

Bill 27

From: steven dahr <[REDACTED]>
Sent: September 17, 2018 2:23 PM
To: Office of the Legislative Counsel
Subject: Concerns re: Bill 27

Law Amendments Committee

Red Chamber

2nd Floor, Province House
1726 Hollis Street
Halifax

Good afternoon Honourable Committee Members,

I am writing today as a constituent regarding my concerns surrounding the proposed Bill 27 and the broad implications which could result. I have also sent correspondence outlining my concerns to my own MLA.

As a lifelong dog fancier, purebred devotee and occasional breeder of Australian Shepherds and overall animal lover, I appreciate the underlying sentiment which was likely the impetus around the original intent for this Bill. I am a longtime member and registered kennel with the Canadian Kennel Club (CKC); the appointed Herding Council Zone Representative for the Nova Scotia/Newfoundland region for CKC, a member of the Glooscap Kennel Club; member and past Director for the Canadian National Australian Shepherd Association; member of the Canine Agility Association of Nova Scotia and also a member of the Australian Shepherd Club of America. Together with my husband, I have trialed and competed extensively with our dogs across Canada and the United States. I also provide consultations for families in selecting a new canine companion, teach competitive obedience and rally classes and am a past member of the National SuperDogs Performance Team. As you may have inferred by now, dogs truly are my passion and I believe I have no greater responsibility than to make the right decisions for my dogs around their care, feeding, fitness, training, and occasionally, breeding. My dogs excel at many things - obedience and stockdog work, agility and conformation shows, frisbee catching and public relations for responsible pet ownership etc.

Ultimately, my dogs are my companions, my pets and their welfare and well-being is of my utmost concern. I love them without reservation – I am there for their first breath when born, and am there when they draw their last breath. I owe them nothing less as their owner, breeder and as a human being. So, why am I concerned with Bill 27?

I believe the SPCA has a very challenging mandate and there can surely be no person in this province who would argue that cruelty to animals is an incredibly important issue that all Nova Scotians care about. Unfortunately, I, along with a large number of individuals within the canine community are extremely concerned by the haste with which the proposed Bill has been presented and pushed through to this point, and alarmed by a number of the elements it contains. It would appear that in the haste to get "something through," and with the emotion that can often influence this type of conversation, there has been a significant lack of stakeholder input and public consultation. As a result, the Bill is a patchwork of ill-conceived statements around broad ranging issues which require more thoughtful discussion and consideration from other perspectives and experiences.

Some of the specific concerns which have been identified in the proposed Bill include extending the authority of the SPCA to have the right, without a warrant, and by force if necessary, to enter and search premises. It is my sincere belief that Inspectors should not have more power than our police force that requires a warrant. This is over stepping our constitutional rights as residents of Nova Scotia. I also have concerns with a section in (Protecting The Welfare Of Animals – (7) Where an animal is not in distress, but the inspector has reasonable and probable grounds for believing that an animal has been abused or tortured by the actions of its custodian, the inspector may seize the animal.) This will give power to individuals that may not be qualified to make decisions on what is distress for a specific dog. All owners should have due process when an inspector is concerned about what is distress. We believe in the law that you are innocent before proven guilty. If there is a concern with our dogs, we as the owners should be the ones an inspector works with to resolve any issue. We take full responsibility for our dogs and should be given that responsibility in the law.

I also am very concerned about the removal of my right to conduct the accepted animal husbandry practices of dewclaw removal and docking or banding of neonatal pups - a practice which most long-time ethical and responsible breeders have far more experience and understanding of than most laypeople, (including the SPCA and a large proportion of vets). Stripping responsible, registered breeders of this right will destroy their ability to continue what in many cases has been a multi-generational breeding program as many place and sell their pups into other jurisdictions. This decision, for example, will mean I will never again be able to sell one of my pups into a competitive Aussie home in the United States. Part of our commitment as a purebred breeder means we uphold and protect our breed standard - which is like a written "blueprint" of what an ideal specific dog would look like. For Aussies, the breed standard calls for a docked or natural bob tail no longer than 4 inches. An Aussie with a tail will not be considered as a quality addition to a competitive show home in the States. I have invested a significant amount of time, money, research and planning - and even more love and care and sleepless nights over the past 15 years building my small and select kennel. I breed only once every 3-4 years and my dogs are typically in very high demand. This Bill will utterly destroy my capacity to compete and further my own program. In purely economic terms, it will mean that the tens of thousands of dollars that have been invested into this program will have been for naught. On a personal scale, it will be devastating. Nova Scotia is actually home to 774 members of the Canadian Kennel Club and a significant number of them are considered to be some of the top breeders globally of their relevant breeds. As many of them are breeds which would be affected by this, the proposed Bill could be quite detrimental. I would urge the removal of this aspect of the Bill or at the very least, a provision which allows for CKC registered breeders to be permitted to make these decisions for their own animals. I would note that in other jurisdictions where this type of ban has been implemented, vets and governing bodies are now beginning to reverse decisions as they are seeing what the unintended damage on a dog's tail that is intended to be docked can result in - including undue distress to the animal and significant vet bills.

I am in support of appropriate powers for animal welfare and protection, including in particular those surrounding the issue of addressing and ending organized dog fighting. I would ask with regards to this overall Bill, where and how the associated standards for education, training and other relevant supports and resources for the SPCA inspectors will be

provided; what body would be tasked with arm's length oversight; who will decide what constitutes an unwarranted entry onto private property; specifically what "testing" would be permitted on animals not owned by these Inspectors etc. There is also concern regarding the risk that expanding the authority of the SPCA will result in an increase of nuisance calls (i.e. disputing neighbors) and actually reduce their capacity to respond to more pressing acute needs. This Bill provides far too broad and vague wording around the authority, scope and capacity of the inspectors.

We all want to do right by our animals. However I believe there is a distinct divide in what that may look like between the rescue community and the purebred dog community. The purebred dog community in particular has been vilified and painted as the enemy by many, however I would unequivocally state that the vast majority of purebred breeders in Nova Scotia (indeed, in Canada) follow a strict code of conduct around health and temperament testing, breeding protocols and standards and provide lifelong support, taking back and re-homing of any dogs they produce, unlike puppy mills and most "backyard breeders" who are focused more on volume and profits. Make no doubt about it – most responsible breeders actually lose money on litters they produce. This is not about making money for us – it is about having a choice and protecting our right to decide for our animals.

There are also some areas of the Bill which actually could be enhanced. For example, while there are a number of excellent and reputable rescue organizations in the province, this proposed Bill completely overlooks the opportunity to implement codes of conduct and standards of due process around the importation of groups of dogs across provincial and federal borders who are then often placed into foster or adoptive homes without appropriate pre-import health testing or temperament assessments. As a result, Nova Scotia's own canine population is now at higher risk of contracting historically less common health issues such as heartworm disease and canine flu. Reviewing and bringing in responsible measures and operational framework for rescues to work within that would restrict the less than reputable "retail rescues" would be an example of a piece of legislation that could garner significant support across a number of stakeholder groups.

Additionally, a comprehensive review of other jurisdictions where similar legislation has been enacted is obviously lacking in this Bill. For example, it has been reported that Ontario implemented similar legislation over the past few years, only to face costly and time consuming legal challenges and resulting amendments. Identifying and adapting best practices from elsewhere in this regard would be a prudent measure.

In closing, I urge you as the Law Amendments Committee, to strongly reject Bill 27. It is clearly evident that there is still a significant amount of work to be done should any components of this actually be moved forward. While it has been stated that there was a body that provided input into this Bill, the composition of the group is unclear and it would appear likely had a specific agenda. I would urge that should a decision be made to revisit the Bill, that consideration be given to the creation of a formal Advisory Committee which should include local and National kennel clubs, working and hunting dog owners and representation from the purebred dog community. As a resident and a taxpayer, I believe our province - and our animals - deserve an appropriately thoughtful process and consideration prior to any impulsive decisions or implementation.

Thank you for your consideration. I am available at your convenience should you wish to discuss this matter further.

Sincerely,

Lisa Dahr

Resident of Dartmouth, NS