

Cruelty to Animals

concentrated almost totally on other areas of the bill, with virtually no discussion on the specific clause I have mentioned. This very absence of debate, I believe, indicates to a large degree the wide agreement on the need for the kind of amendment which my bill proposes and which is contained in clause 35 of Bill C-71.

Nevertheless this House should have an opportunity of discussing the specific proposal prohibiting possession of animals for those convicted of cruelty to animals, and indeed the more general question of cruel treatment of animals. This is my purpose in going ahead with Bill C-241 this afternoon.

The scope of my bill, and also that of clause 35 in Bill C-71, are limited to those offences described under Section 402 subsection (1) of the Criminal Code. Those offences do not touch on the controversial and highly emotional aspect of cruelty to animals, particularly wildlife, such as the trapping and hunting of fur-bearing animals, a subject I shall attempt to steer away from today. Rather, they deal only with domestic animals or birds, or animals or birds wild by nature that are kept in captivity.

● (1740)

The type of person who commits an offence under this section of the Criminal Code falls into one of two categories: either he harbours an animal or bird as a pet, or he harbours an animal or bird for profit. The offender in the latter category is by far the more serious not only from a moral point of view but also, in many cases, in terms of the degree and amount of suffering and injury caused.

It can be argued that the pet owner who causes unnecessary pain to an animal, either directly or by neglect, may do so out of ignorance not knowing the proper means of disciplining, training or handling the pet. The same may occur if the owner finds he simply cannot afford the cost or time required in caring for the pet. Of course this argument has no application in many cases where owners have caused damage or injury to their pets, and even where it does apply it is no justification for cruelty to animals. Nevertheless there are considerations which may be weighed in respect of offenders who are pet owners, considerations which are not relevant when the offenders' purpose in owning or harbouring animals is solely to obtain an income.

For those who make their livelihood in part or whole from animals there can be no excuse for cruelty on the grounds of ignorance or economics, or at least there should not be any such grounds. Common sense tells us you cannot run a business without a sufficient knowledge of all the aspects involved. Similarly if one does not possess the financial resources required to run an enterprise effectively and profitably, he must get out of that enterprise.

The successful pet shop owner, breeder or farmer knows his animals or birds and recognizes that his profits are closely related to the investment he makes in his animals, both in terms of care and money. Fortunately this kind of professionalism in the various animal-related businesses is in the majority, but there are some who believe they can cut corners with regard to the knowledge or proper care of their animals, an attitude which usually results in injury or damage to the animals. It is at this kind of offender that Bill C-241 is aimed and on which the bill should have the

most beneficial impact, both as a deterrent and as a means of assisting in enforcement.

A provision prohibiting possession of an animal or bird after conviction for a cruelty to animals offence in effect shuts down an offender's business for a specific period, denying him income from this source. I believe this would be a significant deterrent and I am supported in this belief by a number of people involved with animal welfare organizations. These people have drawn attention to a case in which a farmer showed appalling neglect of a valuable herd of cattle valued at thousands of dollars. At present the only really acceptable penalty for such an offence—ruling out a jail sentence—is a fine. Normally such fines have little value as a deterrent. After all, a fine of \$100 or \$200 is little more than a nuisance tax when one is talking about a herd of cattle worth many thousands of dollars. If the manner of treatment of an individual's livestock can result in the loss of that livestock, much greater care will be paid to it.

The provision prohibiting possession of animals could also assist officials in the enforcement of the law especially as it relates to repeat offenders. An example of this can best be shown in the most extreme case of animal cruelty, that of the baiting or fighting of animals and birds. It is most difficult for law enforcement officers to obtain sufficient proof of these crimes to gain a conviction, although in many cases the officials are fully aware of the identity of the individuals taking part in these activities. Obviously my bill does not assist in obtaining first time convictions but it should hinder subsequent activities by those who have been convicted once inasmuch as it makes the mere possession of an animal or bird an offence.

There are two other points I should like to touch on briefly although they are related only indirectly to my bill. The first has to do with the importation of exotic animals and birds as pets or for display purposes. This is not a recent development; it has been going on almost since the first days of the colonization of this country. However, in the last ten years or so the number and variety of exotic animals imported into Canada have increased tremendously, giving rise to a good deal of concern for their proper care. The simple fact is that in the case of many of these animals presently coming into Canada we do not know how to provide the care which is needed. Until we know more, and until we have the services of trained, qualified personnel, knowledgeable about exotic species and capable of providing the veterinary care necessary, I believe a greater degree of control and supervision should be exercised with regard to these importations.

My final point has to do with the use of animals for scientific research purposes. Here again we must take a close look at all available information and evidence. This has become an increasingly controversial and highly emotional issue. We must make sure we are not left in a position where we become stampeded in one direction or another.

In conclusion, Mr. Speaker, let me just say that an amendment to the Criminal Code prohibiting the possession of an animal or bird by anyone found guilty of a cruelty to animals offence is needed and, more important, is just plain, good common sense.