

Presentation to the Committee on Legislative Assembly for the Province of Ontario at Public Hearings on the subject of Bill 132 January 24,2004

Thank you for offering the Canadian Kennel Club standing to speak to you today on the subject of draft Bill 132.

The Canadian Kennel Club supports well-crafted legislation written to protect a community and its' citizens from dangerous dogs. We recognize public safety concerns. Please be assured that our 25,000 members join you in condemning vicious dog attacks, wherever and whenever they occur. Dog owners must be accountable and must be held accountable for the privilege of dog ownership. We commend the Ontario Government for making this accountability the subject of Provincial legislation.

The Canadian Kennel Club does not support the Breed Specific area of Bill 132. Under the wrong circumstances, any dog can bite. Targeting a breed or family of breeds will not keep our citizens safe. It will not provide a strong legislative framework for law enforcement nor will it support your Municipalities, who will in the end have to implement and enforce this legislation. Many countries throughout the world have attempted to enact breed bans in an attempt to manage dog control issues. You will hear over the four days of hearings how and why these initiatives have failed.

As written, Bill 132 will significantly increase costs to Municipalities' dog control budgets without providing offset revenues. Costs will also rise in sheltering animals who will be given up as a result of your breed identification ban; costs will increase in law enforcement as dog control officers attempt to implement the legislation as written; costs will increase in litigation as concerned citizens protect their pets and with all of these increases, your citizens will not be either safer or more secure. Furthermore, there will be a decrease in safety because this legislation would offer the public the incorrect impression that the dog safety issue has been addressed, thus providing a comfort level that is not justifiable. There will be a sense among those Ontarians who are not 'dog savvy' that those dogs who are not banned will never show aggression, thus reducing their caution in dealing with dogs in general.

No one breed of dog is inherently aggressive. This has been proven in countless studies. As dog experts, we recognize that any dog can show aggressive tendencies in the wrong set of circumstances.

The Canadian Kennel Club currently recognizes and is the registry for 164 distinct breeds of purebred dogs. There are more than 350 dog breeds recognized throughout the world. There are many breeds larger and more powerful than those currently targeted by Bill 132. Bill 132 will not protect your citizens by removing the most powerful breeds available to those who use dogs for menace or malicious intent. These individuals will simply be able to move on to larger alternatives.

Who will legally assist you in supporting breed identification? Agriculture Canada, under the Animal Pedigree Act (APA), is the Canadian authority for the identification and registration of animals. In the case of 164 purebred dogs, this authority has been delegated to the Canadian Kennel Club. Under Bill 132, if veterinarians are asked to declare that an animal is of a breed, presumably they would have to issue a document as an attestation. This would put them in violation of the APA Section 63 (1) - Except as authorized by this Act, where an association is authorized by this Act to register or identify animals of a distinct breed or an evolving breed, no person shall (. . .) issue any document purporting to evidence that a particular animal is of that distinct breed or evolving breed. This accountability rests with the Canadian Kennel Club.

No country recognizes a pit bull. This appellation does not denote a breed of dog, so is not definable. Those breeds included in Bill 132 are not and never have been a pit bull. In addition, there is no dog able to be classified and identified as a 'mixed breed'. DNA will not provide evidence of the breeds included in any dog that is not a purebred. No person, whether in a Humane Society, Veterinary practice nor even CKC could provide categorical proof that any dog is a mix of any breeds. Simply looking at a dog and imparting to it characteristics that support its origins is not only unscientific but also completely unfounded. Again, the only expert able to identify the dogs identified in Bill 132 in Canada under the APA is the CKC and even we cannot identify a pit bull. There is simply no such animal.

What differentiates a purebred dog from a mutt? The current draft singles out three purebred dogs – the Staffordshire Bull Terrier, the American

Staffordshire Terrier and the American Pit Bull Terrier. These three breeds are purebred dogs, bred by breeders who are supported and controlled by Registries who support ethical breeding practices. These are knowledgeable breeders who conform to industry norms in supporting their puppy buyers by advocating spay/neuter contracts, by educating their puppy purchasers in puppy development and behaviour modification. They advocate puppy socialization and dog obedience training; are required to uniquely identify every puppy they produce and are bound by a Code of Ethics and Code of Practice. Should these breeders not conform to these standards, they are sanctioned by both the registries under which they operate as well as by their parent breed clubs and their peers. Purebred dogs are a controlled and highly managed addition to a home. Breeders carefully screen prospective purchasers. They turn away more buyers than they accept as appropriate homes able to meet their stringent requirements for puppy ownership. We recognize that every person should not have a dog. We counsel callers appropriately. Breeding of dogs is our passion, born of years of care, commitment, study, analysis, research and education.

As with all things in life, not all breeders are created equal. Commercial facilities breed many breeds strictly for profit. They sell to pet stores who are unable to provide breed information support, lifetime mentorship, detailed advice and do no screening of potential purchasers. There are also unknowledgeable, often well intentioned folk, who have purchased an unspayed Female and have decided to 'let her have a litter'. The latter two groups have different motivations from those breeders described above. They are less knowledgeable either because of volume or lack thereof and as a result less able to support those who will be the recipients of their efforts.

Often, this is where problems occur and where increased controls of animal production would have a positive effect in reducing unwanted dogs.

Dogs are not born dangerous. Illness may, on occasion, render a young dog a threat. This will be noticeable to both owners and to Veterinarians and proper counseling will support the decisions which need to be taken.

Dangerous dogs are created by owners. This may be intentional in the case of dogs who are trained to fight or dogs who are supported in aggressive behaviours by owners with malicious intentions.

Dogs are dangerous if they have bitten, attacked or pursued without provocation a person or a domestic animal OR if they are owned for the purpose of fighting. Municipalities must be in a position to impose appropriate penalties on irresponsible owners of dangerous dogs.

The CKC supports harsh penalties for those who are irresponsible in the ownership of dangerous dogs. We support mandatory licensing and strong enforcement of leash laws. We support public education and education in schools focused on dog awareness. We support spay/neuter requirements for all dogs not considered breeding stock. We support increased regulation of the selling and transfer of dogs. We support universal identification of dogs by either tattoo or microchip. We support maintenance of all dogs in a controlled environment – no dogs should be allowed to run at large. We support harsher penalties for violations of all of the foregoing.

The Canadian Kennel Club would like to work with you to enhance the role of dogs in our society. We would like to work with you to create legislation

that reflects worldwide experience – to offer Ontarians legislation that will improve their safety. At the same time, well crafted legislation will be a bellweather for other jurisdictions – Municipal, Interprovincial and International. Our country is seen by the world to be a country of progress, fairness and balance. Bill 132 has, for many reasons, garnered a great deal of negative International attention. Let's get this right. Let's use our Canadian sensibilities, coupled with Ontario's traditional strong leadership, to show our citizens and others who are watching that we are able to increase community awareness and safety without sacrificing the innocent breeds now on the list. We can work together to design a Bill that is reasonable, enforceable, affordable and non-discriminatory. Currently there is a definition problem. You are poised and positioned to address this problem in this Committee in a fashion that is workable and for the good of all. The Canadian Kennel Club would be proud to work with you to make this happen.