

# Animal Welfare in Focus



A publication of the Canadian Federation of Humane Societies

Fall 2007

## Animal cruelty bills still in the running after parliament prorogues

Dear Prime Minister,

As a cat fosterer, you demonstrate that you care about animals. Doesn't that extend to all animals? Canada's archaic, inadequate animal cruelty law must be changed. It permits training animals to fight; killing stray or wild animals for no particular reason; and makes it difficult to prosecute those whose negligence results in the death of animals.

Bill S-213 – the one the government supports - makes NO changes to the flawed offences; it only increases penalties. That's to say, the same 1892 legislation adjusted for inflation. We need to enact Bill C-373. It will fix the problems but will not impact lawful activities like hunting, fishing, farming, etc. All political parties supported a virtually identical bill in 2003 – why don't they all support it now? Please do the humane thing:

**Kill S-213 and  
Enact C-373.**

At the request of the Prime Minister, the Governor General prorogued Parliament on September 14, 2007. The new session of Parliament opened on October 16th.

### Is Bill C-373 gone?

While all government bills on the order paper are lost, Private Members' bills stay where they are: that means Bill C-373 is still on the order paper after having passed first reading (but it also means that the numerous Private Members' bills ahead of it also remain, so it's doubtful prorogation will make Bill C-373 move ahead faster than before).

### What about Bill S-213?

Unlike Private Members' bills, Private Senators' bills don't stay on the order paper. However, the Senate is allowed 60 'sitting days' to reintroduce Bill S-213, pass it through all stages in the Senate and send it to the House. If it is the exact same bill as before, then it can go directly to the stage it had reached prior to prorogation - which is waiting to be debated in the House of Commons' Justice Committee. Up until now, the Justice Committee has been very backlogged with some contentious bills, so S-213 was way down on their agenda. However, prorogation could speed up Bill S-213's progress through Parliament.

### What can I do now?

1. Participate in our postcard campaign that carries a clear message to the Prime Minister! Use the enclosed one for yourself and visit [www.cfhs.ca](http://www.cfhs.ca) or call our office at 1-888-678-2347 x 22 to get more free postcards for your friends, family or co-workers.

### 2. WRITE TO THE PRIME MINISTER AND TO YOUR MEMBER OF PARLIAMENT TODAY!

A sample letter is available at [www.cfhs.ca](http://www.cfhs.ca), but personalized letters are more effective. You can send your letters postage free to: House of Commons Ottawa, ON K1A 0A6 If you don't know the name of your MP, visit [www.parl.gc.ca](http://www.parl.gc.ca).

3. Go to [www.queenwaldorf.com](http://www.queenwaldorf.com), print off the petition, sign it, get your friends, neighbours and co-workers to sign it and send it in.

see Parliament Prorogues on page 2

### What's inside...

Want to know more about animal-related legislative initiatives in Canada? Read this issue's Animals and the Law insert, pages 3-8. And check out the grid on the back page to see how our animal protection legislation compares with that of other countries.

### Dans ce numéro...

Vous êtes francophone? Nous nous engageons désormais à vous offrir du contenu en français dans chacun des numéros de notre bulletin de nouvelles. Consultez l'article sur les amendements au code criminel en page suivante. Vous pouvez aussi obtenir de plus amples renseignements en visitant notre site web, [www.cfhs.ca](http://www.cfhs.ca) - nous y ajoutons régulièrement du nouveau contenu en français!

## All that is required for evil to prevail is for good men to do nothing<sup>1</sup>

There is an old Latin maxim in law, qui tacet consentit, which roughly translates as 'silence means consent'. When it comes to improved animal cruelty legislation, Canadians who care about animals can only conclude that our elected officials' silence on the issue of changes to the animal cruelty provisions of the Criminal Code means two things. First, their silence signals their consent to maintaining archaic 1892 legislation and the perpetuation of unchecked cruelty toward animals. Second, their silence signals their outright contempt for the will of 85% of Canadians who have made clear their demands for improved animal cruelty legislation<sup>2</sup>. On this issue, our elected leaders' silence is deafening.

We have repeatedly and patiently communicated to our elected officials the problems with Bill S-213, the proposed legislation at the House committee level. We have made ourselves available to these politicians to provide more details and to

explain why Bill C-373 is vastly and demonstrably superior to S-213. We have provided them with irrefutable evidence highlighting the direct connection between violence towards animals and violence towards women, children and the disabled. We have requested meetings with them to discuss why Canadians need and deserve better animal cruelty legislation. Those who do meet with us, listen – and sometimes they even agree with us. Then publicly they remain silent on the subject of animal cruelty. Qui tacet consentit. Their silence implies their consent for the continuation of these heinous crimes against animals. Their silence clearly expresses their disdain for the views of 85% of Canadians.

Animal cruelty – and the remedies at hand to address it – should be a non-partisan issue. The communities of caring Canadians we represent are watching. Our elected officials need to understand our supporters already know that their continued

silence on animal cruelty and their continued support for Bill S-213 means two things: they do not care about animal cruelty and they do not care about the views and will of 85% of Canadians.

What more can you do? Please contact your MP today and let them know how you feel about animal cruelty, Bill S-213 and Bill C-373. Please continue to support the CFHS in its efforts to achieve improved animal cruelty legislation. We know you care deeply about this issue. It's well past time those we elect to represent the public interest do just that.

Steve Carroll  
Chief Executive Officer

<sup>1</sup>Edmund Burke

<sup>2</sup>SES National Poll, November 2006

### Yes! I'd like to support the Canadian Federation of Humane Societies.

- Please accept my gift of \$ \_\_\_\_\_
- Please send me information on monthly giving (SAM)
- Please send me planned giving information
- My e-mail address is \_\_\_\_\_
- Please do not trade my name



- |  |   |                   |
|--|---|-------------------|
| <input type="checkbox"/> Cheque  | <input type="checkbox"/> American Express | Card # _____      |
| <input type="checkbox"/> Visa  | <input type="checkbox"/> MasterCard       | Expiry Date _____ |
| Donations of \$10 or more will receive a tax receipt.<br>Charitable registration # 11883 0884 RR0001 |   | Signature _____   |

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E-mail: \_\_\_\_\_

**Parliament Prorogues** from page 1

4. Write a letter to the editor of your local newspaper in support of Bill C-373.

**What if there's an election?**

At the time of printing, no election has been called, and political analysts are still wavering in their opinions about whether or not we will soon have a federal election. Until an election is called, please continue your efforts to oppose Bill S-213!

If an election is called, why not take the opportunity to ask all your local candidates where they stand on the issue of animal cruelty amendments, and if they're not well informed, pass along information from our website, [www.cfhs.ca](http://www.cfhs.ca).

**Did you know...**

The Criminal Code currently only makes it an offence to encourage, aid or assist in the fighting of dogs. But the reality is, it's nearly impossible for police or SPCA inspectors to catch involved individuals red-handed, in the middle of an organized dogfight.

This means that NFL star Michael Vick could have walked under Canada's current law... And our government is supporting S-213, which wouldn't change this. Bill C-373, on the other hand, makes it an offence to train animals to fight other animals, and to receive funds from these "events."

**What is prorogation?**

Each session of a Parliament ends with the prorogation of Parliament by the Governor General, on the advice of the Prime Minister. Most unfinished business dies and committees cease to function. Parliament then stands prorogued until the opening of the next session on a specified date. This date may be changed by a further proclamation.

Government bills that have not received Royal Assent prior to prorogation can be reinstated in the next session only if the House takes a decision to this effect. Private Members' bills from the house are automatically reinstated. Tabling of documents before the House must await the beginning of the new session. Requests for responses to petitions and for the production of papers remain in effect, as do requests made for government responses to committee reports.

(Source: <http://www.parl.gc.ca> - Parliamentary cycle factsheet)



**Qu'est-ce que la prorogation?**

Chaque session d'une législature se termine par la prorogation du Parlement par le Gouverneur général, sur la recommandation du Premier ministre. La plupart des affaires en cours meurent au Feuilleton et les comités cessent toute activité. Le Parlement est prorogé jusqu'à l'ouverture de la session suivante à la date fixée par proclamation, laquelle peut être modifiée par une nouvelle proclamation.

Les projets de loi d'initiative gouvernementale qui n'ont pas reçu la sanction royale au moment de la prorogation ne peuvent être rétablis à la session suivante que si la Chambre y consent. Les projets de loi d'initiative parlementaire sont automatiquement rétablis à la session suivante. Le dépôt de documents à la Chambre doit attendre le début de la nouvelle session. Les demandes de réponse à des pétitions et de production de rapports demeurent valables, tout comme les demandes de réponse du gouvernement à des rapports de comités.

(Source: <http://www.parl.gc.ca> - Feuilleton d'information sur le cycle parlementaire)

# Projet de loi sur la cruauté aux animaux toujours à l'ordre du jour malgré la prorogation du Parlement

À la demande du Premier ministre, la Gouverneure générale a prorogé le Parlement le 14 septembre 2007. La nouvelle session parlementaire débuta le 16 octobre.

**Le projet de loi C-373 est-il tombé à l'eau?**

Suite à la prorogation, les projets de loi du gouvernement sont abandonnés, mais les projets de loi émanant de députés demeurent conservent leur statut. Le projet de loi C-373 apparaîtra donc encore à l'ordre du jour comme ayant passé la première lecture. Toutefois, il faut se rappeler que de nombreux autres projets de loi émanant de députés conserveront leur place au-devant du projet de loi C-373. Il est donc peu probable que ce dernier progresse plus rapidement qu'auparavant.

**Et qu'en est-il du projet de loi S-213?**

Contrairement aux projets de loi émanant de députés, les projets de loi émanant de Sénateurs, eux, sont abandonnés lors de la prorogation. Donc, lors de la nouvelle session parlementaire, le Sénat aura 60 séances pour réintroduire le projet de loi et pour passer les trois lectures au Sénat. S'il est identique à sa version précédente, il pourra ensuite retrouver la même place qu'il avait à la Chambre des communes avant la prorogation (dans ce cas-ci, ce serait en attente d'une étude plus approfondie au Comité de la Justice). Avant la prorogation, le Comité de la Justice comptait plusieurs gros projets de loi contentieux à son ordre du jour et le projet de loi S-213 était loin sur la liste. Par contre, la prorogation pourrait faire en sorte que S-213 cheminera maintenant plus rapidement.

**Que puis-je faire?**

1. Participez à notre campagne de cartes postales! Cliquez ici pour commander vos cartes postales gratuites demandant au premier

ministre de rejeter le projet de loi S-213 et d'appuyer C-373. Demandez-nous des cartes additionnelles que vous pouvez partager avec vos proches !

- ÉCRIVEZ AU PREMIER MINISTRE ET À VOTRE DÉPUTÉ.** Visitez [www.cfhs.ca](http://www.cfhs.ca) pour obtenir une lettre type. Vous pouvez l'envoyer telle quelle, mais si vous la personnalisez, elle aura plus d'effet. Vous n'avez pas à mettre un timbre. Envoyez votre lettre à: Chambre des communes Ottawa (Ontario) K1A 0A6 Si vous ne connaissez pas le nom de votre député, veuillez consulter le site [www.parl.gc.ca](http://www.parl.gc.ca).
- Tapez [www.queenwaldorf.com](http://www.queenwaldorf.com), imprimez la pétition, signez-la et invitez vos amis et vos voisins à faire de même avant de nous la retourner.
- Pour obtenir un complément d'informations sur les nouvelles dispositions du Code criminel, visitez le site [www.cfhs.ca](http://www.cfhs.ca).
- Écrivez une lettre en faveur du projet de loi C-373 au rédacteur en chef de votre journal local.

**Et s'il y a une élection?**

Au moment de mettre sous presse, une élection n'a pas été annoncée et les opinions des analystes politiques varient grandement sur ce sujet. Jusqu'à ce qu'une élection soit officiellement annoncée, continuez à nous appuyer dans nos efforts pour étouffer le projet de loi S-213 !

Si l'on annonce une élection, saisissez l'occasion pour demander à vos candidats locaux de partager avec vous leur position sur le dossier des amendements des sections du Code criminel traitant

de la cruauté aux animaux. S'ils ne sont pas bien informés, vous pouvez partager avec eux notre adresse Internet : [www.cfhs.ca](http://www.cfhs.ca).

Monsieur le Premier ministre,

**Le fait d'avoir accueilli des chats au sein de votre foyer démontre que vous vous souciez du bien-être animal. Est-ce cependant le cas pour tous les autres animaux? Archaïque et inadéquate, la loi canadienne portant sur la cruauté envers les animaux doit être modifiée. Elle permet que l'on laisse des animaux dressés se battre entre eux; de tuer des animaux errants ou sauvages sans raison particulière; et rend difficile la poursuite de ceux dont la négligence cause la mort d'un animal.**

La loi S-213 - celle que le gouvernement appuie - ne modifie EN RIEN ces pratiques odieuses : elle ne fait qu'alourdir les sanctions. C'est en fait la même loi que celle de 1892, mais ajustée en fonction de l'inflation. Nous devons adopter la loi C-373. Cela permettrait de suppléer à ce qui fait défaut sans incidence sur les activités légales comme la chasse, la pêche, l'élevage, etc. Tous les partis politiques ont appuyé une loi pratiquement identique en 2003. Pourquoi ne feraient-ils pas de même aujourd'hui? Faites une chose humaine :

**étouffez la loi S-213 et adoptez la loi C-373.**



	Unit Price	# Ordered	Total
Cards*	\$5.00		
			PST 8% (ON only)
			GST 6%
			Total

Please fill out contact and payment information on reverse side of this form or order from our website at [www.cfhs.ca](http://www.cfhs.ca).

\* includes 8 cards (2 of each design) with envelopes and S & H.

**SPECIAL  
FEATURE**

# Animals & the Law in Focus



## Provincial Legislation:



## BC one step closer to updated provincial animal protection legislation

The BC SPCA, like its counterpart in Ontario, is pushing for changes to the provincial animal cruelty legislation. After nearly two years of campaigning, the society is hopeful it will soon see amendments to the Prevention of Cruelty to Animals Act.

In addition to supporting the CFHS' campaign to push for improvements to the Criminal Code of Canada, the BC SPCA is also advocating for changes that could address some of the weaknesses in their current provincial legislation:

- like the Criminal Code, the BC legislation currently considers animals as property;
- lack of legal access to property can seriously hamper and delay efforts to remove animals from dangerous and violent situations;

- the legislation lacks any penalties for those individuals who abuse animals belonging to others.

Last year, the BC SPCA investigated nearly 6,000 cases of abuse. The BC SPCA's mandate to enforce cruelty laws comes directly from BC legislation and the Society provides services that would otherwise fall to the RCMP or other law enforcement officers to carry out at significant cost to the government if the BC SPCA did not exist. Yet the enforcement of animal cruelty laws in the province is currently funded primarily by public donations.

Additional funding would help society deal with the overwhelming number of animal cruelty complaints in the province and to establish an enforce-

ment presence in parts of the province where the SPCA does not currently have cruelty officers.

The BC SPCA has been working with a joint working group representing the society, the Solicitor General's Office and the Ministry of Agriculture and Lands to draft proposed changes to the existing provincial Act. A draft should soon be presented to the minister, and the BC SPCA hopes the proposed amendments could be introduced in the provincial legislature as early as spring 2008.

The CFHS hopes the federal government will follow these developments in British Columbia and that widespread public support for effective animal protection legislation in that province will encourage Members of Parliament from all parties to push for effective changes to the federal animal cruelty law.



## Ontario makes pre-election pledge to improve cruelty law

Animal welfare has become an election issue in Ontario, after a string of high-profile animal cruelty cases -and the ensuing public pressure-prompted the government to increase funding to the Ontario SPCA. The Liberals have also made additional commitments to amend the provincial Ontario SPCA Act.

Officials at the Ontario SPCA have long said that they must work with some of the weakest animal protection laws in the country. In recent years, the province passed legislation to address puppy mills, but cruelty inspectors still rely on the outdated offences in the Criminal Code of Canada to punish those guilty of other forms of animal cruelty in Ontario (for more about the Criminal Code, see page 1 of this issue).

In addition, the Ontario SPCA receives very little provincial funding to carry out cruelty investigation

duties as mandated under provincial legislation. As a result, on August 31, the government announced it will increase annual funding to the Ontario SPCA to \$500,000 to support inspector and agent training and provide \$100,000 in one-time funding for Ontario SPCA agents to work with the province on an interim zoo inspection plan (see more about roadside zoos on page 4).

The Ontario government is also pledging to work with stakeholder groups and study possible amendments that could include:

- Making it a provincial offence to cause distress to an animal
- Imposing penalties of up to \$25,000 and six-months in jail for an animal abuse conviction
- Giving Ontario SPCA agents broader authority to inspect commercial premises where mistreatment of animals is suspected
- Requiring veterinarians to report suspected

abuse, with protection from liability for doing so

- Banning animal fighting and associated equipment
- Protecting law enforcement animals
- Imposing a lifetime ownership ban for persons convicted of animal cruelty

The CFHS is heartened to see that Ontario voters are actively calling for changes to animal cruelty legislation - and congratulates provincial politicians for listening to their constituents on this crucial issue.

As we continue to push for effective changes to the federal animal cruelty law, we will encourage all parties in the House of Commons - many of which are jockeying for seats in urban ridings like the Greater Toronto Area - to learn from their provincial counterparts, listen to their voters and make animal welfare a priority.

## 60 Seconds with... Georgia Mason

This issue, the CFHS introduces Prof. Georgia Mason, the Canada Research Chair in Animal Welfare at the University of Guelph, and Visiting Professor in Animal Welfare Physiology at the Royal Veterinary College (London). Prof. Mason's research interests focus on animal welfare: its objective assessment, and how early experience and species differences protect or predispose animals to problems.

### Overall, how would you rate Canada's animal protection laws?

They are minimal. I come from the UK, which follows the typical European model of very detailed, evidence-based species-by-species regulation (at least for all farm and laboratory animals; zoo and companion animals are protected by less specific regulations). This legislation is backed by inspection and enforcement, and is based on the premise that ensuring good animal welfare is a societally important issue. Canadian animal welfare laws seem by contrast remarkably lacking - there is simply hardly anything there to see. Canada seems to be struggling to pass even the most basic animal cruelty laws (C-373). S-213 seems little better than the current strange and old-fashioned act of 1892).

### What are the biggest failures in Canadian animal protection legislation?

See question 1 above.

### Is there anything Canada is doing particularly well? If so, what?

Canadian vets seem to be a special breed. The Canadian Veterinary Medical Association (CVMA) is quite remarkable in its clear and bold position statements in animal welfare - they are radical (more focused on the needs of animals than of animal industries) compared with the American Veterinary Medical Association (AVMA), and show more clarity and leadership than the British Veterinary Association. NSERC (National Sciences and Engineering Research Council of Canada), the main science funder here, allows scientists here to conduct more reactive, risky, flexible projects than they can in the UK, and this is good for animal welfare research. The Canadian Council on Animal Care (CCAC) is very good at collecting up-to-date statistics on research animal use. However, in terms of actual animal protection or animal care, there is nothing Canada is doing particularly well.

### How would you say our laws compare with those of other developed countries?

Because they are so minimal, they place Canada at the trailing end of the developed world.

### What are the top/urgent changes we need to make to our laws to bring us up to international standards?

C-373 seems an obvious minimum. After that, I'd say that farm animal codes should be updated and then made into mandatory, federal-wide laws. To avoid such regulations essentially just enshrines industrial current practices. There needs to be strong input from consumers, animal protection groups, veterinarians and animal welfare science: animal welfare is a societal issue and so the true 'stakeholders' are not just those in the food production/retail chain. CCAC codes for research animals need updating too, and need to extend to research organizations not funded by the Tri-councils. I suspect a need for the licensing of zoos too, since animals in 'roadside zoos' do not seem to be protected by anything, not even the standards of the Canadian Association of Zoos and Aquariums (CAZA). I do realize this heavy-handed government approach is absolute anathema to many North Americans - but I really don't see how much can be achieved without it.

## Exotic animals as pets:

# Lions and tigers and bears... no more?

This past May, 32-year-old Tanya Dumstrey-Soos was mauled to death by a tiger near 100 Mile House, BC. The large cat belonged to Ms. Dumstrey-Soos' fiancé, Kim Carlton, who kept it and other large exotic animals in his private zoo.

Mr. Carlton used the large cats in magic acts and public exhibits, and even invited visitors to his private zoo to pose for photographs with the animals. His website shares stories of a young girl kissing a tiger on the nose and images of kids of all ages petting the various large cats and a baboon.



The tragedy made national headlines and brought to light the fact that only two Canadian provinces – Alberta and Saskatchewan – have legislation that restrict possession of exotic animals as pets. After the incident, BC-based media noted that no one even knows how many lions or tigers are in that province – and the same is true in most other provinces. The lack of provincial legislation means there is no requirement to register these animals, no limits on what species are acceptable and no requirements for their housing or care.

In Saskatchewan, provincial legislation lists what species of native or exotic wild animals can be kept as pets, without a license. Permitted animals include native wildlife like some species of snakes and amphibians, rabbits, raccoons, pigeons, crows and captive-bred bison. The provincial law also permits some exotic animals such as certain birds (like finches, parrots, budgies, turkeys, quail and pheasants); guinea pigs, gerbils, hamsters and other common pet rodents; lizards, crocodiles and non-poisonous snakes except boa constrictors. Individuals who own other wild animals (native

or exotic) must first apply for a zoo or game farm license with the province.

While the CFHS supports provinces that introduce legislation to ban or at least impose limitations on exotic animals as pets, the Saskatchewan law makes allowances for some species that we believe clearly make inappropriate pets, such as raccoons and crocodiles.

Alberta's legislation takes a broader approach: anyone who owns a wild animal – native or exotic – must obtain a zoo license. The legislation does not apply to domesticated species or livestock. All facilities that require a zoo license in the province must meet the Standards for Zoos in Alberta, a document that outlines every aspect a zoo facility, ranging from record keeping, transportation, staff training and animal care, health care and behaviour husbandry.



The BC SPCA is now calling on its provincial government to adopt legislation that would restrict the exotic pet trade in that province. Among their recommendations, they are asking the government to broaden the definition of wildlife to include native and exotic species, not unlike Alberta's and to create a list of prohibited animals.

### Why don't exotic or wild animals make good pets?

- They may carry transmittable diseases;
- They can pose a safety threat because some retain their defensive instincts and predatory nature;
- Many species are threatened in their native country by the pet trade;
- Many animals suffer and die during import/export;
- Generally owners are uninformed as to the adequate welfare needs of the animals;
- The exotic animals may live long lives and out-live their owners;
- They may be abandoned because they have lost their novelty appeal or become too big, difficult, expensive or problematic to care for, and lastly;
- They may be released into the wild and consequently suffer as a result because they lack the physical and behavioural attributes necessary for survival in their foreign habitats.

Source: BC SPCA Wildlife Act Submission Package, Executive Summary  
<http://www.sPCA.bc.ca/WildlifeAct/>



## Roadside zoos:

# Ontario zoo animals still largely unprotected

Roadside zoos: small, substandard facilities that typically house animals in poor, barren conditions, and lack trained professional animal care staff and the financial resources necessary to ensure proper animal care and housing (Definition: World Society for the Protection of Animals - WSPA).

This past May, the Lickety Split ranch, a roadside zoo south of London, ON, made international headlines when an Australian newspaper reported on the plight of a red kangaroo, which they noted was "imprisoned...inside a cage no bigger than a single-car garage with just a tin shed to protect him from the Canadian winter."

The Australian Environment Minister called for an investigation into the ranch, and the CFHS and other animal protection organizations received correspondence from concerned animal lovers from around the world – and particularly from Australia – expressing their outrage at the lack of legislation surrounding zoos and exotic animals in Ontario. Everyone was quick to point out that strong animal

protection legislation in Australia would prevent such treatment of kangaroos and any other species kept in captivity.

WSPA (of which the CFHS is a member society) the Ontario SPCA (a CFHS member) and Zoo-check Canada have done extensive research on the state of Ontario's zoos. They have found that Ontario has at least 45 zoos, of which only 7 are accredited by the Canadian Association of Zoos and Aquariums. And while a permit is required in that province for keeping native wildlife, there are no permits for keeping exotic animals. Even in those cases where a permit must be obtained, there are few requirements regarding animal welfare, health care and accommodations.

Ontario is by no means the only province where these sub-standard facilities exist, but animal welfare organizations agree that the province unfortunately has the most

In October 2006, Ontario MPP David Zimmer introduced Bill 154, the Regulation of Zoos Act. The bill established standards of care for zoo animals

and would have required all zoo operators to be licensed. By early 2007, Mr. Zimmer noted his office was being flooded by calls and e-mails in support of his private member's bill. The proposed legislation was even garnering support from Conserva-



tive and NDP members in the provincial legislature. Although Bill 154 died on the Order paper when the provincial legislature prorogued, the public support and attention it generated undoubtedly influenced Ontario's main political parties

to commit to regulating zoos and strengthening the Ontario SPCA Act. The former Liberal government has already taken steps in the right direction by establishing a "Working Group for Animals in Captivity". The Ontario SPCA and WSPA are part of this working group, as is the Canadian Association of Zoos and Aquariums.

In the meantime, the owners of the Lickety Split ranch were charged this summer with failing to renew their permit for keeping native wildlife. The zoo did not open as usual in May, and remains closed to this date. And no one knows what has become of Tyson, the red kangaroo that brought international attention to the lack of legislation to protect exotic animals in Canada and Ontario, though the ranch owners have told WSPA that they no longer own him.

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Tyson, the red kangaroo that outraged Australians and Canadians alike last spring, last seen in his enclosure at the Lickety Split ranch. (photo credit: WSPA-Canada)

### What can you do to help?

- The best way to help is by not visiting roadside zoos. Encourage friends and family to do the same.
- If you recently visited a zoo and have concerns about the welfare of the animals, please contact the local or provincial humane society or SPCA.
- Write a letter to the provincial government of the zoo you visited. If you were a tourist to that province, address your correspondence to the minister responsible for tourism.

## Cat And Dog Fur: Still making its way into Canada



Cat and dog hides, China (Photo credit: HSUS, Karremann)

Glenn Close's *101 Dalmatians* character Cruella de Vil, who wanted a spotted coat made of puppy fur, is not as fictitious as you might think.

The Humane Society of the United States (HSUS) estimates that more than 2 million cats and dogs are killed each year for their fur and skin,

which is then used to make apparel and toys. Fur coats are a particular concern, as up to 10 adult dogs or 24 cats are needed to make one.

A recent inquiry exposed the horrific treatment and slaughter of these domestic animals. In an 18-month-long undercover investigation, the HSUS and a German independent journalist teamed up to uncover

the gruesome truths behind the cat and dog fur trade in China. Investigators captured explicit footage of the conditions these animals endure (including footage that showed a dog clearly conscious while he was being skinned).

Although some cat and dog fur products are

labeled as such, numerous manufacturers mislabel products using pseudonyms, such as gae-wolf and katzenfelle, or use the vague label of "genuine fur" making it nearly impossible to know what the products are made of.

Countries around the world are working to eliminate this trade. The United States banned cat and dog fur in 2000, while the European Parliament recently voted to ban cat and dog fur from being traded in European Union countries by the end of next year. In Canada, Liberal MP Susan Kadis proposed an amendment to the Hazardous Products Act to include products made with dog or cat fur. The bill's first reading was on May 10, 2006, but given the process for passing private member's legislation, it is unlikely it will move forward quickly.

The CFHS is disturbed with the treatment of animals involved in the cat and dog fur trade. Their status as our companions makes it even more objectionable to think they are killed for fur. While the CFHS is not currently active on this issue, we are monitoring the latest updates. For more on the issue of cat and dog fur in Canada, you can visit Humane Society International - Canada at <http://www.hsicanada.ca/>.



## Cat licensing: More and more cities keeping track of pet cats

In May 2007, CFHS member societies met in Toronto for the CFHS' Leadership Summit - an event that brought together animal welfare leaders from coast to coast to discuss common challenges and share best practices.

One recurring difficulty in communities coast to coast was regarding cats - a problem one speaker wittingly dubbed "Canada's Cat-astrophe." Across the country, shelters take in a higher proportion of cats than dogs. The rate of cats returned to owners is a fraction of that for dogs. And the euthanasia rate for cats is also much higher.

In an effort to improve cat welfare across Canada, more and more municipalities across Canada are looking into cat licensing, bylaws that would prevent cats from roaming free and mandatory identification of owned cats.

The CFHS has long believed that municipal animal control programs should apply to both cats and dogs. One of the roles of animal control bylaws is to encourage responsible pet ownership through licensing, permanent identification and spay/neuter incentives. Cat licensing enables cat owners to contribute to the cost of animal control in the municipality, a cost that has traditionally been borne by dog owners.

The reality is, however, that despite all the strong arguments in favour of cat licensing, introducing such a program can be a real challenge.

The Société protectrice de l'Estrie has been working hard this year to change attitudes toward cats in some of the municipalities it serves. Sherbrooke, the largest city on the SPA's territory, has long had a cat licensing program. But 2007 marked the first year many of the more rural sur-



Most cities that have cat licensing bylaws require the animal to wear a tag purchased from the city. Calgary's new bylaw only requires that cats have either a tag, tattoo or microchip.

rounding towns had such bylaws.

For the SPA, the first step was to work with local municipalities to advocate the need for the new legislation that would require that all cats be licensed and wear a tag provided by the SPA. Spayed or neutered cats get a reduced licensing rate - a move the SPA hopes will help reduce unwanted cats on the territory. In a final effort to bring local residents on board with the new program, the SPA has offered the tag and first year of licensing fees for free this year to those rural municipalities that have just implemented new cat bylaws.

Calgary is also in the first year of a cat licensing program. Under the new bylaw, Calgary cats

have the option of wearing a tag, tattoo or microchip. This City, widely recognized for having one of the most effective dog control programs in North America, faced some opposition when it introduced the new bylaws in January.

But despite opposition, the Calgary Humane Society reports that some 30,000 of an estimated 92,000 cats have already been licensed this year - a compliance rate of more than 32% in less than one year! Like the SPA de l'Estrie, Calgary has offered discounts for those who spay or neuter their cats.

And an additional incentive for Calgarians: funds collected from the cat licensing program will go toward the creation of a new spay/neuter clinic that will offer local residents low or no cost spaying and neutering. It is expected the new clinic will perform up to 10,000 surgeries per year.

### CFHS 2004 Shelter Statistics

Of all the cats admitted into Canadian shelters:

3.4%	were claimed by owner
45.1%	were adopted
43%	were euthanized
1.2%	were euthanized at owner's request
7.3%	other disposition (foster care, transferred, still in shelter at year end, etc.)

## Rodeos:

# Good news, bad news for rodeo animals

Rodeos are often seen as part of the Canadian identity and as a major tradition, especially in the Western provinces. But, in reality, many of today's rodeo activities are very different from the everyday life on ranches. Events such as bull riding, calf roping and steer wrestling involve using inhumane practices that cause the animals to behave in ways that entertain the crowd. For example, electric prods are used in training to

encourage bucking and painful flank straps are tightened around a bull's groin while the rider's spurs dig into its flesh. Many animals at rodeos suffer injuries such as broken bones, paralysis and sometimes death.

This summer, there were some positives and negatives for animal welfare in rodeos. In an unprecedented move, the Cloverdale Rodeo announced on May 22 that it was cancelling four cruel events from its rodeo: calf roping, team roping, steer wrestling and wild cow milking. The decision came after a calf's leg was broken in the calf-roping event and it had to be euthanized.

Just over a month later at the Calgary Stampede three horses were killed and a driver injured in a horrendous crash during a chuckwagon race. This however is not the first time a horse has been injured or died during chuckwagon races. Eleven chuckwagon horses have died at the Stampede since 2000. At the 1986 Stampede, six horses were killed in another horrific crash. Unfortunately, Stampede organizers have said they have no plans to cancel any events.

Vancouver became the first Canadian city to ban rodeos, when city council voted in 2006 to prohibit a number of inhumane rodeo activities, which in effect prevents rodeos from ever taking place in the city. The CFHS recently supported a move by councillors in the City of Markham, Ontario to ban rodeo events within its jurisdiction.

The CFHS supports Cloverdale's ban on the four rodeo events and urges other Canadian rodeos to ban events that are most likely to cause pain, suffering or injury. We also support the city of Vancouver's ban on rodeos and encourage other municipalities to follow in Vancouver's footsteps.



Painful flank straps and riders' spurs can harm bulls during events like these.



Calves can suffer from broken bones, throat, neck, spinal cord injuries or can even be killed during calf roping events like the one pictured here.

## Battery cages:

# Schools, cities and businesses shun caged hens

Cities and institutions across Canada have been taking steps over the last year to eliminate the use of eggs from caged laying hens and the suffering these birds are forced to endure.

Richmond, British Columbia became the first city council in North America to demand that caged hens' eggs be removed from all city-run facilities. The council also recommended that residents, including restaurants and retailers, choose certified organic free-range eggs. Vancouver and Whistler followed with similar recommendations in their jurisdiction.

The University of Guelph became the first university in Canada to stop using caged hens' eggs in all its campus food services. The university joins over 100 schools in North America that have removed or reduced eggs from caged hens from campus food services.

Another step forward for animal welfare in the North American food industry came earlier this year when North America's second largest fast food outlet, Burger King, announced that it would phase out eggs from caged hens.

Factory farms in Canada contain rows and rows of battery cages, stacked in tiers of two to eight cages high. For comparison, imagine that each hen is only allotted an area the size of a sheet of paper. Five to seven hens are stuffed into the



Photo credit: Vancouver Humane Society

that the egg industry needs time to transition to other housing systems that better meet the needs of the animals. Such a transition will require a substantial financial investment and new husbandry systems may be more labour intensive.

A too-hasty transition to a cage-free system could lead to additional concerns for animal welfare. It must be ensured that the proper facilities and animal husbandry practices are in place to improve the welfare of hens: in the absence of these crucial elements, a cage-free environment could lead to worsened animal welfare.

The CFHS is a member of the National Farm Animal Care Council (NFAACC), which has recently completed a new process for the development of Codes of Practice for the care and handling of farmed animals. Although the CFHS is very concerned that NFAACC is heavily dominated by the livestock industry, we hope to convince the Council to place much greater emphasis on animal welfare through improved Codes of Practice, as well as verification programs to ensure the Codes are being followed.



Photo credit: Vancouver Humane Society

cages so tightly that they cannot perform natural behaviours such as dust bathing, nesting and flapping their wings. Their beaks are cut to control aggressive pecking. Approximately 98 percent of Canada's 26 million egg-producing hens live in these inhumane conditions. Osteoporosis, foot ailments and paralysis are common among these birds.

Countries around the world such as Sweden, Switzerland and the Netherlands have already banned the use of battery cages and the entire European Union will follow with a ban of its own beginning in 2012. Unfortunately there is no such legislation in Canada.

The CFHS opposes the extreme confinement of battery cages and wants to see them phased out as quickly as possible. We do recognize, however,





# Agriculture Canada dismisses animal welfare in its 5-year plan

Late last year, the federal agriculture department launched a consultation process on their proposed Next Generation of Agriculture and Agri-Food Policy. The goal is to have a new five-year policy framework ready to implement in 2008. This framework will set the parameters for government funding of the agriculture and agri-food sector over the next five years.

The government invited input from Canadians, the agriculture industry and other interested parties, and provided numerous documents and back-grounders to stimulate dialogue. With farm animal welfare becoming more and more prominent in the media and in the minds of Canadian consumers, it is regrettable that there is no mention of animal welfare anywhere in the consultation documents.

The Canadian Federation of Humane Societies submitted detailed comments in March. The main thrust of our submission focused on the urgent need for a specific funding pillar for animal health

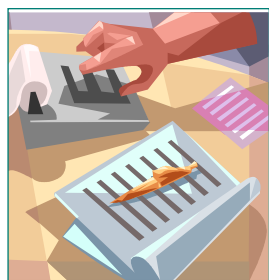
and welfare in the Next Generation framework. We made several specific recommendations for how the government could support improvements in farm animal welfare in Canada.

In June of this year, the government released a document entitled Growing Forward that will form the basis for the five-year policy framework. This document includes one mention of the term 'animal care'; however, it is clear that the government is not taking animal welfare seriously and will continue to lag far behind other developed countries.

The CFHS will continue to urge the government to introduce a framework that will enable Canada to better monitor and, indeed, improve farm animal welfare. We encourage humane societies, SPCAs and Canadians who care about animal welfare to do the same. The CFHS' March submission can be viewed at <http://cfhs.ca/farm>. For more information on the Next Generation consultation, go to [www.agr.gc.ca/nextgen](http://www.agr.gc.ca/nextgen).

## Tax-smart giving: Making your dollars work for you and animals across Canada!

When you stop to consider the joy, love and fun your animals have provided you over your lifetime, supporting CFHS in our efforts to end animal cruelty is a great legacy in memory of your companion animals.



As the end of the year nears, many people are looking for ways to support their favourite causes AND make their donations work for them. Certainly, now's the time to make any planned donations so you can benefit from a tax credit for this year.

Did you know there are many ways you can support our unique work to Help Canadians Help Animals while enjoying a reduction in your taxes?

### One-time or monthly donations

The easiest way to help the CFHS is by making a one-time donation. Or better yet, spread out your donation throughout the year by joining our Support Animals Monthly (SAM) – make your budgeting easier and provide us with reliable funds that contribute to improving animal welfare across Canada throughout the year!

### Bequests

Gifts by will, or bequests, are another way you can support the CFHS' ongoing work. It won't affect your current standard of living, and it can provide tax savings to your estate (we will provide your estate with a charitable tax donation for the value of your bequest). For more information, speak with your legal representative or estate planner.

### Gifts of publicly-traded securities

Donating your publicly-traded securities (stocks, mutual funds, bonds, mortgage-backed securities, etc.) directly to CFHS can reduce the cost of the gift to you. A gift of securities will entitle you to a charitable income tax receipt for the market value of the gifted securities. A transfer of securities directly to CFHS means that any resulting capital gain will not be included in your taxes. For further information, please contact your accountant or investment advisor.

## Leave a Lasting Legacy

*"Mankind's true moral test, its fundamental test consists of its attitude towards those who are at its mercy: animals."*  
— Milan Kundera



Canadians who care about animals know and understand that protecting animals and improving animal welfare is a struggle that never ends. We are very happy to announce the launch of the new CFHS 'Leave a Lasting Legacy' Program. The LLL Program provides four main gift categories: charitable bequests, life insurance, publicly traded securities, and/or real estate. These are easy ways you can help sustain animal welfare in Canada during your lifetime and beyond. For more information please visit our website at [www.cfhs.ca/donate\\_now](http://www.cfhs.ca/donate_now) or call Steve Carroll at 1-888-678-CFHS x 20.

### How can you help?

Are you an animal lover wondering what you can do to support the Canadian Federation of Humane Societies and our efforts to Help Canadians Help Animals? Here are a few ways you can help out!

### Make a donation

The CFHS receives no government funding. Yet in many instances, we are asked to represent the views of the Canadian public on animal welfare issues, often against well-funded lobby groups – the vast majority of which receive government support. Our ongoing capacity to speak on behalf of humane societies, SPCAs and ordinary Canadians and to launch public education campaigns to promote humane treatment and respect toward all animals depends on donations from generous, caring Canadians like you.

### Support our campaigns

From time to time, the CFHS is involved in efforts to advocate for changes to legislation or industry practices. But we'll never achieve our goals alone – we need your support! Right now, you can lend your voice to our efforts to update the Criminal Code (see page 1 of this issue). You can also support our proposed changes to the federal transport regulations by visiting [www.cfhs.ca/farm](http://www.cfhs.ca/farm).

### Spread the word!

You've made your donation, mailed a postcard to the Prime Minister and supported our recommended changes to the transport regulations, and you're still wondering what else you can do?

The CFHS has grown by leaps and bounds this year – and we want your help to keep it up! Spread the word: tell those around you about our campaigns (and of course, encourage them to join!) Share our public education materials with fellow animal lovers/owners. And why not pass along this edition of Animal Welfare in Focus to help your friends and family better understand a cause that is so important to you?

### Gifts of life insurance

A gift of life insurance is another way for you to make a larger donation to the CFHS. Gifts of life insurance can be structured as follows:

- You can donate an existing policy or purchase a new policy and make the CFHS the owner and beneficiary. With this option, you receive a tax receipt each year for the amount of the premiums paid.
- You can name the CFHS as a beneficiary on a new or existing policy. In this case, a charitable donation tax receipt will be available to your estate when the death benefit proceeds are paid to the CFHS.

The CFHS is also pleased to partner with the Charity Life Insurance Program (CLIP), a great new program that offers life insurance coverage tailored to donors and their favourite charities. It includes shorter payment periods and guaranteed premiums and payouts. To read more about CLIP, visit [www.cfhs.ca/info/donate\\_now](http://www.cfhs.ca/info/donate_now).

For more information about gifts of life insurance, please contact your insurance agent or broker.

These are just some of the ways you and the animals can both win... To find out more about these options, call Steve Carroll at 1-888-678-2347 ext. 20 or e-mail him at [ceo@cfhs.ca](mailto:ceo@cfhs.ca).

## Gifts to CFHS

### Lasting Legacies

M.E. Burns  
Thomas Peter Moyes  
E.G. Winstanley  
Jessie MacBean

### In Memory of . . .

Lord Thompson of Fleet	
Lynn LeCompte	Scamp
Donna Pantalone	Rosa
Lucky	Penny
Peggy	Tucker
"A loyal friend"	Krusty
Callie	
Phil	

Thank you!

Comparison of Animal Welfare Legislations Internationally

Country and name of legislation	Kinds of animals covered	Offences	Sentencing
<p><b>United Kingdom:</b> <i>Protection of Animals Act, 2006</i></p> <p>Note: the Protection of Animals Act is supplemented by strong regulations, including some to prohibit tail docking and licence zoos.</p>	<p>Defines "animal" as any living vertebrate animal, with provision to extend if future scientific evidence shows other kinds of animals are capable of experiencing pain and suffering. Some parts of the act apply to all animals, others (like standards of care) only apply to animals for which a person is responsible.</p>	<ul style="list-style-type: none"> <li>Causing unnecessary pain and suffering</li> <li>Poisoning an animal</li> <li>Arranging animal fighting</li> <li>Failure of an owner to meet needs of their animals (including suitable environment, diet, normal behaviour patterns and protection from pain, injury, suffering and disease)</li> <li>Selling or gifting an animal to a person under 16 years old who is not accompanied by someone aged 16 or over</li> </ul>	<p>Imprisonment for up to 51 weeks, or a fine of up to £20,000, or both.</p> <p>Animals can be seized.</p> <p>Lifetime prohibition on owning animals can also be ordered.</p>
<p><b>New Zealand:</b> <i>Animal Welfare Act, 1999</i></p>	<p>All animals that are capable of feeling pain, including mammals, birds, reptiles, amphibians, fish, crabs, crayfish, squid and octopus (including wild animals, except for those offences that apply exclusively to owned animals)</p>	<ul style="list-style-type: none"> <li>Failure, by an owner, to ensure the health and behavioural needs of their animal are met and failure to provide treatment to an ill or injured animal</li> <li>Killing an animal in a manner that causes unnecessary pain and suffering</li> <li>Keeps an animal alive in such a condition that it is suffering from unnecessary pain and suffering</li> <li>Sells, attempts to sell or offers for sale (other than for the purpose of being killed) an animal that is suffering unnecessary pain or distress</li> <li>An owner or person in charge who deserts an animal when no provisions are made to meet its physical, health and behavioural needs</li> <li>Crops or causes to be cropped the ears of a dog and performs or causes to perform blistering or firing or nicking on a horse.</li> </ul>	<p>For an individual, maximum sentence is imprisonment of no more than 6 months or a fine of \$25,000 or both. For corporations, the maximum fine is \$125,000.</p>
<p><b>Australia:</b> Federal legislation only covers animal exports and transportation of animals. Each state has enacted an animal welfare or animal protection law. This table summarizes the eight state laws.</p>	<p>Most states define animal as vertebrates species including bird, fish, mammals (other than a human being) and reptiles. Many states also add certain types of crustaceans (like crabs, lobsters, crayfish and prawns) destined for human consumption, and cephalopods.</p> <p>Queensland also protects animal fetus and avian, mammalian or reptilian pre-hatched eggs in the second half of their gestation period, as well as live marsupial young.</p> <p>South and Western Australia limit "animal" to vertebrates, except fish.</p>	<ul style="list-style-type: none"> <li>Cruelty: many states make it an offence to commit either cruelty or aggravated cruelty                         <ul style="list-style-type: none"> <li>Most states include the following as cruelty: causing unnecessary pain or injury; beating or abusing an animal; overworking; using prohibited electrical devices; inappropriate confinement and killing an animal inhumanely.</li> <li>Some states do not define what is considered cruelty or aggravated cruelty.</li> </ul> </li> <li>Neglects an animal</li> <li>Failure to provide food, drink or shelter. Many acts also make it an offence to fail to obtain veterinary care as required.</li> <li>Failure to provide proper exercise to confined animals</li> <li>Tethering birds or sows for any length of time (or other animals for unreasonable times)</li> <li>Abandoning an animal</li> <li>Poisoning an animal</li> <li>Most animal welfare acts also have sections governing/prohibiting certain activities like rodeos, fighting of animals, the use of certain electrical devices and the transportation of animals.</li> </ul>	<p>For cruelty, abandonment or neglect or failure to provide offences, they are generally in the range of 250 penalty units in the case of a corporation and 50-100 penalty units or imprisonment for 6-12 months, or both, in the case of an individual.</p> <p>Penalties for aggravated cruelty offences range from 200-1,000 penalty units in the case of a corporation and 200 penalty units or imprisonment for 18 months to 2 years, or both, in the case of an individual.</p> <p>Penalties for other offences vary widely.</p>
<p><b>United States:</b> In the United States, criminal animal cruelty is under state jurisdiction. In many states, the law is included under their Criminal Code. In other instances, animal cruelty offences are covered under separate laws. For this table, only state laws will be compared.</p>	<p>The majority of US states have legislation that applies to all animals. Many states that have felony-level penalties, however, only extend those penalties to offences against certain types of animals (like domestic animals or zoo animals, for example).</p>	<ul style="list-style-type: none"> <li>Vary widely from state to state. Most have offences against causing unnecessary pain or suffering, neglect and failure to provide necessities of life. Several states have offences for fighting animals and failure to provide veterinary care to an animal in need (these provisions vary widely). Other common offences include: subjecting an animal to cruel mistreatment (not defined); killing someone else's owned animal without legal privilege or the owner's consent; abandoning an animal; overworking an animal.</li> <li>Some states, including California, make it an offence to maliciously and intentionally kill an animal.</li> </ul>	<p>43 states (plus the District of Columbia) make animal cruelty a hybrid offence (misdemeanour or felony) or felony offences only.</p> <p>Maximum fines vary widely, ranging from \$1,000 (Arkansas, North Dakota, South Carolina), to \$150,000 in Arizona and \$500,000 in Colorado. Most maximum fines are between \$2,500 and \$15,000.</p> <p>The maximum jail term in the majority of states is between 2 and 5 years. South Dakota, Ohio, North Dakota, Arkansas and Alaska have maximum jail term of one year. Other states provide maximum jail terms of 7 years (Pennsylvania and New Hampshire) and even up to 10 years (Alabama, Louisiana).</p>
<p><b>Canada:</b> <i>Criminal Code Animal Cruelty Section, 1892</i></p>	<p>Contains no definition of 'animal'. Refers to different types of animals throughout the legislation and protects them differently. For example, cattle and other working animals have the most protection and unowned animals have the least.</p>	<ul style="list-style-type: none"> <li>Animal section is in the property section of the Criminal Code</li> <li>Killing, maiming, wounding or poisoning an owned animal without a lawful excuse</li> <li>Causing unnecessary pain, suffering or injury</li> <li>Poisoning an animal</li> <li>Willfully neglecting an animal or abandoning it in distress</li> <li>Encouraging, aiding or assisting in the fighting of animals or birds</li> <li>Keeping a cockpit</li> <li>Arranging events where birds are released for the purpose of being shot</li> </ul>	<p>Crimes against cattle are indictable offences liable to imprisonment up to 5 years and unlimited fines.</p> <p>All other offences are summary conviction carrying maximum sentences of 6 months imprisonment, \$2,000 fine and 2 year prohibition of animal ownership.</p>



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