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Speaker: The Honourable Geoff Regan

Private Members' Business

In conclusion, I want to say again that this bill is not about hunting and fishing. If it were, I would not support it. This is about animal abuse, not animal use. The bill applies to criminal abuse, not to lawful activities involving animals. My riding is built on commercial fisheries. It is full of hunters and anglers doing vital preservation work, and our riding is very dependent on recreational and sport fisheries. Because I do not want anyone to fear that lawful activities like those would ever be affected by this bill, there is an amendment we would propose in committee to clarify that this would not affect lawful hunting and fishing.

Finally, Robert Brodgesell of Ladysmith reminded me of Gandhi's words: "The greatness of a nation and its moral progress can be judged by the way its animals are treated". I urge Parliament to vote together and show leadership to end animal cruelty in Canada.

• (1850)

Mr. Arif Virani (Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, Lib.): Mr. Speaker, I am proud to rise today as the member of Parliament for Parkdale—High Park and speak on behalf of my constituents in support of Bill C-246, legislation that would strengthen animal protection in Canada.

I want to start with a now familiar quote, "The greatness of a nation and its moral progress can be judged by the way its animals are treated". That was Mahatma Gandhi. His words, uttered over half a century ago, remain as relevant today as ever. I say that because the last time animal cruelty laws were substantially changed in Canada was 1892. That was the first year Lord Stanley's cup was competed for by hockey teams in the Dominion. That was 124 years ago. Legislative change in this area is long overdue.

I applaud the member for Beaches—East York for introducing legislation that would help bring Canada's animal protection laws into the 20th century.

Before I even read Bill C-246, I heard about it from the engaged residents of my riding of Parkdale—High Park by mail, by phone, through email. I am moved by the passion and dedication of my constituents, people like Ms. Barbi Lazarus and Mr. Kirti Shah, from the Toronto Vegetarian Association. They have been advocating for fair animal treatment practices in our community and around the country for years. Mr. Shah shares the same faith as my wife, Jainism, a religion that teaches about non-violence and respect for all living things. They understand that the kinds of practices Bill C-246 would prohibit have no place in Canadian society.

However, I did not simply hear from adult advocates. In my riding, I also heard from youth. On a visit to the class of Mr. Davis Mirza, at Keele Street Junior Public School, I heard from Grades 5 and 6 students about their concerns. They were shocked to learn how long it had been since changes were made to Canada's laws respecting animals. They demanded that we, as parliamentarians, do better to ensure our laws reflect the values of all Canadians, including our young people who care deeply about animal welfare.

I have listened to the concerns of my constituents, and I am committed to doing better by supporting this important bill, which I seconded on May 9 of this year.

However, it is not just the people in Parkdale—High Park who are concerned about animal welfare. Canadians across the country and across the political spectrum care deeply about this issue. A key indicator of this are a few facts: 5,630 people have signed e-petition 509 in support of Bill C-246; 13,000 Canadians signed e-petition 123 relating to the use of cat and dog fur; and on change.org, 48,000 signatures were collected in support of the bill.

Let us turn to the bill. Bill C-246 addresses issues that I consider, to be frank, largely uncontroversial.

First, it would ban the sale of cat and dog fur in Canada. It would require labelling that shows the source of all fur. Amazingly, in our country we do not have labelling requirements for animal fur garments. As I have learned through the advocacy of residents in my community, like Josie Candito, a tireless champion of animal rights in Parkdale—High Park, cat and dog fur is used for trim on coats, the lining in children's boots, and the exterior of toys. This is all permitted to occur because we do not have the necessary prohibitions in place. Bill C-246 would change this.

Second, Bill C-246 would ban the importation of shark fins. I venture to guess that most Canadians are unaware of what shark finning actually involves. Let me explain it briefly. Shark finning is the practice of catching a shark, cutting off its fin, and simply discarding the remainder of the shark's body back into the ocean. The still live, finless shark is completely unable to swim, sinks to the bottom of the ocean, and drowns. This heinous practice has been illegal in Canada since 1994, but the importation of shark fins continues unabated.

• (1855)

[Translation]

In 2015 alone, 318,000 pounds of shark fins were imported into Canada. Municipalities such as Calgary and Toronto banned the importation of shark fins, but their bans were overturned in court because they were not under municipal jurisdiction. The Court ruled that only the federal government has the power to impose such a ban. Clearly, this is Parliament's cue to take action.

[English]

This brings me to my third point in relation to the bill. Bill C-246 also answers the Supreme Court's call for clarity on the issue of bestiality. Allow me to explain.

In the case of D.L.W., our Supreme Court acquitted a man accused of bestiality where the sexual conduct involved a dog and the man's teenager stepdaughter. Because the act in question involved a disturbing act of oral sex and not physical penetration, the Supreme Court of Canada overturned the man's conviction.

In his majority ruling, Justice Cromwell said:

The term bestiality has a well-established legal meaning and refers to sexual intercourse between a human and an animal.... It is manifestly not the role of the courts to expand that definition. Any expansion of criminal liability for this offence is within Parliament's exclusive domain.

As can be imagined, the public response to this decision was incredulous, not because of the judge's interpretation—Justice Cromwell was simply applying the law—but because the actual definition of bestiality was so narrow. We do not need to be lawyers, we just need to apply some common sense to recognize that the bestiality prohibition ought to prevent all sexual acts with animals as exploitative. Whether penetration occurs or not is not the issue and should not be determinative.

That is exactly what this bill will address, a legal void. It will expand the definition of bestiality, as the Supreme Court invited this Parliament to do to cover all “sexual activity between a person and an animal”. This will improve on an important goal, preventing the sexual exploitation of animals in all of its forms, a goal that I am confident all members of the House believe in pursuing.

Fourth, I would like to address some misunderstandings about this bill. Bill C-246 is geared towards preventing animal abuse. It does not affect or prohibit legitimate animal use. Therefore, in the latter category, the rights of anglers and hunters are not compromised by this bill, nor are the rights of livestock farmers.

Concerns about the impact of this bill on legal, accepted practices is unfounded. Allow me to explain. To contemplate a situation where police, conservation officers, and prosecutors across this country would somehow investigate and begin charging and prosecuting hunters, anglers, or farmers engaged in well-accepted animal practices is simply not credible. As a former crown counsel who practised law for 14 years, I know firsthand that police and prosecutors are far too preoccupied with serious criminals to use their precious, limited resources to chase after our important farmers or law-abiding anglers and hunters. Legitimate, well-accepted animal use practices are not the target of this legislation. The target is animal abuse.

Let me provide some examples. Dog fighting, for instance, is not simply a foreign problem. It has reared its ugly head recently in Tilbury East Township in Ontario, where they seized 31 pit bull-type dogs in a case involving 5 different individuals.

Another example of animal abuse is puppy mills. One such mill was discovered in Windsor this past June. A total of 14 dogs were found in the possession of a single woman, and the dogs' physical condition had seriously deteriorated. One of the dogs, a Shih Tzu, was found with six pounds of dried feces attached to its long, matted fur. Those are the types of abuse targeted by this bill.

The proposed amendments in this legislation to the animal cruelty provisions of the Criminal Code would facilitate prosecutions of animal abusers, moving the criminal standard from “willful neglect”

Private Members' Business

to “gross” or severe “negligence”. In addition, this bill will close some of the loopholes that currently exist regarding animal fighting, and those who benefit economically from it. This includes criminalizing receiving money for fighting animals, and breeding, training or transporting an animal in order to fight another animal.

The fifth point that I want to make is that Bill C-246 is based on sound evidence. There are numerous studies and journal articles demonstrating that animal abuse is often a precursor to later, more serious criminal activity, including domestic violence. So there is an important public interest in enacting legislation that targets animal abuse, and works to deter such behaviour. This observation was made in previous submissions and speeches on this legislation.

By enacting Bill C-246, Parliament can deter animal abuse, which will have the derivative effect of helping to address some of the root causes of violent crime in this country, including violence against women.

I would urge members to get behind Bill C-246 not simply because it is based on sound evidence, but also because it is ethically sound. To circle back to the quote from Gandhi I mentioned at the outset:

The greatness of a nation and its moral progress can be judged by the way its animals are treated.

This observation rings true, because more so than any other unempowered group, animals are truly voiceless. They cannot advocate for themselves. By definition they require others to take up their cause. In 2016, some 124 years since the last significant change to the animal cruelty provisions in the Criminal Code, I believe its high time we took up that call as parliamentarians. That is why I am supporting this bill.

• (1900)

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Mr. Speaker, I am pleased to rise in the House today to speak to Bill C-246, modernizing animal protections act.

I want to start by saying that before my life in this place, I was a full-time beef farmer. All the livestock farmers I know have pets, dogs, and I was no different. Nobody has more respect for animals than those people.

I am speaking not just for myself as a parliamentarian and not just for the farmers in my riding of Bruce—Grey—Owen Sound, but for farmers everywhere, and also people who hunt, fish, and trap. This is a bill that has them very concerned.

Bill C-246 is a reiteration of several other pieces of similar legislation that have come before the House over the years. Having been a member of Parliament since 2004, I can say that I have seen some variation of the bill in almost every Parliament I have been a part of. It has been voted down every single time due to concerns that it goes too far and endangers legitimate animal use. I will express these same concerns here today.