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British Columbia: The 'Wild West' of Canadian Political Cash



Christy Clark, the premier of British Columbia, in Vancouver last year.
RUTH FREMSON / THE NEW YORK TIMES

By DAN LEVIN
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VANCOUVER, British Columbia — As the premier of British Columbia, Christy Clark is on the public payroll, pulling down a salary of 195,000 Canadian dollars in taxpayer money. But if that were not enough, she also gets an annual stipend of up to 50,000 Canadian dollars — nearly \$40,000 — from her party, financed by political contributions.

Personal enrichment from the handouts of wealthy donors, some of whom have paid tens of thousands of dollars to meet with her at private party fund-raisers? No conflict of interest here, according to a pair of rulings last year by the province's conflict-of-interest commissioner — whose son works for Ms. Clark.

“B.C. is the wild west,” said Duff Conacher, a founder of Democracy Watch, a Canadian civic organization that [has petitioned](#) the Supreme Court of British Columbia [to void the commissioner's decision](#). The group argues that there is a “reasonable apprehension of bias” because the commissioner's [son is a deputy minister in Ms. Clark's cabinet](#). The court heard arguments in the case on Friday.

Ethics in politics is a hot topic right now in Ottawa. Prime Minister Justin Trudeau has [faced criticism for attending exclusive fund-raisers](#), and other Canadian provinces are [tightening the reins on political contributions](#). Against that backdrop, the case in British Columbia stands out for the unabashedly cozy relationship between private interests and government officials in the province, a political state of affairs that will be tested at the ballot box in May.

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Unlike many other provinces in [Canada](#), British Columbia [has no limits on political donations](#). Wealthy individuals, corporations, unions and even foreigners are allowed to donate large amounts to political parties there. Critics of the premier and her party, the conservative British Columbia Liberal Party, say the provincial government has been transformed into a lucrative business, dominated by special interests that trade donations for political favors, undermining Canada's reputation for functional, consensus-driven democracy.

“What it says to people is money talks and votes don’t,” said Dermod Travis, the executive director of IntegrityBC, a nonpartisan political watchdog group based in Victoria, the provincial capital. “When anyone anywhere in the world can donate as much as they want to the system, you have an even bigger threat to the system.”

Much of what is considered business as usual in British Columbia is illegal elsewhere in Canada. The federal government bars unions, corporations and foreigners from donating to candidates for federal office, and donations by individual citizens are limited to 1,525 Canadian dollars, about \$1,150, a year. Those limits were imposed after a fund-raising scandal in the 1990s.

Provincial ethics rules are a patchwork of restrictions and loopholes. Corporate and union donations are banned in Nova Scotia, Manitoba, Alberta and, since Jan. 1, in Ontario. Ontario provincial officials, their staff members and party leaders are also barred from attending fund-raisers. Quebec goes even further, [limiting party donations to 100 Canadian dollars](#), roughly \$76 a year, and only by individual citizens.

British Columbia is not the only province to refuse to impose such tight limits, but democracy advocates say the large amounts of money flowing there are a particular cause for concern.

Critics say that big donors to Ms. Clark’s party often appear to have [benefited financially from their political generosity](#). These include banks, Chinese real estate developers, and companies like Imperial Metals, the owner of a mine tailings pond that spilled billions of gallons of toxic debris in 2014, and was then permitted to operate an even larger mine. Imperial Metals did not respond to a request for comment.

By The New York Times

On Thursday, Ms. Clark’s government [approved the Kinder Morgan Trans Mountain oil pipeline project](#), after opposing the proposal at hearings last January. Political donation records show that Kinder Morgan and other [oil industry](#) supporters of the project had donated more than 718,000 Canadian dollars, about \$546,000, to the BC Liberal party through March 2016.

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Some pooled donations [have ended up in the pockets of the premier](#), following a longstanding practice by her political party. Ms. Clark has [received more than 277,000 Canadian dollars](#), or \$210,000, from the BC Liberal Party since 2011, according to Canadian news media reports. No other party in British Columbia pays its leader a stipend, and only one other Canadian premier, in Saskatchewan, receives such funds; the practice has largely vanished elsewhere as the provinces have tightened their political finance rules.

Ms. Clark's office declined to answer specific questions about her conduct and her relationship with the conflict-of-interest commissioner and his son. Instead, British Columbia's minister of justice, Suzanne Anton, who is also its attorney general, sent a statement saying that the province's standards "should give the public confidence in the electoral system."

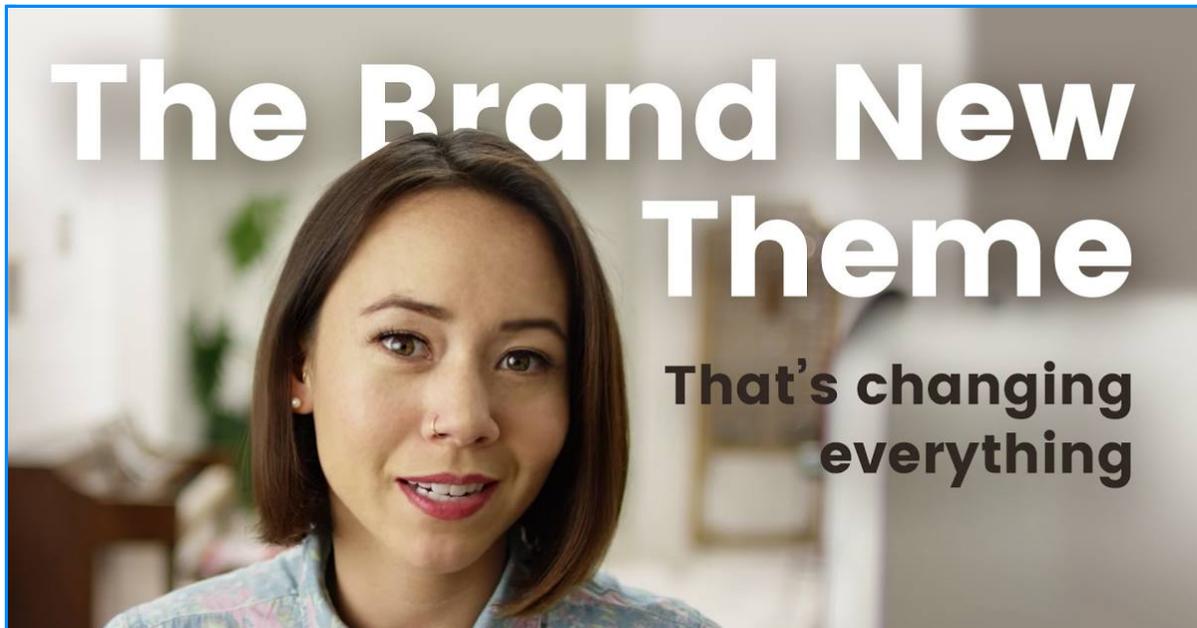
In an email, the B.C. Liberal Party said its leader's stipend was a longstanding tradition that previous conflict-of-interest commissioners had found acceptable.

Last April, Ms. Clark's stipend was challenged by David Eby, a member of the provincial legislative assembly from the B.C. New Democratic Party. He [filed complaints](#) with the conflict-of-interest commissioner about the stipend and about Ms. Clark's attendance at fund-raisers where donors paid thousands of dollars to meet with her privately.

"In practice, it means that if you're part of a coterie of high-net-worth donors, your private interests get priority over what's best for the province," Mr. Eby said.

In nine years as British Columbia's conflict of interest commissioner, Paul Fraser said he has never found any government official to be in violation of the province's Conflict of Interest Act. Mr. Fraser has [donated to Ms. Clark's political party, and so has his son](#), John Paul Fraser, who worked on Ms. Clark's election campaign and now serves [in her cabinet](#) as the deputy minister for government communications and public engagement.

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The elder Mr. Fraser ruled in May that [his son's boss](#) did not violate the act by accepting tens of thousands of dollars from her party while attending exclusive party fund-raisers, despite [the law prohibiting actions by officials that may create even the "reasonable perception"](#) that they might be affected by private interests.

Democracy Watch asked [the provincial Supreme Court in October to overturn the ruling](#), arguing that the commissioner should have recused himself, [as he did in a 2012 case against Ms. Clark](#).

In a telephone interview, Mr. Fraser rejected accusations of bias over his son's job. "The issue, I guess, is, should people's children and their career aspirations trump other considerations," he said. He added that his 2012 recusal was a special case, because his son had been in business with the premier's ex-husband.

Mr. Fraser's lawyers have tried to get the case dismissed by arguing that the commissioner's opinions are immune to judicial review.

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