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Bill # 50

3 November 2009  
1910 Connaught Avenue  
Halifax, B3H 4E1

Members of the Law Amendments Committee  
Nova Scotia House of Assembly  
Halifax

**Re: Bill No. 50, 1<sup>st</sup> Session, 61<sup>st</sup> General Assembly**  
**A bill to amend the Wilderness Areas Protection Act**

Dear members of the Law Amendments Committee:

I write to invite the committee to reconsider the wisdom of this proposed amendment, or at least of one part of it – namely, section 2, which would amend s. 24 of the *Wilderness Areas Protection Act* by permitting the Minister, under certain circumstances, to licence a “seal hunt” on Hay Island. The explanation for the scare quotes in the preceding sentence is simply that what has taken place on Hay Island in the past, and will take place again if this bill is passed, is by no means a hunt in the normal meaning of the word. The seals, having been killed, are not then used for food or clothing, or even for trophies. If the bill does proceed the committee should in the interests of accuracy and elimination of euphemism replace the word “hunt” with “slaughter”, or, if that should appear too inflammatory, “cull”. Hunting is regulated by the *Wildlife Act* and what takes place on Hay Island is not a hunt.

Previous seal slaughters on Hay Island have gone ahead despite the fact there was a legitimate question as to whether they were properly authorized under the *Wilderness Areas Protection Act* as it currently stands. The proposed amendment seeks to ensure that the slaughter can proceed on a more secure legal footing. The new government’s commitment to the rule of law is to be commended, but its committee to animal welfare is to be condemned. It is interesting to note that the method used to kill the seals on Hay Island – clubbing them – is not a method that would be authorized under the Meat Inspection Regulations made pursuant to the *Meat Inspection Act*, S.N.S. 1996, c. 6. My point is not that seals are covered by provincial Meat Inspection Regulations; they are clearly not, since that statute and those regulations govern the killing of animals for meat. However, the *Meat Inspection Act* clearly says (s. 2(d)) that it sets out standards for *humane* slaughter, and the standards set out in s. 83(1) of the regulations made under that statute do not permit clubbing adult animals to death. If these are the standards for humane slaughter of cows, sheep, pigs, goats and so on, what principle could justify a lower, and by definition inhumane, method of inflicting death on seals?

The point made in the preceding paragraph is reinforced by the standards in the new *Animal Cruelty Act*, S.N.S. 2008, c. 33. This statute is not yet in force but was supported last year by all parties and presumably will be in force soon. Section 21(4) of that statute allows a defence to a charge of causing an animal to be in distress where the distress is caused by standard practice for animal; slaughter – for example, the regulations to the *Meat Inspection Act*. The implication is that there would be no defence to such a charge where those standard practices are not complied with, as would be the case with the clubbing of seals on Hay Island. Again my point is not that the *Animal Cruelty Act* would apply directly, even if it were in force. Section 3 of that statute makes it clear that it does not cover wild seals. Again, however, one can ask the question analogous to the one that concluded the previous paragraph: what principle could justify a method of inflicting death on a seal that would not be permitted if the animal being killed was a dog?

The seal slaughter on Hay Island is an activity that inflicts a level of cruelty that would, by the standards of existing provincial law, be unacceptable in other contexts. It should not be authorized here.

Yours very truly,

(signed) Vaughan Black