



Recent Developments in Canadian Animal Rights Law & Policy

2023 YEAR IN REVIEW

A curated compilation of the Brooks Animal Law Digest – Canada Edition
Materials and analysis by Angela Fernandez and Krystal-Anne Roussel



UNIVERSITY OF TORONTO
FACULTY OF LAW

About

This compendium is a curated compilation of the [Canada Edition](#) of the Brooks Animal Law Digest, a collaboration between The Brooks Institute for Animal Rights Law & Policy, Inc. and the University of Toronto Faculty of Law. This premier online production is published twice monthly and offers timely in-depth and up-to-date coverage on current events pertaining to Canadian animal law. The Digest is meant to serve as a resource for anyone interested in learning more about the field of animal law—either as a high-level overview of current developments or a jumping off point for digging deeper into a specific issue.

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2023 YEAR IN REVIEW

Legislative Updates

Federal Updates

ENDING ANIMAL TESTING

Canada Bans Cosmetic Testing on Animals

Canada officially [banned](#) cosmetics animal testing and trade with the passing of measures through [Bill C-47](#), the *Budget Implementation Act*, on June 22, 2023. These measures prohibit cosmetics animal testing, ban the sale of products relying on new animal testing data, and prohibit misleading labelling related to animal testing. Animal protection advocates, including Humane Society International/Canada, Animal Alliance Canada, and Cruelty Free International, along with industry partners such as Cosmetics Alliance Canada, Lush Cosmetics, and The Body Shop, collaborated with the Canadian government to achieve this milestone. Canada now joins over forty jurisdictions and major markets in ending or limiting cosmetics animal testing and sales. The amendments came into effect on December 22, 2023. Health Canada [issued](#) guidance to aid industry compliance.

Canada Passes Groundbreaking Bill to End Toxicity Tests on Animals

On June 13, 2023, [Bill S-5](#), the *Strengthening Environmental Protection for a Healthier Canada Act*, received royal assent. Bill S-5 amends the *Canadian Environmental Protection Act, 1999* (CEPA), a cornerstone federal law focused on pollution prevention and the regulation of toxic substances, notably incorporating provisions aimed at phasing out toxicity tests on animals.

Under Bill S-5, the Canadian government formally acknowledges “*the importance of promoting the development and timely incorporation of scientifically justified alternative methods and strategies in the testing and assessment of substances to replace, reduce or refine the use of vertebrate animals.*” The Act mandates Environment and Health Ministers to integrate these methods whenever feasible during substance toxicity assessments. Moreover, the Act necessitates Ministers to publish a comprehensive plan within two years, outlining endeavors to encourage the development and application of these alternative methods and strategies.

This marks the most significant update to CEPA since 1999.

On November 7, 2023, the Government of Canada [issued](#) a notice of intent to develop a strategy aimed at implementing the [amendments](#) under Bill S-5, which will guide Health Canada and Environment and Climate Change Canada in incorporating alternative methods and strategies.

INTRODUCING AGRICULTURAL-GAG LAWS

Federal Ag-Gag Style Bill Passes House of Commons

[Bill C-275](#), a federal ag-gag style bill sponsored by Conservative Member of Parliament and Agriculture and Agri-Food Committee Member John Barlow, passed its final vote in the House of Commons. During third reading debates on November 22, 2023, Member of Parliament (MP) Caroline Desbiens [expressed](#) her concerns about the bill. Specifically, MP Desbiens raised questions about the federal government's jurisdiction concerning the bill's application. She advocated for additional committee scrutiny, emphasizing the need for a thorough examination of the bill's functionality and application. Similar concerns have been raised by animal law organizations like [Animal Justice](#) and [AEL Advocacy](#), who note that the bill likely encroaches upon provincial jurisdiction by introducing an additional legal mechanism for prosecuting farm trespassers. Bill C-275 is now in the Senate for further study.

BANNING LIVE HORSE EXPORTS

Canada Introduces Two Bills to Ban Live Export of Horses for Slaughter

Senator Pierre Dalphond and singer Jann Arden collaborated to introduce a new Senate bill, [Bill S-270](#), also known as *The Horse Protection Act*, on June 21, 2023. The bill aims to ban live horse exports for slaughter in Canada. This comes after MPs and animal-welfare groups accused the federal government of going back on their [commitment](#) to ban the transport of thousands of live horses to Japan and Member of Parliament Alistair MacGregor presented a petition signed by more than 36,000 Canadians in the House of Commons calling on the Minister of Agriculture and Agri-Food to end the practice. On June 20, Liberal MP Tim Louis also [announced](#) plans to introduce a private member's bill in the House of Commons to outlaw the practice, highlighting the government's lack of progress.

After [announcing](#) plans to also introduce a private member's bill to ban live horse exports on June 20, Liberal MP Tim Louis presented [Bill C-355](#) in the House of Commons on September 19, 2023. The bill similarly [aims](#) to prohibit the live export of horses for slaughter in Canada. During second reading debates on December 14, 2023, Member of Parliament George Chahal voiced his endorsement of the private member's bill, stating: "Canadians want to see this practice come to an end." MP Chahal underscored the widespread concern by noting that the Minister of Agriculture and Agri-Food has received nearly "27,000 pieces of correspondence on this issue."

PROTECTING CAPTIVE WILD ANIMALS

Jane Goodall Act Passes Second Reading in the Senate

On June 8, 2023, [Bill S-241](#), also known as the *Jane Goodall Act*, sponsored by Senator Marty Klyne, successfully passed second reading in the Senate. Bill S-241 contains new legal protections for over 800 species of captive non-domesticated animals, including big cats, bears, wolves, hyenas, pinnipeds (marine mammals such as seals, sea lions, and walruses), certain primates, and dangerous reptiles, including crocodilians, giant constrictors, and venomous snakes. The bill also includes a legislative framework to exempt some "animal care organizations" from restrictions (e.g. sanctuaries, rescue centres, and some zoos); and a call in the preamble for measures to further address the unsustainable global wildlife trade through regulation. Bill S-241 would lead to a national phase out of elephant captivity; allow for the continuation of great ape conservation and science programs; and establish limited legal standing for affected species in sentencing for captivity offences, such as illegal breeding or use in performance for entertainment, allowing for the relocation of animals with costs. It also sets up a framework for governments to extend the bill's legal protections to additional wild species by executive order, through what is being called by some the "Noah Clause." As with Canada's 2019 whale and dolphin captivity laws, the bill essentially prohibits new captivity of affected species, subject to the legislation's licensing framework.

Bill S-241 is the most debated bill in second reading in the Senate this 44th Parliament, spanning over thirteen months with fifteen speeches and over four hours of debate. Senator Dennis Glen Patterson, for example, has [expressed](#) his concerns about the potential impact of a clause that creates an "animal advocate" under section 445.2(1) of the *Criminal Code*, putting forward various slippery slope arguments about what it could mean to grant rights to animals.

Senator Patterson also called for an examination of how the bill encroaches on provincial jurisdiction over animal welfare laws. Senator Donald Neil Plett, the leader of the Opposition in the Canadian Senate, has [expressed](#) similar concerns that granting limited legal standing to animals could have far-reaching consequences for zoos and agriculture.

During the House of Commons question period on May 9, 2023, Senator Marty Klyne asked the federal government about the fate of [Bill S-241](#), the *Jane Goodall Act*. Senator Klyne emphasized that the bill “would fulfill two government election commitments reflected in Minister Guilbeault’s mandate letter to protect captive wild animals and to curb wild animal trafficking including elephant ivory and rhino horn.”

The bill will now undergo further examination by several Senate committees.

Canada Introduces Bill to End Elephant and Great Ape Captivity

On November 21, 2023, [Bill S-15](#), sponsored by Senator Marty Klyne, was introduced in the Senate. Aiming to phase out the captivity of elephants and great apes, the bill would prohibit acquiring new animals or breeding existing ones, immediately ending their use in entertainment. Exceptions would apply for rescue efforts and legitimate conservation programs. Senator Klyne [describes](#) Bill S-15 as “essentially a piece of Bill S-241,” the *Jane Goodall Act*. Calling the bills “related but distinct,” he points out that Bill S-15 does not include certain features of Bill S-241, such as the animal care organization framework or the possibility of judicial relocation of animals. Building on the ban on whale and dolphin captivity, this [fulfills](#) a 2021 election platform commitment by the Liberal government. The bill is currently under Senate study.

CURBING WILD ANIMAL TRAFFICKING

Canada Bans Trade of Elephant Ivory and Rhino Horns

On November 20, 2023, the Government of Canada [passed](#) amendments to the *Wild Animal and Plant Trade Regulations* to prohibit the import and export of elephant ivory and rhino horn, extending to hunting trophies containing these parts. Previously prohibited without a permit, permits will now only be issued if the item in question is being transported for use in a museum, zoo, for scientific research, or to support a law enforcement investigation in some way. This [means](#) that big game hunters will no longer be allowed to obtain a permit to

transport a hunting trophy containing elephant tusks or rhinoceros horn into Canada. The changes will come into effect on January 8, 2024.

SAFEGUARDING WILDLIFE HABITAT

Federal Government Launches Study on Removal of 7,400 Acres of Habitat from Greenbelt

On March 21, 2023, the federal government [launched](#) an environmental study of Rouge National Urban Park to evaluate the impacts of Ontario's [decision](#) to pass new regulations removing 7,400 acres of land from the Greenbelt for housing developments. Parks Canada [criticized](#) the decision in fall 2022, saying it could cause irreversible harm to wildlife, including endangered species. The study, led by the Impact Assessment Agency of Canada, will assess the park's biodiversity and natural features, potentially delaying development of the adjacent Duffins Rouge Agriculture Preserve. The study aims to protect wildlife, natural resources, and ecological connectivity, and will include consultation with the public, Indigenous groups, and others.

Federal Government Proposes Three Nova Scotia Islands as National Wildlife Areas

On July 1, 2023, the federal government [proposed](#) amendments to the *Wildlife Area Regulations* and *Environmental Violations Administrative Monetary Penalties Regulations* for the designation of three remote Nova Scotia islands as National Wildlife Areas, offering increased safeguards against habitat destruction, limited access, and restricted human use. The proposed sites include St. Paul Island, Country Island, and Isle Haute, all known for their exceptional ecological value. St. Paul Island serves as a stopover for migrating songbirds and supports threatened species like Bicknell's thrush and Leach's storm petrel. Country Island harbours a quarter of Canada's endangered roseate tern nesting population, while Isle Haute provides undisturbed habitat for sixty bird species. The wildlife designation aims to protect these species and their habitats, with permits required for entry and specific activities.

Federal Bill to Expand Protected Habitats Passes Senate

On December 14, 2023, [Bill S-14](#), the *Protecting Canada's Natural Wonders Act*, sponsored by Canada's Minister of Environment and Climate Change, Steven Guilbeault, [passed](#) third reading in the Senate. The bill will finalize the establishment of the Akami-Uapishk^u-

KakKasuak-Mealy Mountains National Park Reserve in Labrador and the Tallurutiup Imanga National Marine Conservation Area in Nunavut. Additionally, it will update boundaries of seven national parks and one national park reserve, covering areas like Atlantic dunes and vital grasslands. The legislation will add 12,085,851 hectares of protected land, contributing significantly to the survival and recovery of species at risk who live there. Bill S-14 will now move on to first reading in the House of Commons.

OTHER UPDATES

Senate Approves Amendment to Federal Bill Expanding Carbon Tax Exemption for Farmers

Third reading debates on [Bill C-234](#), a private member's bill tabled by Conservative Member of Parliament Ben Lobb, continued on November 30, 2023. The bill aims to broaden the existing fuel charge exemptions granted to farmers under the *Greenhouse Gas Pollution Pricing Act*. Senator Yuen Pau Woo, in his address, [highlighted](#) the House of Commons' rejection of a motion urging the Senate to promptly adopt the bill. Senator Marc Gold dismissed offensive remarks made by a Conservative MP, who suggested that senators should understand their role in a democracy and "go back to doing what they're good at, which is being invisible." Senator Woo expressed concern over potential intimidation, and Gold urged the Senate to continue its debate on Bill C-234 objectively and independently. During third reading debates on December 5, 2023, an amendment that would exclude the heating and cooling of barns and greenhouses from the exemption was [approved](#) by a narrow margin. The amendment, [previously rejected](#) by the majority of Senators, passed with forty Senators voting yes, thirty-nine voting no, and none abstaining. Once the amended bill passes third reading in the Senate, it will return to the House of Commons for further debate.

Provincial Updates

ALBERTA

Alberta Bill Would Increase Penalties for Animal Neglect

On March 23, 2023, Alberta MLA Jordan Walker introduced [Bill 209](#), the *Animal Protection (Prevention of Animal Neglect) Amendment Act, 2023*, which aims to increase penalties for causing or permitting an animal to be in distress due to abuse or neglect. The proposed amendments include a fine of up to \$25,000 for a first offense, a fine of up to \$35,000 or imprisonment of up to six months for a second offense, and a fine of up to \$50,000 or imprisonment of up to six months for a third or subsequent offense.

BRITISH COLUMBIA

British Columbia Government Introduces Changes to Simplify Pet Custody Disputes

On May 11, 2023, the government of British Columbia passed [Bill 17](#), the *Family Law Amendment Act, 2023*, which will [amend](#) the *Family Law Act* to provide guidance for people and judges involved in animal custody disputes. The amendments will require the consideration of factors such as each person's ability and willingness to care for the pet, the relationship between the child and the animal, and the risk of family violence or threat of cruelty. V. Victoria Shroff, animal law specialist at Shroff and Associates, said: "These amendments reflect how pets are valued as unique family members by society rather than as inanimate property like furniture [. . .] Having relevant factors to consider for these difficult decisions will bring more clarity and is a welcome change." These amendments are the first of their kind in Canada and are set to come into force by regulation of the Lieutenant Governor in Council.

British Columbia Introduces Bill to Safeguard Wetlands and Wildlife Habitat

On November 23, 2023, Member of the Legislative Assembly John Rustad introduced [Bill M226](#), the *No Net Loss of Wetland Act*, aiming to conserve wetland functions in British Columbia. The bill emphasizes preventing a net loss of these functions and sustaining

their value as fish and wildlife habitat. If a government program or infrastructure project impacts a wetland in the region, the bill mandates safeguarding its functions, holding the government accountable for conserving, enhancing, restoring, or creating any diminished wetland functions resulting from the program, project, or tenure.

MANITOBA

Manitoba Proposes Amendments to Animal Care Regulation

On February 17, 2023, Manitoba Agriculture [launched](#) a forty-five-day consultation period on proposed amendments to the province's *Animal Care Regulation*, which would recognize Canada's Accredited Zoos and Aquariums (CAZA) accreditation standards of 2022 as the animal welfare standard for zoological facilities in the province, including the Assiniboine Park Zoo. The amendments to the regulation would also remove detailed reporting requirements for animal markets, including stockyards or animal auctions, and assembling stations, meaning any place where commercial animals are assembled for shipment.

Manitoba Passes Animal Care Amendment Act

On May 16, 2023, the *Animal Care Amendment Act (2)*, also known as [Bill 31](#), [passed](#) third reading in the Legislative Assembly of Manitoba. Introduced by Manitoba's Agriculture Minister, Derek Johnson, in [March](#) 2023, the bill includes several amendments to the *Animal Care Act*. The primary objective of these updates is to improve the appeals process before the Animal Care Appeal Board, with the ultimate goal of streamlining procedures and expediting the resolution of animal care-related cases throughout the province.

NEW BRUNSWICK

New Brunswick Tables Bill to Create Right to a Healthy Environment

On December 7th, 2023 Green Party Leader David Coon tabled [Bill 19](#), *An Act Respecting the Right to a Healthy Environment*, in the New Brunswick Legislative Assembly. The bill [aims](#) to secure the rights of current and future residents to a healthy and ecologically balanced

environment. The bill responds to concerns arising from corporate pollution incidents like the Saint John American Iron & Metals explosion and air pollution from the Richibucto Coastal Shell Product plant. Coon contends that successive governments neglected environmental issues, prompting the need to establish a legal right to a healthy environment. The proposed human right [could](#) also extend protections to animals and wildlife.

NEWFOUNDLAND AND LABRADOR

Newfoundland and Labrador Proposes Changes to Aquaculture Regulations

On October 6, 2023, the government of Newfoundland and Labrador introduced [Bill 17](#), which would repeal and replace the provincial [Aquaculture Act](#). Likely responding to a [badly handled](#) “mass asphyxiation” event in Fortune Bay in 2019, the proposed Bill includes a farm’s obligation to notify the provincial government when “an abnormal mortality event” happens (s. 38(a)), as well as the farm’s obligation to report “an incident event” to the public (s. 42(e)). The proposed legislation also insulates the provincial Ministry against liability for anything done in good faith and any damages award (s. 60), which hindered the Minister and led to long delay in making a public statement. The Minister initially vastly understated the number of dead fish. The proposed Bill would require an annual “inventory reconciliation report,” stating the number of “cultured aquatic animals” in a facility at the beginning of the year and the number at the end, with explanations for any discrepancies, along with reports relating to net testing and net cleaning (ss. 2(w) & 30(2)(d)), factors which likely contributed to net collapse in 2019. Facilities would also be required to have environmental and waste management plans.

ONTARIO

Ontario Passes Amendments to Animal Health Act

[Bill 46](#), the *Less Red Tape, Stronger Ontario Act, 2023*, received royal assent on March 22, 2023, and includes amendments to the *Animal Health Act, 2009* (AHA). The amendments [enable](#) the Minister of Agriculture, Food and Rural Affairs to issue a temporary response order in situations where delay in implementing the measures authorized or required by the order may substantially increase the risk to animal or human health. The Bill also amends

section 18 of the AHA to achieve greater consistency in setting out an inspector's authority to conduct an inspection to check for compliance with an existing order, including an animal health control area order, a temporary response order, and a surveillance zone order.

Ontario Decides Not to Proceed with Development of a Wildlife Management Strategy

On March 30, 2023, the Ontario Ministry of Natural Resources and Forestry (MNRF) [announced](#) that they will not proceed with developing a provincial Wildlife Management Strategy. The strategy would have provided a comprehensive strategic plan for wildlife management in Ontario, including broad guidance for all wildlife, their habitats, and ecosystems. The MNRF originally sought public feedback on the proposal in 2016.

Ontario Passes Bill to Allow New Penned Hunting Areas

Introduced by MPP Parm Gill, [Bill 91](#), the *Less Red Tape, Stronger Economy Act, 2023*, received royal assent on June 8, 2023. The bill includes [controversial](#) amendments to section 35 of the *Fish and Wildlife Conservation Act, 1997*, which permit the issuance and transfer of licenses for new dog train and trial areas where wildlife are kept captive for training dogs in hunting skills and conducting hunting dog competitions.

The amendments sparked significant controversy. Animal Alliance of Canada Director Barry MacKay emphasized concerns about the humane treatment of animals, likening dog activities to dog fighting. Ontario animal rights activist Jenny McQueen [disrupted](#) a meeting of the Standing Committee on Justice Policy on [Bill 91](#), *Less Red Tape, Stronger Economy Act, 2023*, to express concerns about the cruel nature of penned dog hunting. Member of Provincial Parliament Terence Kernaghan also [criticized](#) the government for “moving backwards on animal welfare” given the agreement in 1997 under [Bill 139](#) that train and trial areas would be [phased out](#) in the province.

Ontario Passes Amendments to Provincial Animal Welfare Law

On June 8, 2023, [Bill 102](#), the *Strengthening Safety and Modernizing Justice Act, 2023* received royal assent. The bill amended the *Provincial Animal Welfare Services Act, 2019* to expand the authority of Animal Welfare Services inspectors to take reasonable steps to alleviate an animal's distress and streamline Animal Care Review Board processes. The proposed amendments would also improve cost recovery mechanisms, e.g. by allowing for a

broader range of circumstances for statements of account to be served and considering the unpaid amount as a debt owed to the Crown.

Ontario Reverses Decision to Remove 7,400 Acres of Habitat in the Greenbelt

On September 21, 2023, Ontario Premier Doug Ford [announced](#) that he would reverse his controversial plan to open protected Greenbelt lands for housing development after nearly a year of criticism, including resignations by two cabinet ministers and two top staffers. This announcement came after Ontario's provincial government [passed](#) two new regulations related to its proposal to remove 7,400 acres of land from the Greenbelt, which provides critical habitat for seventy-eight species at risk in the province. The [first](#) redesignated lands in the Oak Ridges Moraine Conservation Plan and the [second](#) added thirteen new areas of land while removing fifteen other areas elsewhere in the Greenbelt. During a caucus retreat in Niagara Falls, Ford acknowledged that he had made a mistake and apologized for breaking his past promise not to touch the Greenbelt.

NDP MPP Introduces Legislation for Bird-Safe Buildings in Ontario

On October 30, 2023, New Democratic Party (NDP) Member of Provincial Parliament (MPP) Chris Glover [introduced](#) a new bill aimed at safeguarding migratory birds. [Bill 145](#), the *Bird-Safe Windows Act, 2023*, would amend the *Building Code Act, 1992* to ensure Ontario Regulation 332/12 (Building Code) includes the Canadian Standards Association Bird-Friendly Building Design Standard. Glover's initiative aims to mandate bird-safe windows in all new constructions and major renovations. The move comes in response to the Ford government's inaction in the face of an estimated two million bird deaths from window collisions in Ontario since the fall of 2021.

Ontario Introduces Legislation to Combat Puppy Mills

On December 4, 2023, Solicitor General Michael Kerzner introduced [Bill 159](#), the *Preventing Unethical Puppy Sales Act* (PUPS Act), aiming to amend Ontario's *Provincial Animal Welfare Services Act*. The bill proposes new regulations, including record-keeping, minimum penalties for puppy mill operators, and fines for specific breeding practices. It targets inbreeding, limits breeding frequency, and prohibits the separation of puppies from mothers before eight weeks. National animal law organization Animal Justice [criticized](#) the bill for

not going far enough to stop abuse at puppy mills in the province, citing gaps in addressing housing, food, exercise, socialization, and genetic screening, as well as failing to provide a cap on the number of animals permitted in any one facility. The organization notes that Bill 259 does not mandate licensing for dog breeders, potentially hampering effective enforcement and oversight of breeding practices.

PRINCE EDWARD ISLAND

Prince Edward Island Introduces Bill to Regulate Service Dogs

On June 20, 2023, Conservative MLA Jamie Fox introduced [Bill no. 101](#), titled the *Service Dog Act*, which aims to establish regulations and rights for service dog handlers. The proposed law would create a Registrar of Service Dogs and set out requirements for obtaining certificates and identification cards for service dogs. It would also ensure that service dog handlers have the right to enter public places with their dogs and cannot be denied rental units based on having a dog member of a service dog team on the premises.

QUÉBEC

Québec Solidaire Introduces Bill that Would Ban “No-Pet” Clauses in Rental Leases

On May 25, 2023, Andrés Fontecilla, MNA for Laurier-Dorion and Québec Solidaire’s housing critic, [introduced](#) a bill that would amend the Civil Code to render ineffective “no-pet” clauses in rental housing leases. The proposed legislation, known as [Bill 494](#), aims to address the challenge of finding animal-friendly housing in the midst of a housing crisis. It would apply to both new and existing leases.

Other Noteworthy Legislative Updates

New City of Toronto Bylaw Prohibits Feeding of Wild Animals

On April 1, 2023, [new regulations](#) under Chapter 349 of the City of Toronto's Animals Bylaw came into effect. The regulations make it illegal to feed wildlife or leave food out to attract animals on both public and private properties in Toronto. The city is taking an educational approach to encourage compliance with the new bylaw, but those who continue to violate it could face a fine. These regulations are part of the city's efforts to protect people and wildlife due to a rise in negative interactions involving humans and wildlife. Feeding wild animals changes their natural instincts and may increase their presence and tolerance of people, creating problems for both wildlife and Toronto communities.

Toronto City Council Votes to End Backyard Hen Pilot Program

On May 10, 2023, Toronto City Council [voted](#) to amend Toronto Municipal Code, Chapter 349 to end the UrbanHensTO Pilot Program, which allowed residents to keep up to four chickens in their backyard. The program was terminated due to animal welfare concerns and the rising cases of avian influenza in the province. The program launched in 2018 and currently has about eighty households enrolled. Anyone currently keeping hens as part of the program in permitted areas of the city may continue to keep them until they have died, despite the end of the pilot.

Toronto City Council Adopts Two Plant-Forward Motions

On September 20, 2023, Directors of the Toronto Vegetarian Food Bank, Nital Jethalal and Matt Noble, along with Riana Topan from Humane Society International Canada, [spoke](#) at Toronto City Hall to urge the City of Toronto to reduce pollution and improve animal welfare and public health by promoting plant-based food options city-wide. Following their appeal, Councillor Dianne Saxe introduced two significant plant-forward motions. The first directs progress updates on Toronto's Cool Food Pledge and C40 Good Food Cities Declaration [commitments](#). The second instructs a report on adopting a policy on plant-based purchasing savings for the city, promoting sustainable choices. Both motions were [adopted](#) by the council on October 11, 2023.



2023 YEAR IN REVIEW

Litigation Updates

Canadian Activist Accused of Chicken Theft in Sonoma County Reaches Plea Deal with Prosecutors

Almira Tanner, an animal activist and Lead Organizer at Direct Action Everywhere, [agreed](#) on January 28, 2023 to a plea deal with prosecutors after being accused of taking chickens from Sonoma County poultry farms. She had previously pleaded no contest to a misdemeanor count of trespassing during her preliminary hearing with co-defendants, Wayne Hsiung, Cassandra King, and Priya Sawhney, on January 19. The case relates to demonstrations at several California farms in 2018 and 2019, when Tanner and other protesters were charged with multiple counts of second-degree burglary, conspiracy, theft, trespassing and unlawful assembly. The deal mandates that Tanner do 100 hours of community service, pay \$12,719 in restitution, and stay 100 yards from Sunrise Farms (a site of one of the demonstrations).

Truck Driver Who Killed Animal Rights Activist Regan Russell Sentenced to Pay \$2,000

On March 27, 2023, truck driver Andrew Blake [pleaded](#) guilty to careless driving causing the death of animal rights activist Regan Russell outside Fearmans Pork slaughterhouse located in Burlington, Ontario in June 2020. Blake pleaded guilty to the single charge under the provincial *Highway Traffic Act* and was ordered to pay the minimum possible fine of \$2,000 while a charge of careless driving causing death could have attracted a maximum \$50,000 fine plus two years in jail. Russell, a member of the Animal Save Movement, was killed while protesting the province's ag-gag law, the *Security from Trespass and Protecting Food Safety Act, 2020*. Camille Labchuk, a lawyer and executive director of Animal Justice, [stated](#): “the leniency shown by police and prosecutors in this case is troubling but not surprising. Industries that farm, transport, and slaughter animals are seldom held to account for causing unlawful animal suffering—despite clear evidence regularly provided to authorities.”

Ontario Court Rejects Lawsuit Over Coyote Killing Contest

On April 3, 2023, the Divisional Court [dismissed](#) an application for judicial review filed by Animal Justice, The Fur-Bearers, and Coyote Watch Canada against a coyote killing contest put on by Cheshier's Outdoor Store in Belleville, Ontario in 2021 and 2022. The judge found that the store did not have the written authorization required under the [Fish and Wildlife Conservation Act](#). However, it was the store rather than the respondent in the case, the Ontario Minister of Northern Development, Mines, Natural Resources and Forestry, who was the party in potential

violation of the Act. On the question at issue in the case, namely, judicial review of the Minister's decision to not prosecute the store, the court held that it was within his discretion not to prosecute. The annual contest was held again in February 2023. [Animal Justice](#) and Coyote Watch Canada have filed an application for an investigation under Ontario's [Environmental Bill of Rights](#), hoping the province will be open to this way of holding the store accountable.

Quebec Court Dismisses Lawsuit Against St-Tite Rodeo

On April 21, 2023, the Superior Court of Quebec [dismissed](#) a lawsuit brought by animal rights group, Droits animalier Québec (DAQ), seeking an injunction to halt calf roping and steer wrestling at the St-Tite Western Festival. The court dismissed the rodeo's claim that the lawsuit was an abuse of process, noting that the possible violation of provincial animal welfare law was a serious and justiciable issue in which the group had a genuine interest. However, the court ultimately [concluded](#) that DAQ's written complaint filed with the Ministry of Agriculture, Fisheries and Food in 2018 constituted an effective remedy "already in progress" and that allowing the continuation of the injunction would not be an appropriate use of judicial resources. DAQ has [filed](#) a Notice of Appeal with the Quebec Court of Appeal.

Fate of Longueuil's Deer Population to be Determined by Quebec Superior Court

On April 25, 2023, the Quebec Superior Court [heard](#) experts' testimonies in the on-going case about how to deal ethically with the overpopulation of deer at Michel-Chartrand Park in Longueuil. The deer have tripled in numbers since 2017, and experts say the park can only sustain fifteen animals. The plaintiffs in the case insist that the municipality has not considered all options and that the plan to cull the deer is irrational and unreasonable. The case against the city is being heard for the first time since last fall, when the Quebec Court of Appeal [ordered](#) the city to wait before allowing the hunting of the deer.

Montreal SPCA to Challenge Housing Pet Bans in Court

On June 7, 2023, the Montreal Society for the Prevention of Cruelty to Animals (SPCA) [filed](#) a writ of intervention with the housing tribunal in support of two tenants who are challenging a clause in their rental leases prohibiting them from owning animals. The SPCA contends that these clauses contradict the recognition of animals as "sentient beings" in the *Civil Code of Quebec* since they treat animals as mere property and disregard the emotional attachment and

obligations humans have towards them. They also argue that article five of the [Quebec Charter of Rights and Freedoms](#) guarantee of every person's right to respect of their private life protects the right to choose to live with a companion animal, as well as an argument about such clauses being abusive and unreasonable, especially during a housing crisis. On May 25, 2023, Andrés Fontecilla, MNA for Laurier-Dorion and Québec Solidaire's housing critic, [introduced](#) a bill that would amend the Civil Code to render ineffective "no-pet" clauses in rental housing leases.

British Columbia Veterinary Hospital Loses Legal Bid to Have 'Defamatory' Reviews on TikTok Removed

A Surrey veterinary hospital's request for an interim injunction to remove alleged "defamatory" TikTok videos was [denied](#) by a British Columbia Supreme Court judge in a decision released on July 31, 2023. The videos, posted by Victoria Veira, accuse the hospital of mistreating her dog, Charlie, during a neutering procedure, leading to an infection. The clinic [sued](#) Veira for defamation, claiming reputational damage and holding Veira responsible for the infection. Veira argued her comments were protected by "fair comment" and requested the suit's dismissal. The judge found that stifling Veira's freedom of speech before a trial on the merits was not justified, as the posts did not meet the high standard for an interlocutory injunction that restricts expression. The possibility of a settlement before the trial has been acknowledged by both parties' lawyers.

Vancouver Café Ordered to Pay \$12,000 for Discriminating Against Visually Impaired Woman with Guide Dog

On August 9, 2023, the British Columbia Human Rights Tribunal [ruled](#) that a Vancouver café must pay \$12,000 to Georgia Pike, a visually impaired woman, for discriminating against her and her service animal. Pike, who relies on a guide dog named Grainger, and her father, were denied service by Ooh La La café because of her dog. Despite explaining Grainger's service status, they were repeatedly asked to leave by the owner, as shown in a video submitted as evidence. Pike, after nearly four years of fighting, [expressed](#) gratitude for the outcome, hoping it will raise awareness about guide dog users' rights.

Supreme Court of Canada Deems Most of Impact Assessment Act Unconstitutional

On October 13, 2023, the Supreme Court of Canada [ruled](#) most provisions of the federal *Impact Assessment Act* (IAA) unconstitutional following a reference case was brought forward by the Alberta government, claiming it intruded on provincial authority. Chief Justice Wagner's majority opinion stated that the IAA overstepped federal boundaries by assessing projects beyond its jurisdiction. This decision raises concerns about environmental oversight, affecting federal efforts to address climate change, potentially exacerbating wildlife conservation challenges and biodiversity loss. Although reference rulings are advisory in nature, the federal government [pledged](#) to amend the Act to make it comply with the Supreme Court's decision. Despite this, Ontario's Attorney-General, Doug Downey, [announced](#) Ontario's intent to challenge the IAA in court, filing two judicial review applications citing potential impacts on projects like Highway 413 and an Ontario Place parking garage.

Ontario Pig Farm Convicted of Animal Cruelty

In October 2023, an Ontario pig farm, Paragon Farms, was [convicted](#) of animal cruelty and fined \$20,000 following an undercover investigation by Animal Justice. The footage revealed distressing conditions, including pigs confined in tiny gestation crates, pigs with injuries, and violations of workplace health and safety standards. Paragon Farms' two corporate entities pleaded guilty to two offences under the *Provincial Animal Welfare Services Act*, one involving an illegal c-section on a conscious pig and another related to painful castrations and tail-cutting of piglets without anesthesia. Despite potential fines of \$500,000 per offense, each entity was fined only \$5,000. Additionally, a worker was fined \$1,000 for mistreating pigs. Prosecutors did not seek a ban on farm animal ownership, animal welfare training, or surveillance cameras in the barn. This case shows the value of undercover investigations, which would now be made virtually impossible under Ontario's [ag-gag law](#).

Newfoundland Court of Appeal Overturns Acquittal for Animal Cruelty

On October 30, 2023, the Court of Appeal of Newfoundland and Labrador [overturned](#) the provincial court acquittal of Robert Picco on eight counts of criminal animal cruelty. Picco had been charged with neglecting four severely emaciated beagles in 2018. Despite evidence from a veterinarian pathologist describing the dogs as emaciated, starving, and near death, Judge Jacqueline Brazil acquitted Picco in 2021, arguing the Crown had not proven the dogs were

“suffering.” [Last year](#), Supreme Court Judge Peter O’Flaherty upheld the acquittal, stating that Justice Brazil’s finding that the dogs were not suffering was a factual determination, which falls to the trial judge to make. However, a recent decision by the Newfoundland and Labrador Appeal Court disagreed, citing errors in the previous rulings. The Court of Appeal [concluded](#) that the dogs were indeed suffering and that Picco should have known the consequences of denying food and water to the dogs, reinstating the charges and ordering a new trial. University of Alberta law professor Peter Sankoff [emphasized](#) the significance of the ruling, calling it “one of the three most important cases ever decided on animal cruelty.”

Animal Justice Challenges Ontario’s Ag-Gag Law in Landmark Court Case

National animal law organization Animal Justice [appeared](#) in the Superior Court of Justice from October 30 to November 1, 2023, to challenge Ontario’s agricultural gag law, the [Security from Trespass and Protecting Food Safety Act, 2020](#). The Act prevents animal advocates from investigating animal cruelty at farms and slaughterhouses. Animal Justice, alongside journalist Jessica Scott-Reid and animal advocate Louise Jorgensen of Toronto Cow Save, argued that the law infringes upon the right to free expression and peaceful assembly, aims to conceal widespread animal abuse, and hinders consumers’ knowledge about the origins of their food. Comparable ag-gag laws in the United States have previously been deemed unconstitutional in many states. This is the first legal challenge to a Canadian ag-gag law. On the first day of the hearing, over 100 animal rights advocates [gathered](#) outside the courthouse to voice support for the lawsuit.

Canadian Federal Court Rules Against Designating Plastic as “Toxic”

On November 16, 2023, the Federal Court [ruled](#) that the Government of Canada exceeded its authority by designating plastic items as “toxic” under the *Canadian Environmental Protection Act*. The case, brought by Canada’s major plastic-producing companies known as the Responsible Plastic Use Coalition, sought to remove the toxic listing. Animal Justice [intervened](#) in support of the listing, emphasizing the importance of addressing plastic pollution that annually harms millions of animals. Advocates express hope that the government will continue robust efforts to combat plastic pollution.

British Columbia Animal Advocates Appeal Convictions Over Exposing Pig Farm Cruelty

On November 23, 2023, animal rights activists, Amy Soranno and Nick Schafer, [appeared](#) at the British Columbia Court of Appeal to appeal their October 2022 [convictions](#) for break-and-enter and mischief stemming from the 2019 occupation of Excelsior Hog Farm in Abbotsford. Their lawyers argue that Justice Verhoeven erred by barring video evidence depicting alleged animal cruelty. The footage revealed pigs in distress, yet the farm faced no legal consequences. Soranno and Schafer, sentenced to thirty days in jail, also claim crucial evidence was lost or destroyed. Recent [hidden-camera](#) footage from the farm shows continued alleged abuse and neglect.

Human Rights Tribunal of Ontario Rules Veganism Not a Protected Ground of Discrimination

On November 29, 2023, the Human Rights Tribunal of Ontario [denied](#) Adam Knauff's discrimination claim against his employer for being denied vegan food while fighting wildfires in British Columbia. Knauff faced disciplinary actions after expressing frustration over inadequate vegan options. The case questioned whether veganism qualifies as a "creed," a protected ground under the Ontario Human Rights Code. Although the Tribunal acknowledged non-religious creed protection, it rejected ethical veganism for not addressing "ultimate questions of human existence beyond [humans' relationships with other animals and the natural environment] or the existence or nonexistence of a higher or different order of existence and/or a Creator." Animal Justice, who had previously been [denied](#) intervenor status in the case, [finds](#) the decision at odds with global legal trends. Knauff plans to appeal the decision by seeking judicial review in the Divisional Court of Ontario.



2023 YEAR IN REVIEW

Enforcement Updates

Undercover Investigations

Investigation Launched After Video Reveals Cruelty at “Humane” Slaughterhouse

A complaint from Animal Justice has triggered an [investigation](#) of alleged animal cruelty at Meadow Valley Meats, a small-scale, “humane” slaughterhouse in British Columbia (BC). On February 23, 2023, Animal Justice [released](#) hidden-camera footage that depicts workers beating animals in the face with various instruments, animals being improperly stunned, and other kinds of illegal abuse. The conditions also put worker safety at risk, as employees face terrified animals trying to escape the abuse. The BC Society for the Prevention of Animal Cruelty, Canadian Food Inspection Agency, and the BC Ministry of Agriculture and Food are currently reviewing the footage and will be conducting an investigation into the complaint.

Investigation Reveals Cruelty at Alberta Horse Export Feedlot

On June 27, 2023, United States-based non-profit organization Animals' Angels and European Union partner the Animal Welfare Foundation [released](#) a new investigation exposing potential cruelty and neglect at Bouvry Exports' Prime Feedlot in Alberta. The footage reveals horses in crowded, unsanitary conditions with injuries, illnesses, and decomposing carcasses on the premises. Many horses suffered from overgrown hooves and painful hoof conditions due to fattening for slaughter. The company is also [linked](#) to Canada's live horse export trade, shipping horses to Japan for slaughter. Animal Justice has [filed](#) a legal complaint with the Alberta Society for the Prevention of Cruelty to Animals and the Canadian Food Inspection Agency, urging the agencies to investigate Bouvry Exports for potential violations of Alberta's *Animal Protection Act*, the federal *Health of Animal Act*, and *Safe Food for Canadians Regulations*.

Undercover Footage Exposes Cruel Penned Dog Hunting in Ontario

On August 22, 2023, Animal Justice [unveiled](#) undercover footage exposing the reality of penned dog hunting in Ontario. With Ontario recently [passing laws](#) to expand this practice, the organization sent an investigator undercover to visit dog hunting pens to get a firsthand look into what happens in this industry. The footage reveals hunters using penned coyotes as live bait for dogs, resulting in the maiming and killing of these animals, along with injuries to the dogs. Wolves are also used in this unsportsmanlike form of “canned” hunting. Animal Justice aims to use the footage to raise awareness and combat the cruelty of penned dog hunting.

Animal Justice Releases Disturbing Footage from Excelsior Hog Farm

On November 16, 2023, Animal Justice [revealed](#) new footage from Excelsior Hog Farm in Abbotsford, British Columbia, exposing alleged animal cruelty. The video depicts distressing scenes of dead pigs, partially eaten piglet carcasses, and pigs subjected to jabbing with rods. The British Columbia Society for the Prevention of Cruelty to Animals (BC SPCA) will investigate the farm for the second time, citing potential violations of the *Prevention of Cruelty to Animals Act* and the *Criminal Code*. In 2019, Excelsior was the target of a “Meat the Victims” sit-in, leading to the [conviction](#) of activists Amy Soranno and Nick Schafer. The historic thirty-day jail sentence for a non-violent act of civil disobedience prompted their appeal, which was heard on November 23rd. The BC SPCA did not lay animal cruelty charges in 2019.

Animals Used in Entertainment

Animal Justice and Coyote Watch Canada File Application for Investigation of Belleville Hunting Contest

On March 1, 2023, Animal Justice and Coyote Watch Canada [filed](#) an application for investigation under Ontario's *Environmental Bill of Rights* in relation to a 2023 coyote hunting contest that took place near Belleville, Ontario. The contest is regularly run by Chesher's Outdoor Store and is expected to award the participants who kill the largest coyotes with thousands of dollars in cash and prizes. In Ontario, it is illegal to hunt for gain or to pay or accept a bounty unless an exception is granted under the *Fish and Wildlife Conservation Act*. Animal Justice, Coyote Watch Canada, and the Fur-Bearers are already suing the province for allowing the 2022 contest to take place in the absence of written authorizations as required under the Act.

Beluga Whale and Bottlenose Dolphin Die at Marineland Amidst Ongoing Compliance Inspections

On May 8, 2023, the Ministry of the Solicitor General [confirmed](#) that a beluga whale and bottlenose dolphin died at Marineland. The ministry did not specify when the deaths occurred, and necropsies of both animals were conducted by professionals retained by Marineland. The incident is the latest in a series of animal deaths at the aquarium, with

Canada's last living orca in captivity, Kiska, [dying](#) in March. Marineland is under investigation, and the ministry said it could not provide further details while compliance inspections are ongoing to determine if the standards of care are being met.

Animal Justice Calls for Investigation Over False Claims in Edmonton Valley Zoo's Funding Request

In May 2023, Animal Justice wrote to Edmonton City Councillors, the Office of the City Auditor, and the Edmonton Police Service [calling](#) for an investigation into the Edmonton Valley Zoo over alleged fraudulent claims made in a recent funding request. The zoo had requested \$61.2 million in public funding, stating that several animal enclosures did not meet accreditation standards. However, an investigation by Canada's Accredited Zoos and Aquariums could not substantiate these claims. Animal Justice is calling on the city of Edmonton and the police to assess the zoo's animal conditions and determine if false information was provided to secure funding. City officials are considering an audit of the zoo in response to these concerns.

Ontario Charges Marineland Over Care of Black Bears

On May 30, 2023, Ontario's Ministry of the Solicitor General [charged](#) Marineland, a tourist attraction in Niagara Falls, with three counts of failing to comply with an order related to the care of its American Black Bears. The charges were laid under the *Provincial Animal Welfare Services Act*, and Marineland must comply with the order or face legal consequences. In the past, the park has [faced](#) charges related to animal cruelty, which were later dropped. The ministry declined to provide further details, stating that the matter is now before the court.

City of London Ontario Launches Legal Action Against Reptilia

In June 2023, the City of London [filed](#) an application with the Ontario Superior Court seeking a judge's decision regarding Reptilia's compliance with London's animal control bylaw. Reptilia is keeping animals prohibited under the bylaw and the City is asking for an order to prevent them from doing this and a declaration that they are not exempt from the bylaw. Reptilia applied for an exemption [three times](#) but was denied by the city council. Reptilia plans to oppose the city's application and expects a court hearing in the early fall. The case is [set](#) to be heard on March 18, 2024.

Animal Justice Calls for Animal Cruelty Charges After Horse Fatality at Calgary Stampede

National animal law organization Animal Justice is [calling](#) for animal cruelty charges to be brought against the Calgary Stampede after a horse was killed during the chuckwagon races on July 14, 2023. Animal Justice is urging authorities to hold the event accountable and end the practice of rodeos being exempt from animal cruelty laws. The Vancouver Humane Society has reported that over 100 animals have died in Stampede rodeo events since 1986, yet no prosecutions have occurred.

Calls for Animal Cruelty Charges After Horse Fatally Injured in Manitoba Rodeo Event

The Winnipeg Humane Society and Animal Justice are [calling](#) for animal cruelty charges following the death of a horse during a bronc riding event on July 15, 2023, at the Triple S Fair and Rodeo in Selkirk, Manitoba. A [video](#) shared online shows the horse falling and becoming injured shortly after leaving the chute. Bronc riding, which uses bucking straps and spurs to force horses into extreme bucking, is considered a cruel and dangerous practice. Animal Justice and the Winnipeg Humane Society have reported the incident, urging authorities to investigate and take enforcement action under animal welfare laws.

Pet Custody

British Columbia Civil Resolution Tribunal Considers Best Interests of Dog in Custody Dispute

In a decision released on March 30, 2023, the British Columbia (BC) Civil Resolution Tribunal considered new [factors](#) being proposed under the *Family Law Act* when determining the custody of a dog named Bentley. Christina McNulty and Jeffrey Wayne Bond had shared custody of Bentley on a rotating three-week cycle for eight years but ended up in court when McNulty refused to let Bentley go when Bond came to pick him up. McNulty [alleged](#) that she was no longer comfortable with Bond having Bentley because she had discovered upsetting things about Bond but failed to substantiate the allegation. Vice Chair Andrea Ritchie [said](#): “I find that Ms. McNulty unilaterally removing the dog from one of its owners, Mr. Bond, without any explanation about the allegedly ‘upsetting’ behaviour or how it may have been dog-related, displays a lack of ability to put Bentley’s best interests above her own personal interests.”

Police Misconduct

Animal Justice Calls for Investigation into Longueuil Police Deer Killing

Animal Justice [filed](#) a complaint with Quebec's Police Ethics Commissioner, calling for an investigation into the conduct of a Longueuil police officer who shot an injured deer thirteen times over half an hour on February 19, 2023, until the deer eventually died. The complaint alleges that the officer's conduct breached the "Code of Ethics of Quebec Police Officers" by using greater force than was necessary. The police claim the deer had two broken legs and needed to be euthanized, but the repeated shooting with a low-caliber weapon likely caused additional pain and prolonged suffering which was inhumane and avoidable. Causing harm to animals is illegal under provincial and federal animal cruelty laws.

Animal Justice Files Complaint Against Kawartha Lakes Police for Using Shovel to Kill Raccoon

Animal Justice has [filed](#) a complaint against Kawartha Lakes Police Service officers for the cruel and likely illegal treatment of an injured raccoon during an incident on April 12, 2023. Instead of using a safe and humane method or calling for support, the police officers [beat](#) the raccoon to death with a shovel because they believed the animal was a "threat to public safety." Animal Justice's complaint alleges that the officers violated the police code of conduct and provincial animal welfare laws, which prohibit causing an animal to be in distress. Animal Justice is seeking justice for the raccoon and believes the officers should be held accountable for their actions.

Investigation Launched After Ontario Police Officers Fatally Strike Injured Deer with Axe

Ontario Provincial Police have [launched](#) an investigation following a disturbing incident in Kenora, Ontario, where officers were filmed striking an injured deer with an axe. The investigation was initiated after a complaint was [filed](#) by Animal Justice. On September 3, 2023, two officers responded to a call regarding an injured deer hit by a vehicle. Instead of using a humane method or seeking assistance, they fatally struck the deer in the head with an axe, causing prolonged agony. Witnesses reported that the animal suffered for over an hour after the officers left. Animal Justice alleges that the officers violated the Police Code

of Conduct by using cruel force and potentially violated animal welfare laws. They argue that alternative, humane actions could have been taken, and the officers must be held accountable for their actions.

Precedent Setting Sentences for Animal Cruelty

Montreal Man Receives One of the Harshest Animal Cruelty Sentences Ever Handed Down

On March 15, 2023, Marc-Antoine Côté, a man from Montreal, was [sentenced](#) to sixteen months in prison—one of the harshest animal cruelty sentences ever handed down in Quebec. He was charged with throwing a cat off his balcony, causing her death, and for causing injuries to his dog that resulted in the animal's death. The Investigations Division of the Montreal Society for the Prevention of Cruelty to Animals and the Service de police de la Ville de Montréal collaborated on the investigation, resulting in Côté's arrest in October 2022. He pleaded guilty to the charges and is now banned from owning animals for life.

Calgary Woman Diagnosed as Psychopath Receives 6.5-Year Sentence for Cat Torture

Calgary resident Aleeta Raugust, diagnosed as a psychopath, [pleaded](#) guilty to nine counts of animal cruelty involving the adoption and torture and/or killing of nine cats. While the Crown sought an eight to ten-year prison term, Raugust was sentenced on September 14, 2023, to six and a half years, with about five and a half years to serve after factoring in time already served. This is [believed](#) to be the harshest sentence ever given to a Canadian animal abuser. A psychological [report](#) revealed that Raugust had recorded videos of cat tortures and watched them repeatedly.

Other

Marineland's Lawyer Charged with Violating Lobbying Act

The Royal Canadian Mounted Police confirmed in an e-mail to *The Hill Times* on April 26, 2023, that Andrew Burns, Marineland's lawyer, was [charged](#) with violating the *Lobbying Act* for failing to file a return with the Office of the Commissioner of Lobbying after communicating with a public office holder regarding [Bill S-203](#). The legislation, which passed in 2019, banned whale and dolphin captivity and breeding in Canada. Marineland opposed the bill and fought to prevent it from becoming law. Pro-whale captivity senators in the Senate, led by then-Senate whip Don Plett, engaged in stall tactics and other efforts to delay and kill the bill.

Animal Justice Files Legal Complaint Over Live Animal Markets in Ontario

On May 5, 2023, Animal Justice [filed](#) a complaint with the Ontario Ministry of Agriculture and the Canadian Food Inspection Agency regarding live animal markets, citing concerns about public health and animal welfare. Despite an avian flu outbreak affecting Canada, an animal sale was held in Shelburne, where animals were cramped together in unsanitary conditions without access to food and water. The sale included birds, goats, pigs, rabbits, cows, and sheep, and it was advertised that a kangaroo would be available. Animal Justice is calling for the cancellation of similar sales to protect public health and animal welfare.

Ontario Seizes Nearly 100 Raccoons from Animal Rehabilitation Facility

In September 2023, Ontario's Ministry of Natural Resources and Forestry [seized](#) ninety-five raccoons from Mally's Third Chance Raccoon Rescue in Kawartha Lakes, Ontario. The owners of the wildlife rehabilitation centre are accused of more than twenty violations of the *Fish and Wildlife Conservation Act* relating to failures to comply to its licensing conditions. The Ministry, which claims to have acted on a tip from the public, says that the raccoons are being cared for in a secure facility.

New Documents Reveal Wolves, Bobcats, and Lynx Farmed for Fur in Canada

Documents [obtained](#) by the Fur-Bearers through multiple freedom of information requests have exposed fur farming practices in Canada involving wolves, bobcats, and lynx. This adds three iconic Canadian wildlife species to the list of animals kept captive and killed for their

fur pelts, bringing the total to six, including minks, foxes, and chinchillas. Fur farms in Alberta and Saskatchewan, not traditionally associated with fur farming, were identified in the investigation. The largest fur farm in Saskatchewan, operational since 1996, reportedly houses lynx, wolves, and foxes. This discovery, placing Canada on the global map for controversial fur farming practices, has re-ignited [calls](#) to end the industry in the country.

Documents Reveal Drop in Charges and Orders from Ontario Animal Welfare Investigations

Data [obtained](#) by CBC Hamilton through a freedom of information request revealed that investigations conducted by Provincial Animal Welfare Services (PAWS) in Ontario are resulting in fewer orders and charges compared to when the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) oversaw animal welfare. From 2015 to 2018, the OSPCA issued 16,148 orders and laid 1,946 charges, while PAWS, with a significantly larger budget, issued 6,970 orders and laid 667 charges from 2020 to June 2023. Animal welfare advocates, including Camille Labchuk of Animal Justice, raise concerns about the drop, prompting calls for increased support and transparency in Ontario's animal welfare services.

BC SPCA Appeals Court to Overturn Decision Returning Abused Dog to Owner

On December 1, 2023, the British Columbia Society for the Prevention of Cruelty to Animals (BC SPCA) [appealed](#) to the BC Supreme Court, urging a reversal of the BC Farm Industry Review Board's (FIRB) decision to return a Rhodesian ridgeback named Twelve Gauge to owner Todd Leduc, who violently and repeatedly struck the dog. This marks only the second time in a decade that the animal protection agency has sought a judicial review of a decision of the FIRB. Twelve Gauge was initially seized under the *Prevention of Cruelty to Animals Act*, following a complaint backed by video evidence of Leduc's actions. Despite the acknowledgment of abuse by the Board, it overturned the BC SPCA's decision to retain Twelve Gauge, prompting the legal challenge to the Supreme Court.



2023 YEAR IN REVIEW

Agency Updates

Alberta

Edmonton Valley Zoo Under Investigation by Canadian Zoo Regulator

On February 8, 2023, the Canadian Association of Zoos and Aquariums (CAZA) [announced](#) an investigation into the Edmonton Valley Zoo following a complaint made by Animal Justice. The complaint alleges that the zoo is failing to provide adequate care for its animals—particularly its lone elephant, Lucy—contrary to industry standards and the province’s animal protection laws. In their complaint, Animal Justice cites the Zoo’s public funding request for \$10.9 million to the City of Edmonton in late 2022, which states that “a number of animal enclosures do not currently meet (CAZA) standards.” Animal Justice is urging CAZA to take the necessary corrective or disciplinary action, up to and including suspension or revoking the Zoo’s membership.

British Columbia

Vancouver Park Board Approves Lethal Removal of Canada Geese

On May 8, 2023, the Vancouver Park Board [approved](#) a plan to manage the city’s Canada goose population, which includes the option of “lethal removal.” The Board has stated that any method used will be humane and approved by regulators, but a permit from the Canadian Wildlife Service is required before implementing it. Animal law lawyer Rebeka Breder [said](#): “What we really should be discussing and focusing on, is dealing with the root of the problem, which is usually human behavior. The Park Board should really be focusing on stronger enforcement of people feeding wildlife in parks, including birds, raccoons, coyotes — fining them to the maximum extent of the bylaws which Vancouver now has.”

British Columbia Spends \$1.65 Million on Wolf and Cougar Cull

According to information posted on the British Columbia’s caribou recovery program [website](#) in June 2023, the province spent \$1.65 million on a taxpayer-funded program aimed at recovering caribou populations. The program involved tracking and shooting 217 wolves from helicopters and using hunting dogs to kill eight cougars. Critics [argue](#) that this approach

contradicts research showing the ineffectiveness of wolf culls in saving endangered caribou. A recent survey conducted by The Fur-Bearers also [revealed](#) that sixty-eight percent of Canadians oppose killing wolves for conservation purposes, even if it means saving another species.

Manitoba

Manitoba Government Allocates Funding to Support Fish and Wildlife Conservation

On July 28, 2023, the Manitoba government [approved](#) \$473,000 in funding through the Fish and Wildlife Enhancement Fund (FWEF) for new projects aimed at conserving and enhancing fish and wildlife populations. The projects will focus on infrastructure improvements, wildlife management area enhancements, and educational campaigns to engage communities with conservation efforts. An additional \$750,000 contribution has been announced to support the 2024 FWEF grant process. Non-profit groups, local agencies, and research organizations can apply for funding to promote sustainable hunting and angling practices, protect critical habitat, and provide public access to angling and hunting opportunities.

Nova Scotia

Nova Scotia Mink Industry Enhancement Program and Subsidies Discontinued

As of July 13, 2023, the Nova Scotia Mink Industry Enhancement program, along with its corresponding website, has been taken down, indicating the discontinuation of provincial subsidies for mink farms. The Fur-Bearers organization [verified](#) with the Department of Agriculture that the program is no longer being offered by the province. The department explained that while the program was previously available under the Canadian Agricultural Partnership Agreement, it is not currently offered under the new Sustainable Canadian Agricultural Partnership Agreement. This development suggests a shift in the province's approach to supporting the mink industry in Nova Scotia.

Ontario

Ontario Government Invests \$6 Million to Protect and Restore Great Lakes

On July 17, 2023, the Ontario government [committed](#) \$6 million to support thirty multi-year projects dedicated to preserving, conserving, and restoring the Great Lakes. The initiatives will tackle challenges like plastic pollution, excess nutrients from agricultural lands, and monitoring mercury in fish. They also aim to monitor and maintain water quality, protect fish and wildlife habitats, and address emerging threats such as invasive species and climate change. The projects involve diverse stakeholders, including community groups, non-profit organizations, conservation authorities, universities, and Indigenous communities. These investments align with commitments outlined in the Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health and Ontario's Great Lakes Strategy.

Ontario Creates Conservation Reserve to Protect Significant Bird and Monarch Butterfly Area

On July 31, 2023, the Ontario government [established](#) the Monarch Point Conservation Reserve, the province's first new conservation reserve in over a decade. Spanning nearly 4000 acres along Prince Edward County's south shores, the reserve aims to safeguard the habitat of the monarch butterfly and other at-risk species. It also serves as a destination for nature-based tourism, offering opportunities for hiking and birdwatching. The project resulted from collaboration with local stakeholders, Indigenous communities, and conservation groups. The reserve is recognized as an International Monarch Butterfly Reserve and an Important Bird and Biodiversity Area.

Ontario Commits \$20 Million to Caribou Conservation Program

On August 17, 2023, the Ontario government [launched](#) the Caribou Conservation Stewardship Program with an investment of up to \$20 million. Open to non-profits, Indigenous communities, and others, the initiative supports habitat restoration, protection, and research to maintain and recover caribou populations. The program reflects the largest single investment dedicated to caribou in the province's history. Aligned with the five-year conservation [agreement](#) with the Government of Canada, the program aims to protect and recover caribou populations by collaboratively managing habitat and implementing restoration activities.

Indigenous Government

Union of BC Indian Chiefs Calls on Government to Strengthen Animal Farming Practices and Address the Significant Environmental Impacts of Factory Farming

On June 8, 2023, the Union of British Columbia Indian Chiefs (UBCIC) [passed](#) Resolution no. 2023-19, urging the British Columbia and federal governments to address the environmental impacts of factory farming and strengthen animal farming practices. The resolution emphasizes the spiritual and ethical responsibility to treat animals with respect, highlighting the historical and cultural significance of animals to Indigenous communities. The resolution expresses concern over the poor treatment of animals in factory farming, the lack of proper regulations and oversight, and the environmental consequences, including climate change and habitat loss. The UBCIC calls for the development of legislation and regulations aligned with the *United Nations Declaration on the Rights of Indigenous Peoples* and the provision of support to transition to more humane animal welfare practices.

Federal

Canada Grants Patent Approval for Steakholder Foods' 3D Printed Meat

On February 13, 2023, Steakholder Foods Ltd. [announced](#) that the Canadian Intellectual Property Office approved its patent on the physical manipulation of cultured muscle tissue in Canada. Steakholder Foods is a deep-tech food company that develops cultivated meat by using advanced 3D printing technologies. This patent, which has already been granted in the United States, Australia, and New Zealand, covers systems and methods for applying external forces to muscle tissue, which is key to developing high-quality complex structured meat.

Federal Petition Initiated Calling on Government to Ban Octopus Farming

On February 15, 2023, a federal [e-petition](#) was launched, calling on the Government of Canada to ban the importation of farmed cephalopod products into Canada and prohibit the breeding or raising of cephalopods in captivity on Canadian territory. Companies are getting close to creating the conditions needed for industrial-scale breeding of cephalopods, like octopuses,

and are working to develop ways to keep them in large-scale commercial farms. If successful, this petition would make Canada the first country to ban octopus farming and prevent these kinds of farms from developing in the country. The petition was initiated by the Montreal SPCA and authorized by Green Party leader Elizabeth May, with [support](#) from Animal Justice, Humane Canada, Last Chance for Animals, the BC SPCA, the Canadian Coalition for Farm Animals, the Vancouver Humane Society, and the Winnipeg Humane Society.

Federal Ban on the Use of Strychnine to Kill Ground Squirrels Takes Effect

The Canadian government's [ban](#) on the use of products containing strychnine for use to kill Richardson's ground squirrels went into effect on March 4, 2023. Health Canada's Pest Management Regulatory Agency cancelled the registration of products containing strychnine due to its impact on non-target animals, with a three-year phase out period that is now coming to an end. The chemical is highly toxic and has been shown to cause severe suffering in animals, including non-target species such as pets and wildlife. The ban comes after years of advocacy by animal welfare organizations, who have called for safer and more humane alternatives.

Federal Inspectors Rules Imperial Oil Mine Leak Harmful to Wildlife

On March 10, 2023, federal inspectors [ruled](#) a release of oilsands wastewater from Imperial Oil Ltd.'s Kearl mine was harmful to wildlife and issued a *Fisheries Act* direction ordering the company to take immediate action to stop seepage from a tailings pond. The realization that nine months had passed between the discovery of the original release and the public announcement drew widespread anger from First Nations, who harvest from land near the site. Chief Allan Adam of the Athabasca Chipewyan First Nation said: "This is further evidence that the regulator has lost all credibility [. . .] We need the federal government to use all legal tools at its disposal to take control of the investigation and cleanup."

Federal Government Responds to Petition Calling for the End of Rescue Dog Import Ban

On March 20, 2023, the Government of Canada [tabled](#) a response to petition e-4122, which called for an end to the federal government's ban on importing rescue dogs from over one hundred countries. The response, submitted by the Minister of Agriculture and Agri-Food, the Honourable Marie-Claude Bibeau, states that: "This recent measure was implemented in response to the importation of dogs infected with dog rabies, and resulting calls from

federal and provincial public health officials to strengthen importation measures in Canada for dogs from countries at high risk for dog rabies.” This rationale has been criticized by animal welfare organizations, who claim the ban is overly broad and argue that the Canadian Food Inspection Agency failed to consider alternative rabies prevention measures, such as vaccines, antibody tests, and quarantines.

Federal Authorities Take Action Against Maple Leaf Foods for Misleading Claims About Hot Dogs

Maple Leaf Foods is [facing](#) repercussions from federal authorities after being accused of misleading advertising regarding their hot dogs, specifically labeling them as a “healthy protein” on their website. The Canadian Food Inspection Agency (CFIA) stepped in after a complaint was lodged by Debbie Wall, a member of Animal Justice Academy. In an e-mail from May 25, 2023, the CFIA verified that using the term “healthy” in conjunction with images of hot dogs could be considered misleading. Consequently, Maple Leaf Foods was required to remove the misleading assertions from their website. CFIA guidelines define “healthy” based on Canada’s [Food Guide](#), which promotes plant-based protein and discourages processed meats like hot dogs.

Canadian Pig Truck Turned Away by United States Due to Overcrowding and Death

Government documents obtained by Animal Justice in June 2023 [revealed](#) that the United States Department of Agriculture (USDA) refused entry to an overcrowded truckload of Canadian pigs at the US border due to concerns over animal welfare. The inspection found that some pigs had died and others were suffering from heat stress during transportation from Manitoba on a hot and humid day. The Canadian Food Inspection Agency (CFIA) veterinarians agreed with the USDA’s decision, stating that the pigs would have experienced even more harm if they had been allowed to proceed through the border and on to slaughter. The CFIA acknowledged that the driver should have been more cautious and this was not the first incident involving pigs from this farm.

Canadian Food Inspection Agency Updates Labelling Policy for Simulated Meat and Poultry Products

The Canadian Food Inspection Agency (CFIA) [revised](#) its policy on simulated meat and poultry products and their labelling requirements. Previously, all simulated meat and poultry products and their labels were required to meet specific provisions in the *Food and Drug Regulations* (FDR). These provisions mandate that such products: (i) carry a common name with the term “simulated”; (ii) display “contains no meat” or “contains no poultry” on the label; and (iii) fulfill specific criteria regarding composition and fortification. Under the [new guidance](#), released on October 5, 2023, plant-based foods lacking the appearance of meat, poultry, or fish are exempt from these rules. Manufacturers of these exempt items are no longer required to declare the absence of meat or poultry, with the CFIA focusing on the overall impression of the product for assessment. For instance, a nonmeat product which is manufactured to have the appearance of a beef burger by adding components to simulate bleeding must adhere to the requirements set out in the FDR, but a tempeh patty is exempt due to its dissimilarity to meat or poultry.

Canada’s Cabinet Rejects Emergency Order to Protect Endangered Spotted Owl

On October 11, 2023, Canada’s Cabinet [rejected](#) an emergency order to protect the critically endangered northern spotted owl in British Columbia. Environment Minister Steven Guilbeault initially said he would [recommend](#) the emergency order under Canada’s *Species at Risk Act* in February 2023 but delayed until September. During this period, the owl population plummeted from three to one, with only one wild-born owl remaining in the Fraser Canyon region. Two captive-bred owls released earlier this year were found dead, and another was injured and brought back to captivity. The Wilderness Committee, represented by Ecojustice, is [challenging](#) Guilbeault’s eight-month delay in court, raising concerns about the government’s adherence to the *Species at Risk Act*. The hearing took place the week of October 15, 2023.

Government of Canada Announces Economic Incentive to Reduce Methane Emissions from Cows

On December 10, 2023, following Food and Agriculture Day at the United Nations Framework Convention on Climate Change (COP28) in Dubai, Environment and Climate Change Canada [published](#) a draft fourth protocol under Canada’s Greenhouse Gas Offset Credit System. This new draft protocol, [Reducing Enteric Methane Emissions from Beef Cattle](#) (REME protocol),

will incentivize farmers to implement changes that would reduce enteric methane emissions from cows used as flesh food with an opportunity to generate offset credits that they can sell. Developed in collaboration with agricultural experts and influenced by Alberta's protocols, the REME protocol aligns with Canada's efforts to decarbonize agriculture. Stakeholders and members of the public are invited to provide feedback via [email](#) by February 6th, 2024, with the final protocol expected in summer 2024.

Data Reveals Increase in Use of Dogs and Monkeys in Experiments in Canada

According to a December 20, 2023, report by Cruelty Free International, Canada saw a slight dip in overall animal experimentation, but witnessed disturbing [increases](#) in monkey (fifteen percent) and dog (four percent) testing in 2022. [Official figures](#) from the Canadian Council on Animal Care reveal that pigs, reptiles, and cattle also showed significant rises, while bird and cat testing declined. Over 105,000 animals (almost three percent of the total) experienced experiments causing severe pain. Of those, a total of fifty percent were used for regulatory tests, with thirty percent used for basic research purposes. Monica Engebretson, Head of Public Affairs North America for Cruelty Free International, said: "These figures highlight the need for other sectors to follow the lead of the Canadian cosmetics industry which broadly supported the passage of the Canadian government's ban on animal testing for new products and ingredients, which comes into effect on December 22."



2023 YEAR IN REVIEW

Academic Updates

New Study Looks at Successes and Challenges of Reforming Animal Agriculture Subsidies

In January 2023, animal advocacy organization, Faunalytics, published a [study](#) that looks at the successes and challenges faced by thirteen organizations in their efforts to shift, reduce, or eliminate animal agriculture subsidies. The study provides several recommendations and lessons learned from a wide range of approaches, including that reforming animal agriculture subsidies needs to be a collaborative effort between animal advocates, environmental advocates, and farmed animal producers.

University of Saskatchewan Veterinary Scientist Leading a Study on Connection Between Zoonotic Diseases and Imported Dogs

On January 19, 2023, the University of Saskatchewan (USask) announced that a veterinary scientist at USask is [leading](#) a new study that looks at the link between zoonotic diseases and recently imported dogs. This comes after the Canadian Food Inspection Agency (CFIA) implemented a [new measure](#) prohibiting the entry of dogs into Canada from countries at high risk for rabies in September 2022. The risks associated with many of the illnesses carried by imported dogs are still unknown, but study lead, Dr. Tasha Epp (DVM, PhD), said: “In the last five or six years, there’s been quite an interest from both the Public Health Agency and the Canadian Food Inspection Agency (CFIA) to look at the issue of importing dogs into Canada.”

New Academic Article by Maneesha Deckha Considers Psychological Barriers to Animal Law Reform

Maneesha Deckha, “[Animalization and Dehumanization Concerns: Another Psychological Barrier to Animal Law Reform](#)” (2023) 2 *Psychology of Human-Animal Intergroup Relations* 1.

Abstract: Legal systems across the world classify animals as property. There is growing global momentum asking courts in anthropocentric legal systems to revisit this position through test-case litigation. This has resulted in a few discrete victories for animals, but not much more. An ongoing issue is general legal conservatism and the belief in human exceptionalism that judges exhibit in these and related cases. In addition to general human exceptionalism, this article argues that a further psychological block for judges can arise from concerns about exacerbating racism and other intra-human prejudices given histories and legacies of animalizing and dehumanizing certain human groups. The first aim of this study is to illustrate this psychological phenomenon impacting judicial decision-making in relation to race. The article discusses the

2022 decision by the New York Court of Appeals with respect to the ongoing captivity of Happy, an elephant at the Bronx Zoo. This decision is selected given its recent and landmark status in North America. The second aim of the study is to outline why the dissociation of humans from animals is counterproductive to eliminating racism and other intra-human prejudices and inequities. The third aim of the study is to explain why affirming human proximity and kinship to animals—and thus putting a positive spin on animalization—in the legal system would be a more effective anti-racist and decolonizing gesture. [Published February 21, 2023]

New Report Reveals Canada’s Environmental Laws Are Insufficient to Deal with Impacts of Animal Agriculture

A new [report](#) published on March 14, 2023, by Animal Environmental Legal Advocacy (AEL Advocacy), in collaboration with World Animal Protection, reveals that environmental protection legislation in most Canadian jurisdictions is insufficient to deal with the environmental impacts of the animal agriculture sector. The report includes a comprehensive review of domestic and international laws dealing with issues like land degradation, biodiversity loss, nutrient pollution, and climate change. The report recommends several legislative and policy reforms, such as restructuring government subsidies for agriculture, mandating best management practices, and imposing a moratorium on the expansion of Intensive Livestock Operations. These measures are aimed at reducing the environmental impact of animal agriculture and promoting sustainable farming practices in Canada.

Academic Article Explores Implications of Canada’s Wildlife Trade for Zoonotic Disease Risk

Michèle Hamers et al, “[An analysis of Canada’s declared live wildlife imports and implications for zoonotic disease risk](#)” (2023) 8 FACETS 1.

Abstract: In Canada, there have been calls for increased research into and surveillance of wildlife trade and associated zoonotic disease risks. We provide the first comprehensive analysis of Canadian live wildlife imports over a seven-year period (2014–2020), based on data from federal government databases obtained via Access to Information requests. A total of 1820313 individual animals (including wild-caught and captive-bred animals but excluding fish, invertebrates, Columbiformes (pigeons), and Galliformes (game birds)), from 1028 documented import records, were imported into Canada during 2014–2020. Birds were the most imported taxonomic class (fifty-one percent), followed by reptiles (twenty-eight

percent), amphibians (nineteen percent), and mammals (two percent). In total, twenty-two taxonomic orders from seventy-nine countries were recorded as imported. Approximately half of the animals (forty-nine percent) were imported for the exotic pet market. Based on existing literature and a review of the Canadian regulatory apparatus, we gesture to these importations' potential implications for zoonotic disease risk and discuss potential biosecurity challenges at the Canadian border. Finally, we identify data gaps that prevent an extensive assessment of the zoonotic disease risk of live wildlife imports. We recommend data collection for all wildlife importation and improved coordination between agencies to accurately assess zoonotic disease risk. [Published May 15, 2023]

Animal Justice Urges House of Commons Agriculture Committee to Consider Environmental Impact of Animal Farming

On May 31, 2023, national animal law organization Animal Justice has submitted a [brief](#) to the House of Commons Agriculture Committee, calling attention to the significant greenhouse gas emissions, land use, and pollution associated with animal farming. The committee is currently investigating the environmental impact of agriculture and has primarily heard perspectives from the meat industry, with limited representation from environmental organizations. Animal Justice's written brief [aims](#) to provide a balanced view by highlighting the negative consequences of animal farming. The organization urges the committee to consider the detrimental effects and broader environmental implications of this industry in their upcoming report.

Animal Justice Report Questions Biosecurity as Justification for Ag Gag Laws

On August 9, 2023, Animal Justice released a new [report](#) examining disease outbreaks on Canadian farms. The report, an update to a [previous version](#), uses data from the Canadian Food Inspection Agency (CFIA) to show that disease outbreaks are often linked to subpar farm practices and inadequate biosecurity. The report aims to counter the argument made by animal agriculture lobby groups and lawmakers that "agricultural gag" laws (commonly known as ["ag gag" laws](#)) are essential to prevent farm-related disease outbreaks and ensure food safety. It disputes the notion that animal advocates are to blame for diseases, emphasizing that documented outbreaks are primarily a result of farm operators' actions.

New Book by Kendra Coulter Exploring the World of Animal Protection Available for Pre-Order

Kendra Coulter, [Defending Animals: Finding Hope on the Front Lines of Animal Protection](#) (US: The MIT Press, 2023).

Summary: Published on September 26, 2023, this book offers an in-depth look at the urgent struggle to protect animals from harm, cruelty, injustice, extinction, and their greatest threat—us.

Beloved dogs and cats. Magnificent horses and mountain gorillas. Curious chickens. What do we actually do to protect animals from harm—and is it enough? This engaging book provides a unique and eye-opening exploration of the world of animal protection as people defend diverse animals from injustice and cruelty. From the streets of major US cities to remote farms and tropical forests, *Defending Animals* is a gritty and moving portrait of the real work of animal protection that takes place in communities, courtrooms, and boardrooms.

Globally recognized expert Kendra Coulter takes readers across the different landscapes of animal protection to meet people and animals of all kinds, from cruelty investigators to forensic veterinarians, wildlife rehabilitators and conservation leaders to animal lawyers and entrepreneurs, each working in their own ways to defend animals. Bringing unparalleled research and a distinct and nuanced analytical viewpoint, *Defending Animals* shows that animal protection is not only physical, intellectual, and emotional work but also a labor so rooted in empathy and care that it just might bridge the vast divide between polarized people and help create a more humane future for us all.

New Academic Journal Explores Animal Law, Ethics, and “One Health” Approach

On June 22, 2023, the Center for Animal Law and Ethics (CALE) at the Faculty of Law at the University of Zurich in Switzerland launched the [Journal of Animal Law, Ethics and One Health](#) (LEOH). LEOH provides a forum for the discussion of animal law and animal ethics issues as well as the One Health approach and its perspectives on law and ethics. The LEOH editors are particularly interested in articles discussing legal and ethical issues relating to animals, the “One Health” approach, as well as case law and legislation relating to or having an impact on animals with a focus on Europe. It also welcomes contributions with a comparative perspective that highlight and comment on developments in other countries, which could play a pioneering role for the development of the subject matter in the

European legal arena. This fully Open Access journal is accepting contributions in German, English, and French. Articles are published on a rolling basis.

Report Highlights Interconnectedness of Poor Animal Welfare and Antibiotic Overuse on Farms

On September 19, 2023, World Animal Protection published a [report](#) underscoring the pervasive problem of antibiotic overuse in intensive animal agriculture. The report sheds light on how antibiotics, crucial for treating animal diseases, are often used preventively, exacerbating the rise of antibiotic-resistant bacteria or “superbugs.” This misuse stems from cramped, stressful conditions in intensive farms, compromising animal health. The report advocates for enhanced animal management practices, highlighting successful alternatives such as better hygiene, spacious stalls, and enrichment activities. By improving animal welfare, the report argues, the reliance on antibiotics can be significantly reduced, benefiting both animal and human health.

Experts Advocate Just Transition Away from Factory Farms for Climate and Social Justice Ahead of COP28

A [policy report](#) released on October 12, 2023, from the Stockholm Environment Institute emphasizes the urgent need to shift away from industrial meat production to address climate change and social injustices in the global food system. The report highlights the significant environmental impact of factory farms, particularly in deforestation and disease proliferation. Experts argue for a “One Health” approach, recognizing the interconnectedness of human, animal, and environmental well-being. The proposed shifts include phasing out subsidies for factory farms, supporting plant-based alternatives, and ensuring inclusive, transparent policymaking. Additionally, addressing historical injustices, supporting affected communities, and involving diverse stakeholders are crucial for a just transition in the food sector, according to the report.

New Book Explores Potential of Cultivated Meat to Solve Planetary Crises

Michel Vandebosch & Philip Lymbery (eds), "[Cultivated Meat to Secure Our Future: Hope for Animals, Food Security, and the Environment](#)" (US: Lantern Publishing & Media, 2023).

Summary: This provocative book, published on October 24, 2023, informs, inspires, and opens debates about cultivated meat. An amazing collection of visionary and respected contributors powerfully present the latest research and opinions regarding its potential for solving our current planetary crises. *Cultivated Meats to Secure Our Future* features an amazing collection of visionary and respected contributors. Each powerfully presents the latest research and opinions regarding its potential for solving our current planetary crises. Contributors include Isha Datar of New Harvest, Chase Purdy, author of Billion Dollar Burger, and Hanna Tuomisto one of the world's leading researchers in the field of environmental sustainability assessment of cell-cultured food production technologies. Also included is a thought-provoking foreword by Ira van Eelen, daughter of Willem van Eelen the godfather of cultivated meat, and CEO of KindEarth.Tech and RESPECTfarms.

Cigarette-Style Warning Labels on Food Could Reduce Meat Consumption, Study Says

A new [study](#) published in the journal *Appetite* on November 1, 2023, suggests that graphic warning labels on food, similar to those used on tobacco products, could lead to a seven to ten percent decrease in meat selection. The study involved showing 1,001 meat-eating adults images of meals with health, climate, pandemic warnings, or no labels. Pandemic warnings were the most effective, reducing meat choices by ten percent, followed by health warnings at eight point eight percent, and climate warnings at seven point four percent. The researchers [believe](#) their findings could help encourage changes in consumer food choices that could ultimately benefit the environment.

Climate Report Exposes Leading Canadian Meat Producer as Top Emitter

A [report](#) published by the Collier FAIRR Protein Producer Index on November 7, 2023, revealed that greenhouse gas emissions from the animal agriculture industry rose by an average of over three percent in 2023. Notably, Saputo, a prominent Canadian meat producer, stands out as one of the major contributors, registering a one point thirty-seven percent increase in emissions, totaling almost fifteen million tonnes of carbon dioxide. Only seven out of twenty companies managed to reduce climate emissions despite recommendations from the UN's

Intergovernmental Panel on Climate Change. The study underscores the urgent need for industry-wide changes and policy action in the food and agriculture sector to address its substantial contribution to greenhouse gas emissions.

University of Victoria Debuts “Animal Law and Youth Activism” Documentary Series

On December 10, 2023, the University of Victoria’s Animals & Society Research Initiative [launched](#) “Animal Law & Youth Activism,” a six-episode documentary series featuring perspectives from four dedicated youth advocates on animal protection issues. The series delves into various topics, including companion animals, animals in research, farmed animals, wild animals, animal sanctuaries, and careers in animal protection. Complemented by Educators’ Guides, the series strives to enrich viewer experiences and align with educational curriculum outcomes.



2023 YEAR IN REVIEW

Other Updates

New Documents Reveal the Extent of Live Animal Use in Canadian Medical Military Training

According to information [obtained](#) by Animal Alliance of Canada and released on January 6, 2023, the Department of National Defence used and euthanized more than 1,800 pigs as part of Canadian Armed Forces medical training exercises at a facility in Suffield, Alberta between 2012 and 2022. During these exercises, medical trainees must identify and treat wounds on pigs who have been impaled, mutilated, or exposed to chemical nerve agents. Animal Alliance of Canada is calling for an end to the practice, noting that there are alternatives such as human patient simulators.

New Statistics Show 2022 is Highest Year on Record for Animal Slaughter in Canada

According to statistics [released](#) by Animal Justice on February 15, 2023, Canada slaughtered 841 million animals in 2022. This number is up from a pandemic dip in 2021, and is the greatest number of animals slaughtered on record since Animal Justice began tracking government statistics in 2015. The organization says that most of the increased slaughter is due to increased demand for chicken meat as well as rapid human population growth. However, these figures only account for animals who were slaughtered and not those that died in transport or on farms; they also don't include animals such as fish, lobster, horses, and deer.

Kiska, the Loneliest Whale in the World, Dies at Marineland

After spending over four decades in a tank, Kiska, the last captive killer whale in Canada, [died](#) at Marineland in Niagara Falls, Ontario on March 9, 2023. Kiska, also known as “the loneliest whale in the world,” spent over a decade in isolation, displaying distressing behavior such as banging her head and gnawing her teeth on the pool's concrete walls. National animal law organization [Animal Justice](#) is urging provincial authorities to release the post-mortem results and prosecute Marineland for the unlawful distress Kiska clearly experienced throughout her final years.

Pierre Poilievre Announces Plan to Expand Seal Hunt

Conservative Leader Pierre Poilievre [faced](#) condemnation from animal-welfare groups in Canada, the United States, and Britain, including singer-songwriter Jann Arden and Baywatch star Pamela Anderson, after saying he would expand Canada's seal hunt if he becomes prime minister. In a [video](#) posted online on March 11, 2023, Poilievre blamed opposition to the cull on “eco-nuts” and claimed that killing more seals is necessary to curb a rise in the seal population

and protect Atlantic salmon. However, animal welfare groups and experts have disputed his claim that harp seals are responsible for depleting the Atlantic salmon population, pointing out that seals mainly feed on capelin, cod, and crustaceans such as crab and krill.

The Bay Goes Fur-Free

On March 23, 2023, the Hudson's Bay Company (the Bay), the oldest retailer in Canada and once the largest fur trader in North America, confirmed that it has [stopped](#) selling products made with real fur. The Bay is among several retailers and designers that have gone fur-free in recent years, including Saks Fifth Avenue, Canada Goose, Nordstrom, Versace, Michael Kors, and Gucci.

New Statistics Show Staggering Numbers of Aquatic Animals Killed for Food in Canada

According to recently released [statistics](#) from Animal Justice on April 3, 2023, over 10.2 billion aquatic animals were killed by Canadian fisheries and fish farms in 2021, over twelve times more than the number of land animals killed each year. Since the government only measures killed aquatic animals by collective weight, the organization calculated a rough estimate of the number of individuals killed by dividing the total landing weight of each species by the average weight of an individual member of that species. Animal Justice's estimate does not include bycatch—fish and other ocean wildlife who are not the target of a fishery but who are caught and generally discarded in the fishing process—which may nearly double the number of lives lost to the commercial fishing industry. It also excludes “ghost gear,” nets and other fishing gear, which continue to catch aquatic animals after being lost or abandoned.

Canada Launches Consultation on National Biodiversity Strategy

On May 15, 2023, the Government of Canada [initiated](#) a public consultation to inform the development of a national Biodiversity Strategy. There were several opportunities for Canadians to provide comments and perspectives to shape the strategy, including participating in an online [survey](#) and engaging in events and platforms organized by the government in collaboration with partners and stakeholders over the spring and summer of 2023. During the National Biodiversity Symposium on May 15, Environment Minister Steven Guilbeault [called](#) for a “whole of government, whole of society approach” and new legislation to meet the government's goal to protect thirty percent of Canada's lands and waters by 2030.

Municipal Leaders Join World Animal Protection in Urging Ontario Government to Shut Down Roadside Zoos and Implement Comprehensive Licensing System

In a press released issued on May 18, 2023, World Animal Protection [urged](#) the government of Ontario to implement a comprehensive licensing system to restrict the keeping of captive wildlife in under-regulated “roadside” zoos. They called for facilities to meet high animal welfare and human health and safety standards, backed by effective enforcement, highlighting recent concerning incidents, such as [animal deaths](#) at Marineland and Reptilia [opening](#) in London despite a by-law ban on certain species. The Toronto Zoo, the Association of Municipal Managers, Clerks and Treasurers of Ontario, and the Municipal Law Enforcement Officers’ Association joined their efforts by writing [letters](#) urging the government to address the issue.

Niagara Falls Mayor Declares Marineland Needs to “Change Direction”

In an interview reported on by CBC Hamilton on May 19, 2023, Mayor Jim Diodati of Niagara Falls, Ontario, [expressed](#) that Marineland has “run its course”, emphasizing the need to “move right away from animals.” While the theme park has been a major source of income for the city, it has faced significant public scrutiny for alleged animal cruelty in [recent years](#). Marineland has been searching for a new owner since 2018. However, the park has recently been seeking buyers to “transition” its focus to something that Diodati describes as “a Canada’s Wonderland approach or a Six Flags.” The past few months at Marineland have seen the death of [Kiska](#), the last captive killer whale in Canada, [as well as](#) a bottlenose dolphin and beluga whale.

Black Bear Rescued from Marineland Finds Forever Home at Ontario Sanctuary

Sasha, a three-year-old black bear [rescued](#) from Marineland in Niagara Falls, settled into his permanent home at the Aspen Valley Wildlife Sanctuary near Parry Sound, Ontario. In 2022, the sanctuary received a rare request from Ontario’s Animal Welfare Services to take in the bear from Marineland. Marineland faces [ongoing](#) animal welfare investigations and charges related to the care of its American Black Bears. In September 2023, Aspen Valley officially adopted Sasha, granting him access to an acre of forested terrain for exploration and a natural den for winter hibernation.

Medical Evaluation Advises Against Relocating Lucy the Elephant to Sanctuary

According to a December 13, 2023, news report, German veterinarians from ProGenY have [conducted](#) a medical assessment of Lucy, an Asian elephant residing in solitude at the Edmonton Valley Zoo. Although recent evaluations by experts [highlight](#) the necessity of transferring Lucy to [The Elephant Sanctuary in Tennessee](#) to address concerns regarding her autonomy, space, socialization opportunities, and natural surroundings, the report cautions against relocation due to age-related factors and potential challenges in adaptation. Despite minor improvements in Lucy's overall health, issues such as uterine tumors and respiratory challenges continue to persist, as outlined in the report.

Beluga Whale Death Raises Concerns at Marineland, Bringing Total to Fifteen in Four Years

On December 15, 2023, CBC News reported the [death](#) of another beluga whale at Marineland in Niagara Falls, marking the fifteenth such incident in the past four years. Ontario's Animal Welfare Services, investigating since 2020, has been [informed](#) of fourteen beluga whale deaths, along with one orca, a bottlenose dolphin, a harbour seal, a grey seal, and two California sea lions. Meanwhile, a beluga transferred from Marineland to Mystic Aquarium in 2021 [recently died](#), prompting a United States government investigation.

Animal Agriculture Alliance Reports on 2023 Animal Rights Conferences

On December 20, 2023, the Animal Agriculture Alliance (AAA), an animal agriculture industry support organization, concluded its [release](#) of reports from prominent animal rights conferences in 2023, presenting what the AAA claims to be the movement's main strategies and impact. According to the report, discussions at these conferences included the call for increased investigations and open rescues at farms, heightened political engagement by animal rights advocates, strategies to pressure food-related brands to reduce meat sourcing, and leveraging broader issues such as public health and climate change for attention. The AAA urges their members to be aware of these "tactics" and implement measures to "safeguard their livelihoods."



*Recent Developments in Canadian Animal
Rights Law & Policy: 2023 Year in Review*

A COLLABORATIVE PRODUCTION BY THE BROOKS INSTITUTE FOR ANIMAL RIGHTS
LAW & POLICY, INC. AND THE UNIVERSITY OF TORONTO FACULTY OF LAW