

From: Sonya Higgins <[REDACTED]>
Sent: September 24, 2018 11:06 AM
To: Office of the Legislative Counsel; Justice Minister; barbadamsmla@gmail.com; tonyince@tonyincemla.ca; Minister, PSC
Cc: Colwell, Hon. Keith (DAG); keithcolwell@eastlink.ca; 'michel.richard'; 'Sonya Higgins'
Subject: Please support Bill 27 against animal cruelty

Good morning,

As an animal advocate, I implore you to pass Bill 27 today with the amendments as written. I am an animal rescuer, and have been running Healing Animal SCARS since 2006. We have rescued over 1200 feral cats and kittens from the streets, providing vet care and spay or neuter prior to adoption. Our rescue also provides TNR Trap-Neuter-Return services for adult feral cats. Healing Animal SCARS works closely with the SPCA on their feral cat TNR program and we collaborate daily with other private non-profit rescue groups. I am one of the members who was invited by the Minister of Agriculture to provide feedback at the roundtable on Animal Protection.

It is important to ban cosmetic procedures such as tail docking and ear cropping for dogs and declawing for cats. The NSVMA has already banned these barbaric practices from being done by the professionals, and now we have to close loopholes in the current law to ensure ordinary citizens don't perform these procedures at home.

We need to give the SPCA greater power to investigate cruelty. It would appear that the only people who are opposed to the amendments to the Animal Protection Act are the very people that we need the laws to prevent animal cruelty. Please don't let the commercial greed of some breeders stop this bill. Don't let their voice drown out the animals who have no voice. I speak for the animals who I am committed to protect.

I am writing to give my full support to Bill 27 Animal Protection Act and to ask that the Law Amendments Committee, and MLAs, support the bill as well.

This Bill offers long needed protection to animals, and very necessary assistance to our understaffed and overworked animal control personnel. Ask any of those officers how many times they have responded to situations where an animal is in dire conditions, only to be tied up in bureaucratic/legal red tape that slows or prevents the help the animal desperately needs. Bill 27 will allow them to act in a timely way, for the good of the animal.

On September 17, presenters voiced their opinions (and opposition) to the passing of this Bill. I was disheartened to hear breeders of purebreds talk at length about how the proposed legislation could potentially impact their financial enterprises. They are more concerned about money than the pain and suffering inflicted on animals to make them conform to physical standards required by purchasers. They seem to have missed the point that the Act is for the protection of animals, not the protection of business income. They also spoke long and loudly about the power that would be granted to the SPCA. If they are ethical breeders, why would they fear oversight? And, as clearly stated by the SPCA representative in attendance, there would need to be a legitimate complaint to initiate an investigation; there is much too much work to be done for animals in distress for the SPCA to arbitrarily start investigating clean, well-run, ethical establishments. It would seem that the breeders in attendance feel that they should be above the law, and not accountable to anyone for the welfare of the animals in their care.

Nova Scotia has been a leader in animal welfare recently, in our support for rescue, TNR programs and the focus on banning harmful practices such as declawing. Please help us to keep the momentum going; help us to move in a positive direction, for the good of the animals. Please support Bill 27.

Bill 27: An Act to Protect Animals and to Aid Animals in Distress – JUST THE FACTS
BACKGROUND

The Minister of Agriculture introduced a new Animal Protection Act, Bill 27. The proposed law went before the Committee of Law Amendment on 17 September 2018.

Dog breeders appeared and spoke against the bill. As a result the bill has been paused. This document attempts to summarize the parts of the law they objected to.

OVERALL TERMINOLOGY

Bill 27 refers to Animal Welfare Inspections and has a section called Protecting the Welfare of Animals. The Animal Cruelty Appeal Board established by the former Act is continued under this Act and is renamed the Animal Welfare Appeal Board.

Breeders objected to the use of the term welfare, fearing that it is too broad.

CUSTODIAN vs OWNER

Bill 27 uses the term custodian and includes in respect of an animal, (i) an owner of the animal, (ii) a parent of a minor who is an owner of the animal, (iii) a person who has possession of the animal, (iv) a person who has been given custody, care of, management of or control over the animal, (v) a person who had possession of the animal or had custody, care of, management of or control over the animal immediately before the animal was seized, taken into custody or abandoned, or (vi) any other person who at law has responsibility for the animal.

The breeders who spoke believe only the term owner should be used.

POWERS OF THE SPCA OR ANOTHER PEACE OFFICER

Para 30 (5) of Bill 27: Where an inspector or peace officer has reasonable and probable grounds for believing that an animal is in distress in or upon any premises other than a private dwelling place, the inspector or peace officer and every person lawfully accompanying the inspector or peace officer may, with or without a warrant, and by force if necessary, enter the premises and search for the animal and exercise the powers conferred on the inspector or peace officer under this Act with respect to any animal in distress found therein.

The breeders claimed that the SPCA could enter their property at any time without reasonable and probable grounds and seize their animals.

INSPECTIONS OF COMPANION ANIMAL FACILITIES

Para 19 states in part that an inspector may (a) inspect animals in relation to this Act; (b) in the case of inspectors of companion animals, inspect and monitor on an ongoing basis facilities where companion animals are housed or handled including stables, kennels, retail stores, research laboratories and animal shows. (e) where necessary or advisable, seek the aid of and co-operate with (i) peace officers, (ii) persons in the Civil Service, (iii) agricultural representatives, (iv) veterinarians, and (v) other relevant experts.

The breeders objected to inspectors coming into the facilities stating that they maintain sterile facilities and that they inspectors could bring disease to their dogs and pups. They also stated that the SPCA did not have the training to visit and assess their facilities.

Remarks

The SPCA Chief Inspector is a vet tech and has access to expert vet advice. All of the inspectors receive peace officer training thru the Dept of Justice.

COSMETIC SURGERIES

Para 27: (1) No person shall perform, or permit to be performed, cosmetic surgery on an animal unless it is an accepted activity under Section 28. (2) Cosmetic surgery means surgery performed solely for the purpose of altering the appearance of an animal, without a medical benefit, and includes the following, including any similar alterations:

- (a) tail docking;
- (b) tail nicking, setting or blocking;
- (c) ear cropping;
- (d) devocalization or debarking;
- (e) onychectomy (declawing);
- (f) dewclaw removal;
- (g) any other prescribed alteration or surgery.

The breeders want access to the cosmetic surgeries and will go outside of NS to get it done. Some are doing it themselves in their homes/facilities. They do not deem the practice to be cruel.

Remarks: "The Canadian Veterinary Medical Association (CVMA) opposes the alteration of any animal by surgical or other invasive methods for cosmetic or competitive purposes."

They strongly encourage breed associations to change their breed standards so that cosmetic surgeries are not required and to assist the veterinary community in educating the public that these procedures cause unnecessary pain and suffering. The NS Veterinary Medical Association (NSVMA) no longer permits these surgeries to be performed by veterinarians.

Studies show that docking prevents tail injuries in 1 in every 500 dogs. Dr (ret'd) Chisholm countered the belief that "They don't feel it when done that early." "Newborns feel it, they just respond differently because they are still developing. Pain researchers have shown that trauma during the neonatal period can lead to changes in the nervous system that can have life-long implications. This is why veterinarians don't perform these cosmetic procedures any more and why breeders should also be prevented from doing them."

CONSULTATION

Beginning in 2013 Minister of Agriculture for Nova Scotia Keith Colwell began meeting with advocates from around Nova Scotia - owners of animal rescues, dog trainers, veterinarians and various employees of the government to talk about issues relating to animal advocacy in the province and to make things better for the dogs and cats and companion animals in the province. The forum included a groomer, more than one dog trainer, the head of the NSVMA, representation from the Union of Nova Scotia Municipalities, someone from Cat Fancy, members from cat rescues, members from dog rescues, Hope Swinamer, members from the SPCA, representation from the Department of Agriculture, and a member of the Canadian Kennel Club (CKC).

The breeders stated that "they were not consulted" and claimed that there was no representation of the CKC, or groomers, or trainers, or exhibitors, or pet owners.

CONCLUSION

This is a good law that will allow the SPCA to do their jobs to better investigate reports of abuse and get the matter before the courts. Why would anyone who professes to be an animal lover oppose it? Because the law has been paused at the breeders' request, the suffering continues without repercussion as does the backyard cosmetic mutilation

Thank you for your time,

Sonya D Higgins

Healing Animal SCARS

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<https://www.facebook.com/katsonya>

Check out our adoption website <http://awos.petfinder.com/shelters/NS28.html>

Join our Facebook Group <https://www.facebook.com/groups/healinganimalscars/>

Like our Facebook Page <https://www.facebook.com/HealingAnimalSCARS/>

Check out our videos <https://www.youtube.com/user/katsonya>

We are on Twitter too <https://twitter.com/katsonyaSCARS>