

Update regarding Bill 117

June 06, 2019

**FAQ:**

**What will the Ontario SPCA do now?**

The law enforcement services provided by the Ontario SPCA made up only about 20% of the Ontario SPCA everyday operations and life-saving work.

The transition from law enforcement has allowed us to expand our efforts in animal rescue, animal transfer and community-based mobile services. Recently, we cut the ribbon on a new mobile companion animal hospital, allowing us to create access to spay/neuter services across the province. In addition, we've added to our fleet of trucks and trailers to increase the number of animal transfers over the summer months. We welcome our partner Affiliates to join us in these life-saving programs.

**Does the Ontario SPCA and Humane Society object to Affiliates enforcing legislation?**

The Ontario SPCA and Humane Society recognizes that it is the option of each autonomous charity to decide whether to enter into an agreement with the Government of Ontario to enforce provincial animal welfare legislation. The decision to continue is not without risk and we have recommended that these Affiliates take steps to protect their charities, members and donors. We will continue to support our Affiliate Societies, where we are able, and we have welcomed our Affiliate Societies to join the life-saving programs the Ontario SPCA is offering across the province.

The Ontario SPCA has pointed out that there are still concerns left unaddressed in the Bill. To name a few:

- Officer safety and Officer workloads have been a key concern for the Ontario SPCA and were among the leading factors in making our decision to return legislation enforcement to the government. A smaller number of service providers and Officers will only exacerbate these problems.
- There may be even more confusion among the public if some Affiliates are continuing to enforce legislation, while the majority of the province will not be covered by Affiliates;

- The risks associated with this work have been outlined in a report released by Dr. Kendra Coulter, Brock University. These risks were also identified in a survey conducted by independent researchers on behalf of the Ontario SPCA and Humane Society. As employers, we have been publicly cautioned regarding concerns for Officer safety and can be held responsible for the safety of our employees.

### **What will happen to the 310-SPCA call centre and where does one report cruelty?**

The Ontario SPCA and Humane Society will continue to operate the 310-SPCA (7722) call centre as a service for the public to report cruelty. Our trained dispatchers will field the calls and direct the caller to the appropriate government agency to respond to their cruelty complaint. In the cases where law enforcement is not required, the Ontario SPCA will continue to respond directly. 310-SPCA is also a direct line for law enforcement agencies requiring support.

### **Does the Ontario SPCA agree with the changes Bill 117 is implementing to the Act?**

The Ontario SPCA and Humane Society is pleased to see that the Ontario Government is actively taking responsibility for its provincial legislation. Law enforcement is a responsibility of government.

We were not consulted regarding these changes and believe that the current legislation needs to be rewritten to better protect animals.

The Ontario SPCA seeks and supports the service delivery model that provides maximum protection of animals. Having been a charity since 1873, the Ontario SPCA understands first hand how no one organization can do this work alone. As a result, we are moving forward with a model of animal protection where we provide animal-related expertise to the province and its enforcement agencies.

The Ontario SPCA is moving forward with our plans to provide animal-related services as support to law enforcement. An overview of Ontario SPCA Enforcement Support Services is attached. We have had over 40 meetings to date with law enforcement agencies and municipalities regarding these services. We will continue to provide direct response to communities and law enforcement through 310-SPCA. This service will ease the transition to the new enforcement model, allow the public to report animal concerns unrelated to law enforcement and provide direct access to support for police and municipalities.

### **More about this new model:**

What we are offering the Ontario Government is a new operational model where the Ontario SPCA supplies expertise in animal-related services as a support service to enforcement agencies. It's similar to the ASPCA model in the United States, which has been in place for five years and is quite successful. Through the expertise of all agencies involved, this model will maximize resources for the best possible protection of animals. Government agencies should be utilized for their expertise in law enforcement. Other animal welfare agencies should be used for their expertise in livestock and wildlife care. We could be utilized through Ontario SPCA Enforcement Support Services for our expertise in animal care, veterinary medicine, animal transportation and understanding of the collection and processing of forensic evidence to help build cases against animal abusers.

As provincial animal welfare legislation is owned by the government, it is only fitting that the cases be led by a government agency and supported by other parties, like Ontario SPCA Enforcement Support Services.

### **Why are you giving up investigations?**

In January, a Superior Court judge ruled that it was unconstitutional for the Government of Ontario to permit a charity to provide law enforcement services. They did not find fault with the Ontario SPCA, but rather that a charity had been tasked with enforcing legislation owned by the government.

Prior to this Superior Court ruling, a researcher with Brock University, Dr. Kendra Coulter, conducted an independent study assessing the enforcement work of the Ontario SPCA. She found Officer safety was the number one issue. The funding we were being provided through our contract with the government to enforce its laws was woefully inadequate to keep our Officers safe. To put this risk in perspective, in 2012 a retired RCMP Officer, who worked as a Peace Officer in municipal animal services south of Calgary, was murdered during an animal investigation.

As a result of these factors, the Ontario SPCA made the decision not to renew its contract with the Government of Ontario, which expired on March 31, 2019. To help ensure a smooth transition period, the Ontario SPCA offered a three-month transition phase of the current working arrangement, which will see the Ontario SPCA continue to enforce the legislation until June 28, 2019. After that date, enforcement services will transition back to the government.

The Ontario SPCA has recommended a new service model that will provide maximum protection for the animals. Ontario SPCA Enforcement Support Services provides animal-related expertise to municipal, provincial and federal law enforcement agencies. These services include



collecting and processing forensic evidence to help build cases against animal abusers, on-site support providing animal care, including veterinary medicine, animal transportation, animal sheltering and the placement of rescued animals in homes or other suitable environments.

### **Why doesn't the Ontario SPCA and Humane Society want to enforce cruelty anymore?**

In 2016, we conducted a survey of all Peace Officers across Ontario to assess the current environment under which they were operating. The results were overwhelmingly consistent. Officer safety was the number one issue, with fatigue and burnout also reported. The Ontario SPCA began to address this by right-sizing the enforcement work.

Shortly after this survey was completed, a study was undertaken by Dr. Kendra Coulter of Brock University, assessing the enforcement work of the Ontario SPCA. Professor Coulter came to the same conclusions regarding Officer safety. In 2012, south of Calgary, a retired RCMP Officer who worked as a Peace Officer in municipal animal services was murdered during an animal investigation.

Furthermore, over the past number of years, there have been many instances of other government ministries not assisting in making animal cruelty investigations a priority – for example, the Attorney General's office refusal to take Marineland to court, even after they had been charged with cruelty by the Ontario SPCA and the charges being dismissed against Dr. Rekhi, a veterinarian in St. Catharines, investigated and charged for animal abuse.

All of these factors have led the Ontario SPCA to undertake a review of the viability of our charity continuing to enforce the government's law and brought about the understanding that it is time for change. Animals deserve respect, protection and justice.

### **What is Ontario SPCA Enforcement Support Services?**

Ontario SPCA Enforcement Support Services provides animal-related expertise to municipal, provincial and federal law enforcement agencies. These services include collecting and processing forensic evidence to help build cases against animal abusers, on-site support providing animal care including veterinary medicine, animal transportation, animal sheltering and the placement of rescued animals in homes or other suitable environments.