

*Another Point of View*  
**Senators, judges insensitive to animal welfare**

By Barbara Yaffe

(Reprinted courtesy of the Vancouver Sun)

If senators were animals instead of human beings, they'd unquestionably be dinosaurs.

Members of the upper house are several millennia out of touch with prevailing public sentiment when it comes to protecting animals from suffering.

The public, perhaps through their pets, are coming to better understand animals as sensitive creatures that have thoughts and feel pain.

Increasingly, people question why they coddle and nurture their own pets as they do while abandoning farm and other animals to miserable fates.

Why, for example, do we spend \$200 to have the vet clean our dog's teeth, but shrug when cattle are branded, dehorned and castrated without anaesthetic?

Most folks don't want to hear about animal suffering. No doubt, if we had to personally kill animals to feed ourselves, more of us would be vegetarians.

Senators giving sober second thought to a bill on animal cruelty focused not on the need to protect animals for the sake of the animals, but rather to protect the right of human beings to exploit animals for their own purposes.

As a result of the senators' intransigence and myopia, the federal animal cruelty bill once again has hit a brick wall.

This legislation has been amended, debated and referred from one parliamentary house to another for so long – nearly four years – it has become a joke.

The latest: The Senate wanted changes to water down the bill's impact and sent it back to the Commons for amendment. Earlier this month the Commons accepted some, not all, of the requested amendments and returned it to senators for final approval. The Senate refused its approval until the Commons weakens the bill to its full satisfaction.

How despicable that the Senate, elected by no one, has taken it upon itself to protect every conceivable interest except that of the animals. "Senators will have animal blood on their hands," says a press release from the Canadian Federation of Humane Societies.

(Senate government leader: Sharon Carstairs: [carsts@sen.parl.gc.ca](mailto:carsts@sen.parl.gc.ca))

The bill's intent isn't to penalize farmers or fisherman; it is to toughen penalties for those who would unnecessarily cause animals to suffer or die.

Getting this bill passed would be just a baby step toward giving animals greater consideration. Beyond passing the animal cruelty bill, Canadian judges badly need to be sensitized.

Recent court judgements relating to atrocious examples of animal cruelty suggest some judges are ready to give animal torturers second chances they don't deserve. In so doing, these judges risk losing public confidence.

Take the case of Shawn Miner, 18. In 2001, he ransacked a Nepean home, bludgeoning to death the family's hamster using a golf club. Mr. Miner also emptied a fish tank in the home and filleted 11 fish with a butcher knife. Ontario Superior Court Judge Albert Roy sentenced Mr. Minor to four months in jail.

Another truly revolting case involves Jesse Power, a Toronto Ontario College of Art student who, the same year, hung a little housecat from a wire affixed to the ceiling and proceeded to slice the cat's

throat with a razor blade. The cat cried out, twitched and howled in agony. Mr. Power then slip open the cat's chest. He was accompanied in the deed by two friends, Anthony (Ryan) Wennekers and Matt Ksczorowski.

Ontario Court of Appeal Judge David Doherty last week upheld a 90-day jail sentence – to be served on weekends! – for Mr. Power from an earlier court ruling. After suggesting the existing six-month maximum penalty for animal cruelty to animal is “wholly inadequate,” this judge bizarrely upheld a three-month sentence.

Shame on these judges; they don't get it. Neither do the senators.

Canadians cannot allow judges to show leniency toward those capable of such raw evil. Nor should we permit senators to shirk their responsibility to foster a society where gratuitous cruelty is anathema.

If we do, it sure doesn't say much about our own species.

### **Cruelty to animals bill killed by senate**

*Bill C10, the Bill to amend the Criminal Code of Canada to increase the penalty for cruelty to animals has been effectively killed by the Senate.*

*This 'upper house' of non-elected politically appointed 'senators' has, for the fourth time rejected the Bill approved by the House of Commons by referring the bill to a Committee 'for further review'. In so doing they have prevented the bill from becoming law at this session of Parliament since parliament is now adjourned and all Bills which have not received Royal assent die.*

*The Government may choose to re-introduce the bill when parliament is reopened, probably in January 2004.*

*All Canadians who are concerned with preventing the cruelty to animals are urged to write, phone, or email their member of parliament to convey their insistence that the bill be re-introduced.*