

Fighting Conservation Crime

Grade: 9-12

Subject: Social Studies, Law

Duration: One - three lessons

Objectives

It is expected that students will:

- Demonstrate an understanding of the evolution and sources of law in Canada
- Compare and contrast the legal rights and responsibilities of individuals, groups, and organizations in Canadian society

Background information is available in the rockfish and killer whale sections of the *Conservation in Action* website.

<http://www.vanaqua.org/conservationinaction>

Overview and Background

The *Fisheries Act*, the *Species at Risk Act* and other legislation hold the Canadian government responsible for protecting ocean species. The development of these laws is ongoing.

This lesson gives students the opportunity to learn about the application of laws to a real world issue – the protection of ocean species in Canada - and make value judgments about the effectiveness and application of those laws.

Procedures

Part 1 – Conservation Law

Students:

1. Write a one-page opinion summary paper outlining how you think Canadian laws should balance the conservation of threatened species with the rights of individuals and businesses.

Part 2 – Whale Watching

Students:

1. The Marine Mammal Regulations of the *Fisheries Act* specifically prohibit the *disturbance* of whales in Canada. How would you define a “disturbance”?
2. Brainstorm the possible impacts of whale watching by both recreational boaters and whale watching companies on threatened killer whale populations in British Columbia.
3. Research and describe the current Canadian whale watching regulations.

4. As a class, discuss Canada’s whale watching regulations:
 - Are they sufficient to protect threatened killer whales in Pacific Canada?
 - Should they apply equally to recreational boaters and whale watching companies? If not, how should they be applied?
 - What are the pros and cons of encouraging compliance using education and awareness programs versus punishment and penalties?

Part 3 – Poaching

Students:

1. Research the effect of poaching on rockfish populations in Howe Sound near Vancouver, British Columbia, using the *Conservation in Action* website and other sources.
2. As a class, brainstorm suitable penalties for poaching in a fisheries closure that is designed to protect a species at risk. Discuss whether there should be any difference in penalties for the following people:
 - First time versus repeat offenders
 - Individuals versus organized groups
 - People catching fish to eat at home versus people selling the fish for profit
 - Restaurant staff who knowingly buy fish that was caught illegally versus those who buy it unknowingly
3. Some fisheries closures in British Columbia are marked using multilingual signs that encourage bystanders to report illegal fishing activities to the authorities. Work in small groups to brainstorm other ways that we could prevent poaching in protected areas in Canada.

Materials and Resources

- Computer and Internet connection

Evaluation

Use the following to assess student work.

Sample Criteria	
To what extent did the student:	
1. demonstrate that he/she gathered appropriate background information	5 4 3 2 1 0
2. demonstrate careful thought about the issues	5 4 3 2 1 0
3. demonstrate willingness to defend a particular point of view	5 4 3 2 1 0

Extensions

Use the Internet to research the laws that protect aquatic wildlife in Canada. Compare and contrast our laws with equivalent laws in other countries. Visit the *Fisheries and Oceans Canada* website and check the latest press releases for any convictions. Discuss the crimes and their penalties.

Guidelines for Responsible Whale Watching

Source: B.C. Cetacean Sightings Network

1. Be cautious and courteous: approach areas of known or suspected marine mammal activity with extreme caution. From a distance, determine the travel direction and diving sequence of the whales, dolphins, or porpoises.
2. Slow down: reduce speed to less than 7 knots when within 400 metres of the nearest whale.
3. Approach the whales gradually from the side, not from the front or the rear. Approach and depart slowly from the side, moving in a direction parallel to the direction of the whales.
4. Approach no closer than 100 metres and shift your motor into neutral or idle. If possible shut your motor down. Start your motor or get underway only if the whales are more than 100 metres from your vessel. Leave the area slowly, only accelerating when more than 300 metres away from the whales.
5. Avoid sudden changes in speed or direction and stay on the offshore side of the whales when traveling close to shore.
6. If your vessel is unexpectedly within 100 metres of a whale, stop immediately and allow the whales to pass.
7. Keep clear of the whales' path. Avoid positioning your vessel within the 400-metre area in the path of the whales.
8. Limit the time spent with an individual or group of whales to less than 30 minutes at a time. This will minimize the cumulative impact of many vessels and give consideration to other viewers.
9. Do not swim with or feed whales.
10. If a group of whales changes direction repeatedly or changes behaviours quickly, these are signs of possible disturbance and the group should be left alone.