean on the 587-foot-long vessel before arriv-

ing in Los Angeles. It was unloaded and taken by truck to California’s Long Beach. And then it got stuck. Too many boats floating around Global shipping companies have been grappling with a tough business climate in recent years. China’s economy isn’t growing as fast as it once was, and that has had a huge impact on trade everywhere. The country’s exports fell just less than 2 per cent in 2015, but imports plunged more than 13 per cent. Shipping, Page 2

DISPATCH

Province won’t really turn off the taps on big money



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VICTORIA

Starting in January, the BC Liberals will provide greater disclosure of who is contributing how much to their party. It is not quite what Premier Christy Clark promised last March in response to questions about cash-for-access fundraisers. And it goes only a small distance toward the kind of campaign finance reform legislation the Alberta NDP government introduced last week. Alberta’s proposed reforms are similar to changes Ontario just adopted. But in British Columbia, the governing party has not been persuaded it should turn off the taps on “big money.” “We made a commitment to get big money out of politics for the benefit of all Albertans,” Christina Gray, Alberta’s Minister Responsible for Democratic Renewal, said in an interview. When the New Democrats took power in 2015, ending the 44-year reign of the Progressive Conservative government, the first bill they introduced banned union and corporation donations. “This is the next step, it strengthens the integrity of the democratic process [and] improves financial transparency,” Ms. Gray said. In Alberta, as in Ontario, the changes mean that parties will be more dependent on the support of individuals, and on a relatively equal basis. The BC Liberals unapologetically bring their free-enterprise spirit to fundraising. Dispatch, Page 2

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FROM PAGE 1

Shipping: ‘Who cleans up the beaches, the waters? ... Who is in charge of this?’

» Yet, cargo transport firms keep building bigger and more fuel-efficient ships in a race to carve out their share of the pie that’s left. Plenty were ordered as the industry emerged from the global recession. That has left too many boats floating around for the quantity of goods demanded by consumers. Cheap fuel, because of slumping oil prices, has helped struggling companies carry on. But when Korean firm Hanjin Shipping Co. started to take on water, the government’s banks decided against bailing it out.

Hanjin, the seventh-largest shipping company in the world with 74 container ships and 15 bulk cargo carriers, filed for bankruptcy at the end of August. It was the biggest container-carrier failure in history.

The receivership left an estimated \$14-billion of cargo stranded at sea. At that point, the future of the refrigeration unit stuck on a Californian dock was uncertain, at best. Tug operators, pilots and terminals weren’t interested in dealing with a company that couldn’t pay up front.

Eventually, Hanjin stockholder Korean Air Lines pitched in \$54-million to pay docking and handling fees at ports around the world.

The ship hit turbulent waters
The Hanjin Seattle worked out a deal in which it could drop off some full cargo boxes in Seattle and load some empty ones on board.

“These empty containers have been stacking up,” explained Tara Mattina, communications director for the Northwest Seaport Alliance.

The products on board the ship were likely destined to be wrapped and placed under American Christmas trees.

“This time of year, the Targets, and the Wal-Marts and the Home Depots of the world are filling their shelves with the holiday shopping items,” Ms. Mattina said.

On Oct. 26, the empty Tofino container was loaded on the Hanjin Seattle from Long Beach, Calif., and began the journey back to Korea.

The Hanjin Seattle hoped to make a pit stop in Vancouver before crossing the Pacific, but it



A second shipping container washed up at Combers Beach, also located along the coast in Tofino, B.C. Tides pushed the container farther up the shoreline and eventually covered it in driftwood. DREW PENNER

didn’t quite make it. The ship hit turbulent waters near the Canada-U.S. border Nov. 3. That’s where it lost the 35 cargo boxes overboard.

“It doesn’t surprise me that a lot of the containers that tipped off would have been empty,” Ms. Mattina said. “They were trying to get some of those empty containers back to Asia. And empty containers are also lighter, so they’re easier to topple than the full containers.”

They began to drift and break up near Pachena Point, south of Barkley Sound. Meanwhile, the ship was backtracking to Seattle.

It docked Nov. 13 and had 29 containers removed. These additional casualties of the storm had either suffered damage or needed to be examined before cranes could carefully restack them on the ship like Lego blocks.

‘The responsibility lies with the owner’

Rachelle Smith, communications manager with the Department of Fisheries and Oceans Canada, said Hanjin didn’t provide a reason why the containers went overboard.

The Coast Guard’s job is to alert mariners to potential dangers, not to collect containers, which it considers essentially part of the ship, she explained.

“The responsibility lies with the owner,” she said, noting as of Nov. 14 she hadn’t received any reports about DFO staff monitor-

ing the spill for environmental effects. Ultimately, Transport Canada said it has asked Hanjin to contact Parks Canada about cleaning up the reefer remains in Pacific Rim National Park.

The debris, however, was spread further afield – from Vargas Island to the north to the Broken Group Islands to the south.

“It’s washed up on the beach? Wow,” Simon Reid, a Hanjin Shipping equipment control representative, said when he learned about the location of the company’s property.

He was aware of the Nov. 3 incident from interoffice banter, but didn’t know about the Vancouver Island connection.

Mr. Reid said it has been an interesting time to work at Hanjin. Employees aren’t sure whether the pending sale of its shipping business will go through, or whether they’ll get to keep their jobs. Things have finally calmed down after the initial bedlam of the bankruptcy and the company is now strategically moving a lot of empty containers around the globe.

When asked how regularly Hanjin loses cargo over the side of its ships, Mr. Reid replied: “I wouldn’t say it happens often, but it’s not real uncommon.”

Cleaning up the beach

A gentle rain fell on the 30-strong group decked out in colourful outdoor wear in the Schooner’s Cove parking lot. It was just after

9 a.m. on Nov. 19 and people were buzzing with excitement. In the wake of the Hanjin Seattle container spill, Surfrider Foundation’s Pacific Rim chapter had been summoned to clean up the beach.

It had already been two weeks since the Canadian Coast Guard sent out a “notice to shipping,” alerting mariners to the wayward boxes, and at least a week-and-a-half since two containers arrived on Tofino beaches.

It was proving challenging to get in touch with Hanjin, federal agencies were finding. And clean-up efforts were hampered by debris ending up in multiple jurisdictions controlled by various levels of government.

Surfrider was already planning to give the beaches a routine once-over. Now, Parks Canada had charged volunteers with a more urgent task.

The biggest ecological concern raised by the reefer appearances was Styrofoam, according to Renee Wissink, manager of resource conservation for Pacific Rim National Park Reserve.

“Once it breaks down into those very small pieces, it can be taken up by either marine or terrestrial mammals – fish, birds, whatever mistakes it for food,” he said. “It basically gums up their systems.”

Tofino Mayor Josie Osborne joined the clean-up effort with a friend. She noted the Long Beach container mess is just one piece in the onslaught of junk that

washes up.

Ms. Osborne said it seemed like well-meaning government officials were a bit unclear about what to do when something like this happens.

“There doesn’t seem to be a coordinated response to spills of any kind,” she said.

“You’ve got Coast Guard, Parks Canada and Transport Canada. That’s three departments of the federal government that all have some role here but, but to be honest, I don’t really know who does what. And it seems like not very many people do know.”

The incident has revealed there isn’t an organized process in place at the federal level for notifying First Nations communities about maritime mishaps, according to Juliet Van Vliet, director of lands, public works and resources with the Toquaht Nation.

She added that’s important in light of potential increases to shipping traffic in coastal waters, such as the Roberts Bank Terminal 2 Project, a Delta B.C. facility expansion that would be additional storage for the equivalent of 2.4 million more cargo containers. “It’s unfortunate,” she said. “It’d be nice to have all communities notified of any spill in a timely manner.”

Tla-o-qui-ah First Nation officials also expressed concerns they hadn’t heard via official channels about the container debris, which landed in their traditional territory.

In just two hours, about 50 people had collected a total of 490 kilograms of trash, including 14 garbage bags of miscellaneous stuff, a giant net, a rope with 13 marine floats attached, a wheel hub, an entire bicycle, a tarp, countless bottles and cans, and five buckets filled with pieces of plastic. The biggest standout was the hunks of Styrofoam – 12 giant bags worth.

“It’s a real grey area: Who cleans up the beaches, the waters?” said Nancy Woods, volunteer co-ordinator for Surfrider Pacific Rim. “Like, who is in charge of this?”

It’s been a month since HJCU6132645 was tossed into the sea. Its debris now sits in a parking lot off Long Beach, waiting for someone to haul it away.

Special to The Globe and Mail

FROM PAGE 1

Dispatch: Liberals pledge to post donations on their website within 10 business days

» Ms. Clark promised more disclosure about political contributions last spring. She was responding to stories in The Globe and Mail that chronicled how her BC Liberal Party has stepped up its fundraising efforts for the 2017 election campaign through small, private gatherings with the Premier at a ticket price of \$10,000 or more. “I’m going to be asking our Chief Electoral Officer to help us change the law in the province so that we can log in the donations in real time,” she told reporters last March.

“People should be able to see when donations come in to political parties, not just once a year.”

At her behest, the Chief Electoral Officer produced a report in May that outlined three options for reform. But the government shelved the proposals, saying any legislative changes need more study. Work is being done, according to the Ministry of Justice, but it is unclear if a bill will be presented before the election in May.

By contrast, Ontario Premier Kathleen Wynne last spring ordered legislative changes after The Globe reported on fundrais-

ers at which she and members of her cabinet offered intimate face-time to corporate leaders and lobbyists seeking government contracts and favourable policy decisions in exchange for donations of up to \$10,000 to the Ontario Liberal Party. The province has just passed legislation that will ban union and corporate donations, cap annual donations from individuals at a total of \$3,600, and curtail cash-for-access fundraising by elected officials and their top political staff. That law will take effect Jan. 1.

Ms. Clark, speaking with reporters on Dec. 1, said she has lived up to the commitments she made last March because her party will begin timely disclosure in the new year and post donations within 10 business days on its website. “I would argue it is exactly what we said it was going to be. I don’t know if the NDP is planning to do this as well, but starting Jan. 1, we will be filing ... as close to real time as you can get.”

No, the BC NDP will not follow suit. Leader John Horgan, who is calling for a legislated ban on union and corporation donations, calls real-time disclosure a

distraction from the need to end the influence of big money in politics.

“This real-time discourse is a red herring,” he said in an interview. “Our plan is to form the next government and then ban union and corporate donations.”

Until the law is changed, he said, his party will raise every dollar it can for the next election. But he is not prepared to peel back the secrecy around fundraising either. On Nov. 24, the New Democrats held a resource-industry fundraising event in which attendees could pay \$10,000 to dine with Mr. Horgan, and he would not say who attended. That means it will be next April before Elections BC’s annual disclosures will show who donated to the NDP, and how much.

British Columbia is not keeping up with Alberta in reform because the governing party benefits from the status quo. The BC Liberals raised \$5.3-million from corporations in 2015, more than five times as much as the NDP.

Ms. Clark is not interested in changing the formula, and Mr. Horgan will not lead by example to make the case for change.

FROM PAGE 1

Police: New policy was approved and distributed over the weekend

» The agency has heard many more complaints in recent weeks, as various departments begin equipping officers with naloxone, a life-saving drug used to reverse the effects of an opioid overdose.

Under the amended policy, police will not be required to notify the IIO in the instances that they assist in life-saving efforts unless physical force, or a weapon, is used during the encounter. Police will still be required to notify the agency if a death or serious injury occurs while the person is in police custody.

“It really is a win-win situation,” Mr. Youssef said, “because then the police have the confidence that they can administer life-saving measures without being subject to an IIO investigation ... and it will allow us to focus our resources on the cases that are the real reason for why this office was established.”

The civilian-led IIO was established in 2012 in response to recommendations from the Braidwood and Davies inquiries into the police-involved deaths of Robert Dziekanski and Frank Paul, respectively.

Mr. Youssef noted that the IIO has been notified of a total of

1,044 cases since December, 2012, and has released jurisdiction in 83 per cent of those cases. Investigations into events where an officer has performed CPR, for example, typically only take a few days, but officers maintain it can be a stressful process.

“[IIO investigations] simply assure the public that police are doing their work,” Mr. Youssef said. “The IIO’s process is an independent investigation; it’s not an adversarial process.”

The new policy was approved and distributed to police over the weekend.

Constable Brian Montague, a spokesman for the Vancouver Police Department, said the force had been concerned about the policy for some time, and is pleased that officers “will no longer be the subject of a very stressful and intrusive investigation for attempting life-saving medical interventions.”

Across B.C., more than 622 people have died from illicit drug overdoses so far this year – the largest death toll in more than 30 years of record-keeping. Fentanyl, a powerful synthetic opioid being mixed with or made to look like other drugs, was detected in about 60 per cent of those deaths.

THE GLOBE AND MAIL

VANCOUVER’S 10 BEST NEW RESTAURANTS OF 2016

Selected by Globe British Columbia restaurant critic Alexandra Gill, these restaurants reflect the most notable food trends, creative kitchens and the most innovative dishes that The Globe has featured in 2016.

Find The Globe’s Top 10 Best New Restaurants of 2016 in Globe B.C. on Saturday, December 3 or visit tgam.ca/VanTop10

