

2011 Canadian Animal Protection Laws Rankings

QUEBEC NAMED BEST PROVINCE TO BE AN ANIMAL ABUSER Animal Legal Defense Fund Annual Study Ranks Laws Across the Country



Saskatchewan Shows Most Improvement

May 2011

A new in-depth survey of the animal protection laws of each province and territory confirms that there remain considerable differences in the strength and comprehensiveness of each jurisdiction's laws. The Animal Legal Defense Fund's (ALDF) fourth annual report, "2011 Canadian Animal Protection Laws Rankings" – the only one of its kind in Canada – was based on a detailed comparative analysis of the animal protection laws of each jurisdiction, researching thirteen specific categories of provisions throughout hundreds of pages of statutes.* Each province and territory received a numerical ranking based upon its combined score and was also grouped into a top, middle or bottom tier.

For the third year in a row, Ontario occupied the top spot in the rankings due to its wide array of animal protection laws. Ontario was joined in the top tier by Manitoba, New Brunswick and Nova Scotia.

Saskatchewan showed the most improvement overall, moving from seventh last year to fifth place this year.

Saskatchewan's improved ranking was due in part to its enactment of stiffer penalties for offences, and for extending the scope of its laws to include actions taken by anyone – not just an animal's owner. Animal abusers in Saskatchewan now face imprisonment for up to two years and a \$25,000 fine. Manitoba regained its position as the second best province owing to stronger laws regulating the ownership of animals following a conviction or when on owner is determined by a court to be unable to care for an animal, and for requiring veterinarians to report suspected offences. The Northwest Territories revamped its dog protections, leading to an improvement in its score. At the bottom of the rankings, Quebec and Nunavut each respectively held the position as the province and territory with the weakest laws for protecting animals.

"This report identifies what each province and territory is doing individually with respect to their animal protection laws," says Stephan Otto, ALDF's director of legislative affairs and author of the report. "Since ALDF began publishing these rankings in 2008, there has been a marked improvement in the laws of many of the provinces and territories, and more advances are on the way."

^{*} See page 17 of the report for a summary of the methodology used.

Some of the highlights:

- Seven jurisdictions have increased the maximum penalties for offences (BC, NB, NT, NS, ON, SK, YT)
- Five have improved the standards of care for animals (BC, NB, NT, NS, ON)
- Three provinces have enacted provisions requiring veterinarians to report suspected cruelty (MB, NS,
 ON)
- Three jurisdictions have broadened the range of protections (NT, ON, SK)
- One now authorizes courts to require mental health counselling by offenders (ON)
- Five jurisdictions have enacted stronger inspection/seizure/oversight authority (BC, NB, NT, ON, YT)
- Three have increased restrictions on ownership of animals following a conviction (MB, NT, ON)

"While we remain hopeful for additional improvements with the federal laws, much can continue to take place at the provincial and territorial level," added Otto. "Yet, even as many jurisdictions are making substantial steps forward, others are not. Irrespective of where each jurisdiction currently ranks, every province and territory has ample room for improvement."

A sizable majority of all households now include at least one animal, and polls continue to show that we care deeply about our furry companions and their welfare. ALDF's goals in these ongoing reviews are to continue to shed light on this important issue, to compare and contrast the differences and similarities in the provinces and territories, and to garner support for both the strengthening and enforcement of animal protection laws throughout the country.

ALDF encourages those who care about the welfare and protection of animals to contact their elected officials about the importance of having strong, comprehensive laws in this field, and to alert law enforcement should they ever witness animal abuse or neglect.

For additional information, including the Animal Protection Laws of the USA & Canada (Sixth Edition, 2011), MODEL ANIMAL PROTECTION LAWS collection, and more, visit aldf.org.



2011 Canadian Animal Protection Laws Rankings™

Comparing Overall Strength & Comprehensiveness

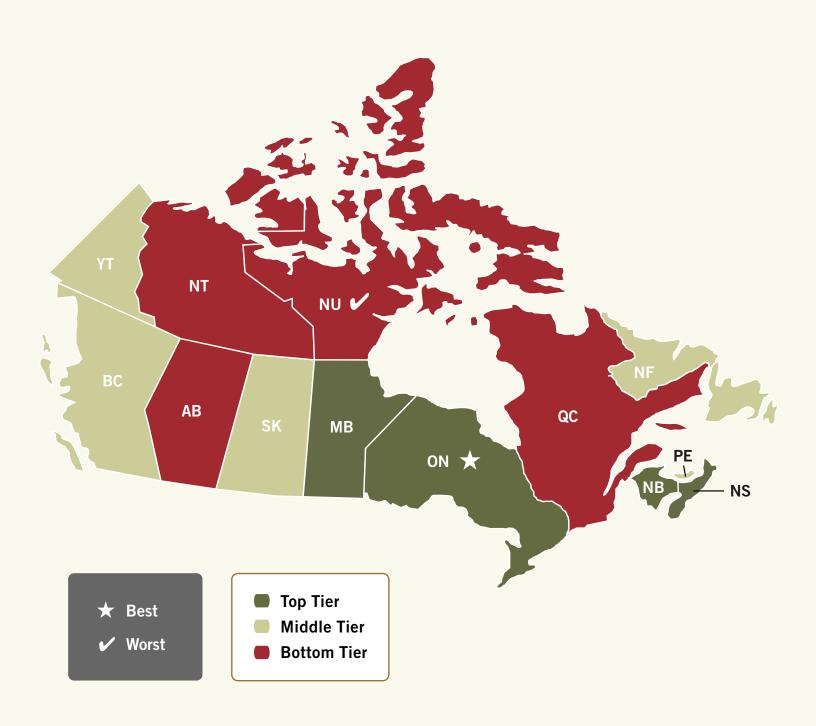


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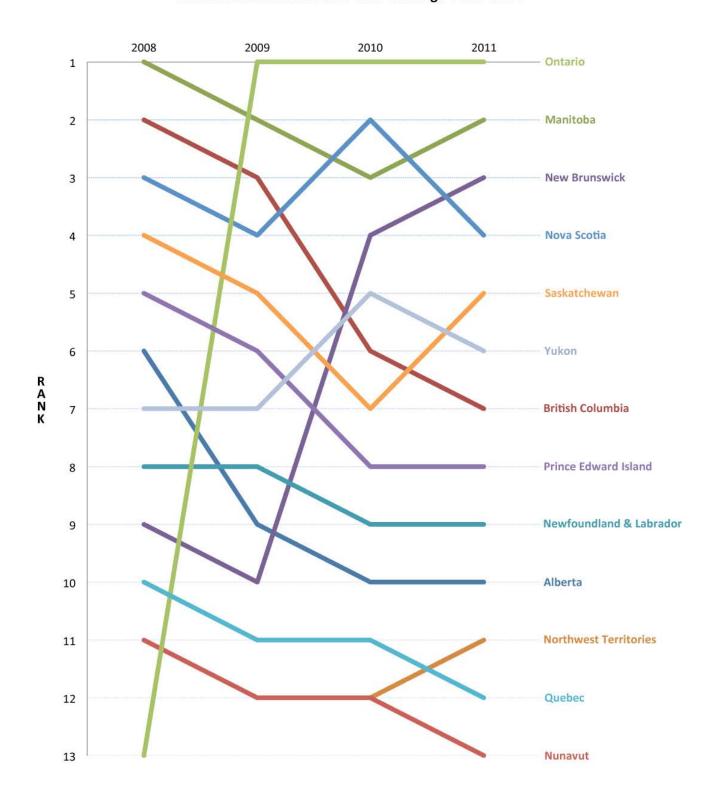


2011 Canadian Animal Protection Laws Rankings $^{^{\text{TM}}}$

Comparing Overall Strength & Comprehensiveness

	1	Ontario
TOP TIER	2	Manitoba
TOP TIEK	3	New Brunswick
	4	Nova Scotia
	5	Saskatchewan
	6	Yukon
MIDDLE TIER	7	British Columbia
	8	Prince Edward Island
	9	Newfoundland & Labrador
	10	Alberta
2077014 7152	11	Northwest Territories
BOTTOM TIER	12	Quebec
	13	Nunavut

Canadian Animal Protection Laws Rankings™ 2008-2011



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2008-2011 Improvement Highlights

—Laws Enacted Since the First ALDF Rankings Report in 2008—

IMPROVEMENTS	JURISDICTIONS
Increased Maximum Penalties	BC, NB, NT, NS, ON, SK, YT
Improved Standards of Care	BC, NB, NT, NS, ON
Mandatory Veterinarian Reporting of Suspected Cruelty*	MB, NS, ON
Broadened Range of Protections	NT, ON, SK
Mental Health Counselling*	ON
Stronger Inspection/Seizure/Oversight Authority	BC, NB, NT, ON, YT
Increased Restrictions on Post-Conviction Ownership	MB, NT, ON
Improved Cost Mitigation & Recovery	ON
Fighting Prohibitions (Fights, Training, Possession of Equipment/Structures)	MB, ON

^{*}First law in this category was enacted after 2008

Overview: "Top Tier" Provinces & Territories for 2011

	Existing Strengths	Potential Improvements
1. Ontario	 Range of protections Definitions/standards of basic care Certain prohibitions apply to owners and nonowners alike Principal protections apply to most animals Penalties may include both fines and incarceration Increased penalties for repeat animal abusers High range of penalties Mental health counselling Warrantless entry & seizure of animals under certain circumstances On-site inspection/supervision/monitoring option Cost mitigation/recovery measures for impounded animals: reimbursement of costs Court may order disposition of animals prior to judgment under limited circumstances Court may order restrictions on future ownership or possession of animals upon conviction Mandatory reporting of suspected animal cruelty by veterinarians Immunity for assisting in the enforcement of the animal protection laws Animal protection officers/inspectors have broad law enforcement authority Prohibitions on training or permitting animals to fight Prohibitions on possession of animal fighting equipment or structures 	 Mandatory seizure of mistreated animals Mandatory forfeiture of animals on conviction Mandatory restrictions on future ownership or possession of animals on conviction Forfeiture of animals if owner is deemed unfit Broader cost mitigation/recovery measures Increased penalties when crime committed in the presence of a minor Increased penalties for offenders with prior domestic violence offences Mandatory terms of incarceration for certain offenders Mandatory fines Mandatory reporting of suspected animal cruelty by select non-animal-related agencies Duty of peace officers to assist in the enforcement of the animal protection laws Protective orders may expressly include animals

Overview: "Top Tier" Provinces & Territories cont'd.

	Existing Strengths	Potential Improvements
2. Manitoba	 Range of protections Definitions/standards of basic care Certain prohibitions apply to owners and nonowners alike Principal protections apply to most animals Penalties may include both fines and incarceration Forfeiture of animals if owner is deemed unfit Mandatory reporting of suspected animal cruelty by veterinarians Increased penalties for repeat offenders Cost mitigation/recovery measures for impounded animals: reimbursement of costs, liens Warrantless entry & seizure of animals under certain circumstances On-site inspection/supervision/monitoring option Court may order restrictions on future ownership or possession of animals upon conviction Court may order disposition of animals prior to judgment under certain circumstances Court may order forfeiture of animals upon conviction Immunity for assisting in the enforcement of the animal protection laws Animal protection officers/inspectors have certain law enforcement authority Prohibitions on permitting animals to fight 	 Higher range of penalties Mental health evaluations/counselling Mandatory seizure of mistreated animals Mandatory forfeiture of animals on conviction Mandatory restrictions on future ownership or possession of animals following a conviction Increased penalties when crime committed in the presence of a minor Increased penalties for offenders with prior domestic violence offences Mandatory terms of incarceration for certain offenders Mandatory fines Mandatory reporting of suspected animal cruelty by select non-animal-related agencies Duty of peace officers to assist in the enforcement of the animal protection laws Prohibitions on possession of animal fighting equipment or structures Protective orders may expressly include animals

Overview: "Top Tier" Provinces & Territories cont'd.

	Existing Strengths	Potential Improvements
3. New Brunswick	 High range of penalties Definitions/standards of basic care Principal protections apply to most animals Penalties may include both fines and incarceration Mandatory fines Limited statutory exemptions Cost mitigation/recovery measures for impounded animals: reimbursement of costs Warrantless entry & seizure of animals under certain circumstances Court may order disposition of animals prior to judgment under certain circumstances Court may order forfeiture of animals upon conviction Court may order restrictions on future ownership or possession of animals upon conviction for 1st offence (mandatory for subsequent offences) Animal protection officers/inspectors have broad law enforcement authority Peace officers must assist in the enforcement of the animal protection laws 	 Broader range of protections Prohibitions apply to owners and non-owners alike Mandatory seizure of mistreated animals Mandatory forfeiture of animals on conviction Mandatory restrictions on future ownership or possession of animals upon first offence Forfeiture of animals if owner is deemed unfit On-site inspection/supervision/monitoring option Broader cost mitigation/recovery measures Increased penalties for repeat offenders Increased penalties for offenders with prior domestic violence offences Mandatory terms of incarceration for certain offenders Mental health evaluations/counselling Mandatory reporting of suspected animal cruelty by veterinarians and select non-animal-related agencies Immunity for assisting in the enforcement of the animal protection laws Duty of peace officers to assist in the enforcement of the animal protection laws Prohibitions on training or permitting animals to fight Prohibitions on possession of animal fighting equipment or structures Protective orders may expressly include animals

Overview: "Top Tier" Provinces & Territories cont'd.

	Existing Strengths	Potential Improvements
4. Nova Scotia	 Range of protections Definitions/standards of basic care Certain prohibitions apply to owners and nonowners alike Principal protections apply to most animals Penalties may include both fines and incarceration Increased penalties for repeat offenders Cost mitigation/recovery measures for impounded animals: reimbursement of costs Warrantless entry & seizure of animals under certain circumstances On-site inspection/supervision/monitoring option Mandatory reporting of suspected animal cruelty by veterinarians Court may order disposition of animals prior to judgment under certain circumstances (including failure to pay for care/expenses of seized animals, or if the owner is unfit) Court may order restrictions on future ownership or possession of animals upon conviction Immunity for assisting in the enforcement of the animal protection laws Animal protection officers/inspectors have certain law enforcement authority 	 Mandatory seizure of mistreated animals Forfeiture of animals on conviction Mandatory restrictions on future ownership or possession of animals following a conviction Broader cost mitigation/recovery measures Increased penalties when crime committed in the presence of a minor Increased penalties for offenders with prior domestic violence offences Mandatory terms of incarceration for certain offenders Mental health evaluations/counselling Mandatory fines Mental health evaluations/counselling Mandatory reporting of suspected animal cruelty by select non-animal-related agencies Duty of peace officers to assist in the enforcement of the animal protection laws Prohibitions on training or permitting animals to fight Prohibitions on possession of animal fighting equipment or structures Protective orders may expressly include animals

Overview: "Middle Tier" Provinces & Territories for 2011

	Existing Strengths	Potential Improvements
5. Saskatchewan	 High range of penalties Prohibitions apply to owners and non-owners alike Penalties may include both fines and incarceration Principal protections apply to most animals Limited statutory exemptions Increased penalties for repeat offenders Cost mitigation/recovery measures for impounded animals: reimbursement of costs, liens Warrantless entry & seizure of animals under certain circumstances On-site inspection/supervision/monitoring option Court may order disposition of animals prior to judgment under certain circumstances Court may order restrictions on future ownership or possession of animals upon conviction Immunity for assisting in the enforcement of the animal protection laws Animal protection officers/inspectors have certain law enforcement authority 	 Broader range of protections Better definitions/standards of basic care Mandatory seizure of mistreated animals Forfeiture of animals on conviction or if owner is deemed unfit Mandatory restrictions on future ownership or possession of animals following a conviction Increased penalties when crime committed in the presence of a minor Increased penalties for offenders with prior domestic violence offences Mandatory terms of incarceration for certain offenders Mental health evaluations/counselling Mandatory reporting of suspected animal cruelty by veterinarians and select non-animal-related agencies Duty of peace officers to assist in the enforcement of the animal protection laws Prohibitions on training or permitting animals to fight Prohibitions on possession of animal fighting equipment or structures Protective orders may expressly include animals
6. Yukon	 Penalties may include both fines and incarceration Principal protections apply to most animals Certain prohibitions apply to owners and nonowners alike Cost mitigation/recovery measures for impounded animals: reimbursement of costs, liens Warrantless entry & seizure of animals under certain circumstances On-site inspection/supervision/monitoring option Court may order disposition of animals prior to judgment under certain circumstances Court may order restrictions on future ownership or possession of animals upon conviction Immunity for assisting in the enforcement of the animal protection laws Animal protection officers/inspectors have broad law enforcement authority 	 Broader range of protections Better definitions/standards of basic care Mandatory seizure of mistreated animals Forfeiture of animals on conviction or if owner is deemed unfit Mandatory restrictions on future ownership or possession of animals upon conviction Broader cost mitigation/recovery measures Increased penalties for repeat offenders Increased penalties for offenders with prior domestic violence offences Mandatory terms of incarceration for certain offenders Mandatory fines Mental health evaluations/counselling Mandatory reporting of suspected animal cruelty by veterinarians and select non-animal-related agencies Duty of peace officers to assist in the enforcement of the animal protection laws Prohibitions on possession of animal fighting equipment or structures Protective orders may expressly include animals

Overview: "Middle Tier" Provinces & Territories cont'd.

	Existing Strengths	Potential Improvements
7. British Columbia	 Principal protections apply to most animals Limited statutory exemptions Penalties may include both fines and incarceration Increased penalties for repeat offenders Cost mitigation/recovery measures for impounded animals: reimbursement of costs Warrantless entry & seizure of animals under certain circumstances On-site inspection/supervision/monitoring option Court may order disposition of animals prior to judgment under certain circumstances Court may order restrictions on future ownership or possession of animals upon conviction Immunity for assisting in the enforcement of animal protection laws Animal protection officers/inspectors have certain law enforcement authority Peace officers must assist in the enforcement of the animal protection laws 	 Broader range of protections Better definitions/standards of basic care Prohibitions apply to owners and non-owners alike Higher range of penalties Mandatory seizure of mistreated animals Forfeiture of animals on conviction or if owner is deemed unfit Mandatory restrictions on future ownership or possession of animals following a conviction Broader cost mitigation/recovery measures Increased penalties when crime committed in the presence of a minor Increased penalties for offenders with prior domestic violence offences Mandatory terms of incarceration for certain offenders Mental health evaluations/counselling Mental health evaluations/counselling Mandatory reporting of suspected animal cruelty by veterinarians and select non-animal-related agencies Prohibitions on training or permitting animals to fight Prohibitions on possession of animal fighting equipment or structures Protective orders may expressly include animals
8. Prince Edward Island	 Range of protections Certain prohibitions apply to owners and nonowners alike Principal protections apply to most animals Cost mitigation/recovery measures for impounded animals: reimbursement of costs Warrantless entry & seizure of animals under certain circumstances On-site inspection/supervision/monitoring option Court may order restrictions on future ownership or possession of companion animals upon conviction Court may order disposition of animals prior to judgment under certain circumstances Immunity for assisting in the enforcement of the animal protection laws Animal protection officers/inspectors have broad law enforcement authority Peace officers have a duty to assist in the enforcement of the animal protection laws Prohibitions on permitting animals to fight 	 Better definitions/standards of basic care Penalties may include both fines and incarceration Higher range of penalties Mandatory seizure of mistreated animals Forfeiture of animals on conviction or if owner is deemed unfit Mandatory restrictions on future ownership or possession of animals following a conviction Broader cost mitigation/recovery measures Increased penalties for repeat offenders Increased penalties when crime committed in the presence of a minor Increased penalties for offenders with prior domestic violence offences Mandatory terms of incarceration for certain offenders Mental health evaluations/counselling Mandatory reporting of suspected animal cruelty by veterinarians and select non-animal-related agencies Prohibitions on possession of animal fighting equipment or structures Protective orders may expressly include animals

Overview: "Middle Tier" Provinces & Territories cont'd.

	Existing Strengths	Potential Improvements
9. Newfoundland & Labrador	 Penalties may include both fines and incarceration Principal protections apply to most animals Certain prohibitions apply to owners and nonowners alike Increased penalties for repeat offenders Cost mitigation/recovery measures for impounded animals: reimbursement of costs Emergency protection orders may include companion animals Warrantless entry & seizure of animals under certain circumstances On-site inspection/supervision/monitoring option Court may order disposition of animals prior to judgment under certain circumstances, including owner being unfit Court may order forfeiture of animals upon conviction Immunity for assisting in the enforcement of the animal protection laws Animal protection officers/inspectors have certain law enforcement authority 	Broader range of protections Better definitions/standards of basic care Higher range of penalties Mandatory seizure of mistreated animals Mandatory forfeiture of animals on conviction Mandatory restrictions on future ownership or possession of animals following a conviction Broader cost mitigation/recovery measures Increased penalties for repeat offenders Increased penalties when crime committed in the presence of a minor Increased penalties for offenders with prior domestic violence offences Mandatory terms of incarceration for certain offenders Mandatory fines Larger fines Mental health evaluations/counselling Mandatory reporting of suspected animal cruelty by veterinarians and select non-animal-related agencies Duty of peace officers to assist in the enforcement of the animal protection laws Prohibitions on training or permitting animals to fight Prohibitions on possession of animal fighting equipment or structures

Overview: "Bottom Tier" Provinces & Territories for 2011

	Existing Strengths	Potential Improvements
10. Alberta	 Range of protections Certain prohibitions apply to owners and nonowners alike Principal protections apply to most animals Cost mitigation/recovery measures for impounded animals: reimbursement of costs Warrantless entry & seizure of animals under certain circumstances Court may order disposition of animals prior to judgment under certain circumstances Court may order restrictions on future ownership or possession of animals upon conviction Immunity for reporting animal in distress 	 Better definitions/standards of basic care Penalty may include both fines and incarceration Higher range of penalties Mandatory seizure of mistreated animals Forfeiture of animals on conviction or if owner is deemed unfit Mandatory restrictions on future ownership or possession of animals following a conviction Broader cost mitigation/recovery measures Increased penalties for repeat offenders Increased penalties when crime committed in the presence of a minor Increased penalties for offenders with prior domestic violence offences Mandatory terms of incarceration for certain offenders Mental health evaluations/counselling On-site inspection/supervision/monitoring option Mandatory reporting of suspected animal cruelty by veterinarians and select non-animal-related agencies Animal protection officers/inspectors with broad law enforcement authority Duty of peace officers to assist in the enforcement of the animal protection laws Prohibitions on possession of animal fighting equipment or structures Protective orders may expressly include animals

Overview: "Bottom Tier" Provinces & Territories cont'd.

	Existing Strengths	Potential Improvements
11. Northwest Territories	 Definitions/standards of basic care Certain prohibitions apply to owners and nonowners alike Penalties may include both fines and incarceration Cost mitigation/recovery measures for No statutory exemptions impounded dogs: reimbursement of costs Seizure of dogs allowed under certain circumstances Court may order disposition of dogs prior to judgment under certain circumstances Court may order restrictions on future ownership or possession of dogs upon conviction Immunity for assisting in the enforcement of the dog protection laws Immunity for reporting dog in distress Animal protection officers/inspectors have certain law enforcement authority 	 Protections to apply to all animals, not just dogs Broader range of protections Higher range of penalties Broader seizure/entry provisions Mandatory seizure of mistreated animals Forfeiture of animals on conviction or if owner is deemed unfit Mandatory restrictions on future ownership or possession of animals following a conviction Broader cost mitigation/recovery measures Increased penalties for repeat offenders Increased penalties when crime committed in the presence of a minor Increased penalties for offenders with prior domestic violence offences Mandatory terms of incarceration for certain offenders Mandatory fines Larger fines and sentences Mental health evaluations/counselling On-site inspection/supervision/monitoring option Mandatory reporting of suspected animal cruelty by veterinarians and select non-animal-related agencies Duty of peace officers to assist in the enforcement of the animal protection laws Prohibitions on training or permitting animals to fight Prohibitions on possession of animal fighting equipment or structures Protective orders may expressly include animals

Overview: "Bottom Tier" Provinces & Territories cont'd.

	Existing Strengths	Potential Improvements
12. Quebec	 Increased penalties for repeat offenders Cost mitigation/recovery measures for impounded animals: reimbursement of costs Seizure of animals allowed under certain circumstances On-site inspection/supervision/monitoring option Court may order disposition of animals prior to judgment under certain circumstances Court may order forfeiture of animals upon conviction Court may restrict future ownership or possession of animals following a conviction Immunity for assisting in the enforcement of the animal protection laws Animal protection officers/inspectors have certain law enforcement authority 	 Broader range of protections Better definitions/standards of basic care Protections to apply to all animals, not just dogs & cats Prohibitions apply to owners and non-owners alike Higher range of penalties Mandatory seizure of mistreated animals Mandatory forfeiture of animals on conviction Mandatory forfeiture of animals on conviction Forfeiture of animals following a conviction Forfeiture of animals if owner is deemed unfit Broader cost mitigation/recovery measures Broader seizure/entry provisions Increased penalties when crime committed in the presence of a minor Increased penalties for offenders with prior domestic violence offences Penalties may include both fines and incarceration Mandatory terms of incarceration for certain offenders Mandatory fines Larger fines Mental health evaluations/counselling Mandatory reporting of suspected animal cruelty by veterinarians and select non-animal-related agencies Duty of peace officers to assist in the enforcement of the animal protection laws Prohibitions on training or permitting animals to fight Prohibitions on possession of animal fighting equipment or structures Protective orders may expressly include animals

Overview: "Bottom Tier" Provinces & Territories cont'd.

	Existing Strengths	Potential Improvements
13. Nunavut	 Penalties may include both fines and incarceration Certain prohibitions apply to owners and nonowners alike No statutory exemptions Cost mitigation/recovery measures for impounded dogs: reimbursement of costs Seizure of dogs allowed under certain circumstances Court may order disposition of dogs prior to judgment under limited circumstances Animal protection officers/inspectors have certain law enforcement authority 	 Protections to apply to all animals, not just dogs Broader range of protections Higher range of penalties Better definitions/standards of basic care Broader seizure/entry provisions Mandatory seizure of mistreated animals Forfeiture of animals on conviction or if owner is deemed unfit Mandatory restrictions on future ownership or possession of animals following a conviction Broader cost mitigation/recovery measures Increased penalties for repeat offenders Increased penalties when crime committed in the presence of a minor Increased penalties for offenders with prior domestic violence offences Mandatory terms of incarceration for certain offenders Mandatory terms of incarceration for certain offenders Mental health evaluations/counselling On-site inspection/supervision/monitoring option Mandatory reporting of suspected animal cruelty by veterinarians and select non-animal-related agencies Immunity for assisting in the enforcement of the animal protection laws Duty of peace officers to assist in the enforcement of the animal protection laws Prohibitions on possession of animal fighting equipment or structures Prohibitions on possession of animal fighting equipment or structures Protective orders may expressly include animals

Methodology summary

All provinces and territories in the 2011 CANADIAN ANIMAL PROTECTION LAWS RANKINGS REPORT were numerically ranked based on their cumulative scores to forty-three study questions covering thirteen specific categories of animal protection laws. The study analysis was limited to proclaimed legislation and did not review the separate issue of the enforcement of such laws. Answers to the study questions were based principally on the statutory data contained in the 4,000+ page compendium Animal Protection Laws of the USA & Canada (Sixth Edition).* Study questions were close-ended and the choices exhaustive and mutually exclusive. The questions were limited to the following categories of provisions:

- 1. Offences
- 2. Penalties
- 3. Exemptions
- 4. Mental health evaluations & counselling
- 5. Protective orders
- 6. Cost-mitigation and recovery
- 7. Entry/seizure/inspection
- 8. Forfeiture and post-conviction possession
- 9. Non-animal agency reporting of suspected animal cruelty
- 10. Veterinarian reporting of suspected animal cruelty
- 11. Immunity for assisting with cruelty investigations/reporting suspected cruelty
- 12. Law enforcement policies
- 13. Fighting

^{*} Animal Protection Laws of the USA & Canada (Sixth Edition, 2011) is available at http://aldf.org/animallaws. For any report-related questions, comments, or additional information, contact ALDF Legislative Affairs (legislation@aldf.org).