

Update on Animal Cruelty Investigations in Saskatoon

ISSUE

Effective April 1, 2022 the Saskatoon SPCA (the SPCA) withdrew enforcement of *The Animal Protection Act, 2018 (the Act)* in Saskatoon and in its place, Animal Protection Services of Saskatchewan Inc. (APSS) has been designated by the Ministry of Agriculture as Animal Protection Officers (APO's) for enforcement of the *Act*. This change marks a significant service level difference in Saskatoon as APSS is only available Monday to Friday from 8:00 a.m. to 5:00 p.m. and there is not any after-hours or weekend service available in Saskatoon, which had been provided by the SPCA prior to April 1, 2022. What is the appropriate level of services for Animal Cruelty and Protection Investigations in Saskatoon and how should it be resourced?

BACKGROUND

For many years the SPCA provided three distinct services in Saskatoon; shelter services, pound services and animal protection services. Pound services are supported by the City of Saskatoon (the City) with an annual operating grant, while animal protection work was partially supported by the City with a temporary grant and through donations, and shelter services were funded by the SPCA through donations and other revenues. With the grant for animal protection work, the City wanted to encourage the availability of an agency to provide these services in the City. Thus, the City's Agreement with the SPCA, while recognizing it is not a civic responsibility, provided a grant annually for the provision of these services. The grant was not intended to reflect the cost of providing the services but instead to simply provide support to the SPCA, which is like other grant programs offered by the City.

In the fall of 2021, the SPCA wrote a letter to the City about financial difficulties and requested additional funding to support the City Pound Keeper Agreement. The SPCA also reached out to the Ministry of Agriculture (the Ministry) for additional funding to support their animal protection work in Saskatoon, as it is the Ministry of Agriculture who appoints APO's under Section 9 (1) of *The Animal Protection Act, 2018*. The Ministry denied the SPCA's funding request, citing the magnitude of the funding request as the barrier to reaching an agreement. Without additional funding support, the SPCA notified the Province and the City that they would be withdrawing enforcement of *The Animal Protection Act, 2018*, as of March 31, 2022.

With respect to animal cruelty investigations, the City recognizes the importance of these services and the need for investigations in this area. However, these investigations are under *The Animal Protection Act, 2018* which is provincial legislation and responsibility for these investigations has not been delegated to the City under this legislation. The City has no direct role in the provision of these services.

On November 1, 2021 the Ministry of Agriculture contacted the Saskatoon Police Service (the Service) to ask about the Service's ability to take over animal protection work in Saskatoon on an interim basis until the fall of 2022 when they recruited and

trained staff to take over this work from the SPCA. The Service responded to the Ministry that even though municipal police officers do have authority to act as APO's under the *Act*, they were not properly equipped to take over this work.

With the SPCA no longer providing enforcement of *the Act*, beginning on April 1, 2022, the Ministry contracted two retired Conservation Officers to take on the work of APO's in Saskatoon during the transition period, until APSS was able to hire and train staff, for Saskatoon enforcement, scheduled to begin in July 2022.

CURRENT STATUS

On June 29, 2022 Administration received correspondence from the Ministry, indicating APSS would begin enforcing *the Act* in Saskatoon starting July 1, 2022. All animal welfare concerns from city residents coming through the City's animal services phone line are now being forwarded to APSS triaging numbers on working days, between the hours of 8 a.m. to 5 p.m. Monday to Friday. The APSS [website](#) also provides the option of reporting animal welfare concerns through an online submission form.

In recent conversations with the Ministry staff, they indicated there are no current plans to offer after-hours or weekend service similar to what was previously provided by the SPCA and that animal cruelty/protection concerns outside these hours should be referred to the police agency of jurisdiction, in this case being the Service.

The Service started to monitor the impact of this change, on calls for service relative to animals or animal protection, and for the period of April 1 to May 31, 2022, sixty-two calls for service were logged in communications. A number of these calls involved bylaw related issues and were properly referred to Saskatoon Animal Control Agency (SACA), but several other calls involved animal neglect or animals in distress like a dog locked in a car, a problem that will become exacerbated as the summer weather continues and not matters within the current jurisdiction of enforcement for SACA.

Only one of the calls was related to animal cruelty and in that case, the Service members investigated and laid a charge of Animal Cruelty under Section 445.1 of the *Criminal Code of Canada*. In all cases of an urgent nature involving animal cruelty, the Service will respond. However, many of these calls are animals in distress or neglected and although unfortunate and upsetting to community residents, these non-cruelty calls do not meet the threshold for an emergency response by police.

DISCUSSION/ANALYSIS

The change from the SPCA enforcing *The Act*, available at all hours, to APSS, on behalf of the Province, taking over this enforcement in Saskatoon has highlighted several issues:

1. Outside APSS's hours of operation, Monday to Friday, 8:00 a.m. to 5:00 p.m. there is no level of service for enforcing *the Act*.
2. Saskatoon Police do not have the proper training, equipment, or vehicles to capture, transport or attend to an animal's medical needs.

3. There is no shelter agreement in place for any animals seized by the Police Service under the Provincial legislation.

Animal Protection/Cruelty Investigations in other Jurisdictions

Regina

1. Regina Humane Society offers shelter/adoption services, animal cruelty/protection investigation services, impoundment services, education programs and pet loss support programs. The hours of operation for Animal Protection Services are Monday to Sunday, 10 a.m. to 6 p.m. (closed on Statutory Holidays). They also have a 24-hour phone line for Animal emergencies. To report an act of animal cruelty or animals being deprived of adequate food, water, shelter or care, people are directed to call Regina Humane Society Animal Protection Services during regular office hours 7 days a week from 10:00 a.m. – 6:00 p.m. For after-hours emergencies involving companion animals, people are directed to contact Regina Police Service, who will assess your call for transfer to an on-call Animal Protection Officer.

Regina Humane Society has three full-time Animal Protection Officers and one full-time Dispatch Coordinator for Regina and each year they address over 500 cruelty and neglect complaints. This work includes completing investigations, caring for animals in distress and preparing charges. The Regina Humane Society does not receive any provincial funding to assist them with animal cruelty enforcement services. Regina Humane Society relies solely on the generous gifts from its supporters to ensure they can continue to help animals in need and end animal cruelty.

Edmonton

1. The Animal Care & Control Centre (the Centre) is operated fully by the City of Edmonton. The Centre investigates concerns within Edmonton that fall under the *Animal Protection Act of Alberta*, including:
 - Neglect
 - Inadequate food or water,
 - Inadequate care when an animal is wounded or ill
 - Inadequate shelter or protection from injurious heat or cold
 - Inadequate ventilation or space
 - Abandonment of an animal

The Centre also provides shelter for stray pets found within Edmonton and investigates concerns under the City of Edmonton's *Animals Licensing and Control Bylaw*, including:

- Pet licensing
- Excessive barking
- Too many pets
- A maximum of 3 dogs and 6 cats can be kept at one address
- Aggressive dogs or dog bite incidents

The City of Edmonton Animal Control Peace Officers enforce the Provincial [Animal Protection Act](#) (APA) in Edmonton. The Act was previously enforced by the Edmonton Humane Society (EHS). If a resident finds an injured, ill or in distress animal, they are required to contact the Centre to make an appointment with an animal care specialist. If it is after business hours and the lost animal is in distress or injured, people are directed to take the animal to a local named Veterinary Centre that offers 24-hour emergency service and receives injured lost pets on the City's behalf. This service is for emergency cases only and is provided through a formal agreement between the City and the Veterinary Centre.

The hours of operation for the Centre are Monday to Friday 8:30 a.m. to 6:00 p.m.; Saturday 9:30 a.m. to 5:00 p.m.; and Sunday 11 a.m. to 5 p.m. (closed on holidays). The Centre is located next door to the Edmonton Humane Society.

2. [Edmonton Police Service](#) investigates concerns of intentional harm to animals under the *Criminal Code of Canada*, including:
 - Threats to harm or kill an animal
 - Abusing an animal
 - Pets left in hot or cold vehicles
 - Poisoning concerns
 - After-hours coverage for concerns for animals in immediate danger when Animal Control Officers cannot be reached

For emergency calls related to animals in imminent danger of death or serious injury, including animals left alone in hot or cold cars that are exhibiting signs of distress*, residents are directed to call 911. For other criminal code but non-emergent calls, residents are directed to call the general Police number.

3. [The Edmonton Human Society](#) provides pet adoption services, education and training, animal lost and found services. They do not provide any enforcement services.

Calgary

1. [The Calgary Humane Society](#) protects animals from people by providing shelter/adoption services, cruelty investigations and animal protection, emergency boarding services, animal training, pet aftercare services (cremation, etc.). The Calgary Humane Society employs a team of Provincially appointed Peace Officers, whose mandate is to enforce the *Animal Protection Act of Alberta* in the City of Calgary. The Calgary Humane Society hours of operation are 8:00 a.m. to 7:00 p.m., 7 days per week (closed on Statutory holidays).
2. [The Calgary Police Service](#) are the first point of contact for Criminal Code matters such as threats to kill an animal, poisoning and bestiality. They are the first point of contact for after hours coverage 7:00 p.m. to 8:00 a.m. where animal cruelty has resulted in the likelihood of grievous injury or death.

3. The City of Calgary Animal & Bylaw Services protect people from animals in providing services and bylaw enforcement related to barking, bites, strays and licensing.

Winnipeg

1. Animal Services Agency is operated by the City of Winnipeg related to Bylaw enforcement for animals at large, dangerous animals, barking, impoundment, pet licensing, education and awareness. Hours of operation are: Monday to Friday 8:30 a.m. to 6 p.m.; Saturday and Sunday 12 p.m. to 5 p.m. and closed on Statutory holidays.
2. Winnipeg Humane Society provides shelter/adoption services, animal protection/cruelty investigations, pet training classes, lost and found, spay and neuter programs, emergency boarding and pet loss and grief support programs.

The team consists of Animal Protection Officers (APO) and Emergency Responders (ER).

- APOs are appointed by the Minister of Agriculture to enforce [The Animal Care Act](#) of Manitoba which is the provincial legislation that protects animal welfare. The program is overseen by Manitoba's Chief Veterinary Office (CVO).
- APOs can enforce throughout Manitoba, however those APOs employed by the Society primarily respond to welfare concerns within Winnipeg.
- ERs primary responsibility is to attend emergent situations such as animals hit by vehicle, medical surrenders and transport for animals from fire situations. ERs also play an important role in assisting APOs during inspections/investigations.
- Both APOs and ERs provide education and support for the community of Winnipeg.

For emergency situations, if people have witnessed or are experiencing an emergent situation, they are directed to contact the Winnipeg Humane Society Emergency Line, which is available 7 Days a Week from 8:00 a.m. to 10:00 p.m. Emergent situations include medical concerns or situations that may be life-threatening to an animal, animals locked in vehicles during extreme heat/cold or animals hit by vehicle.

If a person is actively witnessing the physical harm of an animal, they can call the Society, but are also directed to report it to Winnipeg Police Service.

FINANCIAL IMPLICATIONS

There are no financial implications of this report. Should direction be given to have *the Act* enforcement provided beyond the current level of service, there could be financial implications for the City, which would be the subject of a future report.

OTHER IMPLICATIONS

The enforcement of the *Animal Protection Act, 2018* is within the jurisdiction of the Provincial Government who has the authority to appoint Animal Protection Officers to enforce the Act.

The Service does have the authority to act as APO's under the *Act*, however, they do not have the training, equipment, vehicles or shelter agreements to support this enforcement.

An animal seized or taken into protective custody under *The Act*, can be delivered to an appropriate caretaker facility. The caretaker facility does not have to be certified and the Ministry does not certify any person or organization as an appropriate caretaker. The identified caretaker must have the appropriate facility to keep an animal and agrees to provide responsible care satisfying Part 2 of *the Act*.

However, it is important to understand that only an animal protection agency, designated by the Ministry under *the Act*, can disposition (return to owner, adopt, or euthanize) an animal that has been delivered to and is in responsible care of a caretaker past the 5-business-day hold period. Current Provincial appointed agencies are Animal Protection Services of Saskatchewan, Regina Humane Society and the SPCA. Of note related to this, the APSS is currently negotiating an agreement with the SPCA to be the caretaker facility for animals seized or taken into custody by APSS under *the Act*. This agreement would only be for during the hours APSS is providing services. As of the writing of this report, both parties have indicated they are close to concluding this agreement.

NEXT STEPS

There is an immediate need for all parties to collaborate on updating websites, phone messages and responses to phone calls to ensure when residents reach out, with concerns related to animals, they are being directed to the appropriate agency for a response. Administration will be following up with all agencies to get this addressed.

There is a further need to consider what level of service should be provided for enforcement of *the Act*. If the desired level of service is beyond what is currently being provided by the Province through APSS, then Administration would need to be directed to explore opportunities to discuss this issue further with the Province to determine which agency or agencies could provide the enforcement services and who should participate in covering the costs. As the Province currently has jurisdiction in this area it would be up to them to delegate enforcement ability to another party.

REPORT APPROVAL

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