

Zoo Bill

Backgrounder/Fact Sheet

Ontario's Zoo Problem

- When it comes to protecting wildlife in captivity and regulating zoos, Ontario has the weakest laws in the country.
- There are more than 45 zoos in Ontario; more than any other province (approximately 60% of all Canadian zoos are in Ontario).
- The majority of zoos in Ontario are “roadside zoos”—small, substandard facilities that typically house animals in poor, barren conditions, and lack trained professional animal care staff and the financial resources necessary to ensure proper animal care and housing.
- Animal welfare organizations, including the World Society for the Protection of Animals (WSPA), Zoocheck Canada, and the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) have been investigating the conditions of Ontario zoos for more than two decades.
 - WSPA and Zoocheck have produced eight comprehensive reports on the subject of roadside zoos in Ontario since 1985. All have identified severe animal welfare and human safety concerns that remain unaddressed today.
 - WSPA's most recent report, 2005's *Failing the Grade*, found that 83% of zoo exhibits surveyed failed to satisfy basic animal housing and safety considerations. Only 21% satisfied all of the necessary safety conditions. Investigations this summer have revealed that little has changed since last year's review.
 - Every year the Ontario SPCA receives and responds to a considerable number of complaints about smaller, privately-owned zoos from across the province – one case involved the Ontario SPCA rescuing 65 animals from an abandoned zoo near Sudbury. Response to the complaints is hampered by zoo owners – usually the ones with the most troublesome conditions – refusing investigators access to the zoo property, leaving no recourse to deal with the complaints. Even in cases where access is granted, there is often very little the Ontario SPCA can do legally. The *Ontario SPCA Act* allows investigators to react only to situations of distress and does not stipulate standards of care for zoo animals, and the *Criminal Code of Canada* requires proof of wilful intent. So while animals may be lacking appropriate and adequate physical and behavioural, this

is not enough for Ontario SPCA investigators to remove animals or lay charges.

- The *Canadian Association of Zoos and Aquariums* (CAZA) administers an accreditation program for Canadian zoos wanting membership in the association. Only seven Ontario zoos satisfy CAZA's standards and are accredited.

Animal welfare problems observed at roadside zoos this summer

- Grossly undersized cages and enclosures that prevent normal movement and behaviours
- Animals kept permanently on physically damaging floor surfaces (i.e., digging animals housed on wire).
- Climbing animals in cages with nothing to climb.
- Nocturnal animals exposed to the sun and constant viewing by the public
- Social animals housed alone in small barren, cages and enclosures
- Naturally solitary animals housed in inappropriate large groups
- Filthy, excrement-filled cages that desperately need cleaning
- Animals with no access to clean, fresh drinking water
- Uncontrolled feeding of junk food to the animals by zoo visitors
- Bored and frustrated animals displaying abnormal behaviours, such as pacing, rocking back and forth, self-mutilation, hyperaggression and extreme lethargy.

Why is current legislation inadequate to safeguard the welfare of animals?

There are two pieces of legislation, the Ontario SPCA Act and the Criminal Code of Canada, that pertain to the protection of animals in Ontario. The OSPCA Act is one of the weakest provincial animal welfare laws in the country and is the only such act that does not have a general animal welfare offence. Both are outdated and insufficient to deal with the numerous issues associated with the keeping of wildlife in captivity. Two of their most severe shortcomings are the fact that neither of them contain standards for animal housing, care and public safety and they do not contain any ability to regulate the keeping of wild animals in captive situations.

While there are existing regulations for native wild animals, which require owners to obtain a license from the Ontario Ministry of Natural Resources, those regulations apply to less than 1/3 of the animals currently kept in Ontario zoos. License conditions are minimal, vague and poorly enforced. Ontario does not regulate the keeping of exotic wild animals in zoos and wildlife displays.

How will the proposed legislation address animal welfare?

This bill will ensure that zoos provide for the physical and behavioural needs of their animals, including sufficient space, shelter, stimulation, appropriate food, clean water and a proper social environment.

Human safety problems in Ontario's roadside zoos

Roadside zoos pose a significant risk to human health and safety. Problems encountered during WSPA and Zoocheck's 2006 investigations include:

- Poorly constructed cages and enclosures.
- Inadequate fences to contain potentially dangerous animals (e.g., big cats and bears).
- Lack of double door entry gates into cages.
- Lack of secure containment areas to sequester animals during cleaning.
- Lack of stand-off barriers to keep the public away from the animal cages
- Unlocked cage doors and gates.
- Inexperienced, poorly trained staff.

Why is current legislation inadequate to safeguard the public?

No law currently requires captive wild animals to be housed securely in cages and enclosures appropriate to their physical capabilities. There are also no requirements for appropriate care and management practices that will safeguard zoo staff and visitors.

How would the proposed legislation address the issue of public safety?

This bill will ensure that basic safety measures are in place to protect zoo staff, volunteers, visitors and neighbours, as well as the animals.

Examples of dangerous animal incidents

Dangerous animals escape from Ontario zoos every year, and attacks on staff and visitors occur periodically. Some recent examples from 2005 - 2006 include:

- An adult tiger escape from Papanack Park Zoo near Ottawa. The cat was found on a nearby road (*Canadian Press*, September 28, 2005) (*Ottawa Sun*, September 29, 2005)
- A tapir, a large potentially dangerous South American animal, escape from Zooz Nature Park in Stevensville (*St. Catharines Standard*, June 29, 2005).
- A wolf escape from the Chippewa Wildlife Exhibit in Thunder Bay (*TB Television*, June 12, 2006).
- Two separate incidents of visitors being attacked by lions at Colansanti's Tropical Gardens near Leamington (*Windsor Star*, January 26, 2006).

The past dozen years have seen a number of people injured and killed in Ontario by captive exotic wildlife:

- A tiger attack resulting in the death of a 16 year old boy at a private display near Warton (*Toronto Star*, July 28, 1994).
- 16-year-old employee mauled by a female lion while conducting a tour at Dornoch Zoo, in Grey County (*Owen Sound Sun Times*, September 3, 2003).
- More than a few youngsters have been bitten by monkeys (potential carriers of a range of diseases transmissible to humans), including one six-year-old girl bitten while visiting Stevensville Garden Gallery in 2001.
- A tiger escape at Bear Creek Exotic Animal Sanctuary in Barrie (*Toronto Star* and *Toronto Sun*, April 1, 1997).
- A serval escape at Bergerons Exotic Animal Zoo (*Kingston Whig Standard*, July 30, 1999).
- Two tigers escaping at Lickety Split Ranch and Zoo in London (*London Free Press*, July 18, 1997).

- A tiger biting the arm off a 16-year-old employee at Thousand Islands Wild Kingdom, a zoo in Gananoque (*Hamilton Spectator*, June 9, 1990)

Ontario does not require zoos to obtain liability insurance to cover claims for loss of life, bodily injury or property damage caused to any person as a result of the keeping of wildlife.

Ontario lags far behind other provinces

- Most other Canadian jurisdictions have official policy or legislation and regulations that address concerns associated with the keeping of both native and exotic wild animal species, including human safety considerations. Newfoundland has established specific conditions for the proper care and housing of 80 different species. PEI has adopted a policy to discourage new zoos from establishing and Manitoba aims to phase out permits for possessing wildlife by subjecting new applications to strict scrutiny. Alberta introduced zoo standards in April 2006.

Organizations supporting this bill

The Ontario Society for the Prevention of Cruelty to Animals (Ontario SPCA)

Protecting animals since 1873, the Ontario SPCA is a registered charity comprised of over 50 branches and affiliated humane societies relying primarily on donations to fund animal protection, care and rehabilitation for all animals, government and industry advocacy, and public education. The *Ontario SPCA Act* mandates the Society to enforce animal cruelty laws and provides Society investigators with police powers to do so – making the Ontario SPCA unique among animal welfare organizations in the province. The Ontario SPCA is a member of the Canadian Federation of Humane Societies, the World Society for the Protection of Animals, and is affiliated with the Royal Society for the Prevention of Cruelty to Animals.

The World Society for the Protection of Animals (WSPA)

The WSPA is an animal welfare charity that works internationally and locally to end cruelty through field work, campaigns and education. The WSPA is recognized by the United Nations and is the world's largest federation of humane societies and animal protection organizations, representing over 700 member societies in more than 140 countries.

Zoocheck Canada

Zoocheck Canada is a national animal protection charity established in 1984 to promote and protect the interests and wellbeing of wild animals. For more than 20 years, Zoocheck has been a leading voice for the protection of wild animals. They are the only Canadian organization with a specific focus on captive wild animal issues and problems.