

**ANIMAL WELFARE WATCH ONTARIO (AWWO) – ONE STRONG VOICE FOR ANIMALS
MEDIA RELEASE**

**ANIMAL WELFARE WATCH URGES THE PROVINCIAL GOVERNMENT:
PUT ANIMALS FIRST...IMPLEMENT A NEW ANIMAL WELFARE SYSTEM NOW!**

“...there is nothing about the government’s pending appeal of the January 2 Superior Court decision that prevents them from simultaneously moving forward to implement a new provincial animal welfare system,” says AWWO’s Mike Zimmerman.

“The games about to be played in the courtroom are irrelevant to the issues that really matter: the immediate and ongoing protection of animals, and the establishment of a new animal welfare system that is effective and accountable. That should happen anyway and it should start now,” says AWWO’s Brenda Thompson.

Hagersville, Ontario, January 29 – Concern rippled through the animal welfare community upon the disclosure last week that the provincial government plans to appeal the landmark January 2, 2019 Ontario Superior Court (OSC) decision that declared the policing authority of the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) to be unconstitutional. However, AWWO co-founder Mike Zimmerman says the best way for those who care about animals to deal with the appeal is to ignore it. “We’re also, in effect, urging the government to ignore it too. That is, there is nothing about the government’s pending appeal of the January 2 Superior Court decision that prevents them from simultaneously moving forward to implement a new provincial animal welfare system. That important project should proceed as soon as possible regardless of the progress or outcome of the appeal.”

A January 2, 2019 OSC decision voided the OSPCA’s policing authority but delayed its effect for a year to enable the government to implement a new system of animal welfare for the province. On a January 24 television program a lawyer for the OSPCA revealed he’d been informed that the government planned to appeal the OSC decision to the Ontario Court of Appeal (OCA). The deadline for actually filing the appeal is February 1. There has been no acknowledgement by the government that they will actually appeal.

The significance of an appeal is that it would postpone the effect of the OSC decision by approximately two to three years. Subsequently, a decision by the OCA could be further appealed by either side to the Supreme Court of Canada.

“The games about to be played in the courtroom are irrelevant to the issues that really matter: the immediate and ongoing protection of animals, and the establishment of a new animal welfare system that is effective and accountable. That should happen anyway and it should start now,” says AWWO’s Brenda Thompson. “This will remain AWWO’s focus.”

The Ministry of the Attorney General (MAG) is, in effect, "the government's lawyer" and has the lead in the appeal of the January 2 court decision. The Ministry of Community Safety and Correctional Services (MCSCS) administers the OSPCA Act and has the lead for animal welfare. AWWO will continue to urge MCSCS to implement the transition to a new animal welfare system regardless of what MAG is doing.

“Nothing MAG is doing should prevent or delay what MCSCS must do now to protect animals as soon as possible,” says Thompson. The lawyers can fight it out for as long as they want. Those involved in that process seem oblivious to the challenges faced right now by the people who really care about animal welfare or those actually involved in animal protection at field level.”

“It won’t be acceptable if the government tries to use the court proceedings as an excuse for inaction. The government’s focus should be on the future of animal welfare, not on the future of legal proceedings that could drag on for years,” adds Zimmerman. “The court proceedings are ultimately a distraction regardless of their length or outcome.”

AWWO is also apprehensive that in the current confusion, MCSCS will continue to believe the OSPCA is doing an adequate job and send them the \$5.75 million annual grant the organization is due by the end of March 2019. The primary commitment the OSPCA is supposed to fulfill to receive that public money is the delivery of province-wide coverage, something that has not been achieved for some time. Indeed, AWWO and other stakeholders had ample proof that the OSPCA has become ineffective and unaccountable well before the OSC decision.

“The contract for the provincial funding can be changed at any time by MCSCS,” explains Zimmerman. “That money should be invested in a transition strategy for the new animal welfare system. It might be too late to change to whom the cheque is issued but terms and conditions could be adjusted to require the OSPCA to appoint investigators from among staff of provincial ministries and municipalities, and to use the provincial funding for in-service training and compensation to the ministries and municipalities involved. These entities can quickly begin protecting animals and help pilot the AWWO-recommended model for a new effective and accountable provincial animal welfare system.”

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