

# SENTENCING IN CASES OF ANIMAL ABUSE

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## OVERVIEW

Leonardo da Vinci “The time will come when men such as I will look upon the murder of animals as they now look on the murder of men.”

Ontario Court of Appeal “...and the amendments to the *Criminal Code* in 2008 which signal an added determination by Parliament to deter and punish those who would engage in acts of cruelty to animals,...” *R. v. Wright*, [2014 ONCA 675](#)

Alberta Court of Appeal “By enacting s 445.1 of the *Criminal Code*, which allows the Crown to proceed by indictment and imposes a maximum sentence of 5 years' imprisonment, Parliament recognized, and intended that courts also recognize, that cruelty to animals is incompatible with civilized society.” *R. v. S.E.A.*, [2015 ABCA 182](#)

New Brunswick Court of Appeal “The senseless and violent killing of a pet is an act of aggression our society has become increasingly less tolerant of, and for good reason.” *R. v. Reydal*, [2020 NBCA 13](#)

Ontario Superior Court “Parliament saw fit to increase the maximum sentences with respect to offences of this nature. The sentencing judge was right to recognize and act on that change. To do otherwise would be to ignore the will of the legislature.” *R. v. Kennedy*, [2017 ONSC 817](#)

On April 17, 2008, [Bill S-203 \*An Act to Amend the Criminal Code \(Cruelty to Animals\)\*](#) received royal assent. Most significantly, this Bill resulted in the 2 most common animal abuse charges (445 and 445.1) becoming hybrid and increasing the maximum sentence from 6 months to 5 years jail. As the Supreme Court of Canada recently stated in *R v Friesen*, [2020 SCC 9](#) (when discussing child sexual assault) when Parliament increases sentences courts should generally impose higher sentences.

This Bill received wide public support and review of Hansard reveals that Parliament understood animal abuse is often a “red flag” to future abusive behaviour. This is referred to as the “Violence Link” and has been well researched.

There is an even greater societal interest in taking the abuse of animals more seriously. Brutality and abuse do not exist in a vacuum. Many acts of cruelty have implications beyond the pain and suffering felt by the animal in question.

There is increasing scientific evidence of a link between animal cruelty and subsequent violent acts toward people. Studies have confirmed a statistically meaningful correlation between acts of animal cruelty and other forms of criminality, ranging from property crime to crimes of violence.

We intuitively know all of this, but when research and studies bear out our instincts, we need to pay attention. If we want to take domestic abuse seriously, we have to take animal cruelty seriously as well. If we care about the well-being of children, we also have to care about the well-being of animals. Treating animal abuse like a crime of violence will help not just the animals but people too.

...It is time to recognize animal cruelty for the act it is: an act of violence.

[Hon. Larry Bagnell 38<sup>th</sup> Parliament, 1<sup>st</sup> session, edited Hansard, Number 149, Nov 14, 2005](#)

Given the unprecedented increase from a maximum 6 months to 5 years jail sentence there is very limited value in the sentencing ranges from any case prior to these amendments. The principles espoused in these cases, however, may still be relevant.

It is also important to note that majority of reported decisions involve summary election cases where the maximum is then only 18 months jail. The maximum penalty for a summary election case was also raised from 18 months to 2 years as a result of Bill C-75 in 2019.

Serious consideration should be given to whether the election is summary or by indictment. An indictable election also results in the availability of a DNA order. Sentences for these offences is increasing and there are a number of decisions resulting in over an 18 month jail sentence.

*R. v. Helfer* [\[2014\] O.J. No. 2984](#) (C.J.)

*R. v. S.E.A.* [2015 ABCA 182](#)

*R. v. Camardi* [\[2015\] A.J. No. 341](#) (Alb Q.B)

*R. v. Hill* (unreported) (O.C.J.,) (transcripts available on request)

Justice Code, in the summary conviction appeal matter of *R. v. Munroe*, [\[2012\] O.J. No. 4405](#) (S.C.) (para 94) held that 12 months was an “entirely appropriate starting point.”

There have been some decisions that have attempted to separate animal abuse cases into categories of severity, however there is no leading authority and sentencing is such an individualized process that this has been largely unsuccessful. Cases are often comparing “apples and oranges” and basic principles seem to work best to emphasize the particularities of any individual case. For example, the New Brunswick Court of Appeal in *Reydal*, [2020 NBCA 13](#) recently provided *some* support for 3 classes of cases. The first being cases where the offender was exacting revenge on a person by injuring a pet. The second being triggered by a pet’s “bad behaviour” and the offender overreacts and the third being caused by bone fide fear of the animal and the offender overacts. The difficult with this approach is that it leaves out so many other forms of animal abuse, such as: abuse for a sexual purpose, abuse of the sack of torture or animal neglect.

It is also interesting to note that Ontario’s [Provincial Animal Welfare Services Act](#) (PAWS), section 49 (7) provides a mandatory minimum \$25,000 fine when an animal dies as a result.

## SENTENCING PRINCIPLES

Section [718](#) codifies the fundamental principles of sentencing. In cases involving the abuse of an animal the Courts have repeatedly held that denunciation and deterrence are primary sentencing principles.

*R. v. Wright*, [2014 ONCA 675](#)

*R. v. Munroe*, [\[2012\] O.J. No. 4405](#) (S.C.)

*R. v. Helfer* [\[2014\] O.J. No. 2984](#) (C.J.)

*R. v. Kennedy*, [2017 ONSC 817](#) (S.C.)

*R. v. S.E.A.* [2015 ABCA 182](#) (Alb.C.A.)

*R. v. Camardi*, [\[2015\] A.J. No. 341](#) (Alb Q.B)

*R. v. Reydal*, [2020 NBCA 13](#) (N.B.C.A.)  
*R. v. Connors*, [\[2011\] B.C.J. No. 168](#)  
*R. v. Rowe*, [\[2015\] O.C.J. No. 5585](#)(O.C.J.)  
*R. v. Tremblay*, [\[2012\] B.C.J. No. 2398](#) (B.C.Prov.Ct.)

Animal abuse has been recognized as an abuse of trust.

*R. v. Helfer*, [\[2014\] O.J. No. 2984](#) (O.C.J.)  
*R. v. Camardi*, [\[2015\] A.J. No. 341](#) (Alb Q.B)  
*R. v. Dugalic*, [\[2018\] O.J. No. 5590](#) (O.C.J.)  
*R. v. Rodgers*, [\[2012\] O.J. No. 6287](#) (O.C.J.)

Of note, section [718.03](#) of the Criminal Code mandates that denunciation and deterrence be the primary consideration when sentencing an offender convicted of the abuse of a law enforcement animal, military animal or service animal under section [445.01](#).

Section [718.2](#) also mandates consideration when an offence

- (ii) abuses a spouse or common law partner
- (ii.1) abuses a person under the age of 18 years
- (iii) abuses a position of trust
- (iii.1) offence had a significant impact on the victim
- (iv) was connected with a criminal organization

Given these offences are often conducted to exercise power and control over a person these sentencing principles may also come into play. Animal abuse is prevalent (although grossly underreported) in cases of intimate partner violence, child abuse and elder abuse. Animal abuse is also now being reported as a means of control in cases of human trafficking and there is growing concern about the existence of dog fighting rings in Canada.

## AGGRAVATING FACTORS

The use of language is important and the personalization of language in cases of animal abuse is critical. Note the difference, for example, in the following; “the offender choked the animal with a leash” compared to “Mr. X used Breezy’s leash to choke her.” It is also critical to remind the judge the extent of the animal abuse in the particular case. Often the abuse is prolonged, extremely violent and results in horrific injury or death. The following are factors to emphasize:

- Victim vulnerability – size, age, level of harmlessness (e.g. 200lb offender against a 3 lb kitten)
- Number of victims
- Timeframe of the abuse
- Number of instances within timeframe

- Severity of injuries inflicted
- Repetition of injuries on individual victims
- Multiple forms of injury (e.g. stabbing and burning)
- Was the victim incapacitated (e.g. did the offender have to tie the animal up)
- Use of fire or weapons
- Degree of pre-planning / premeditation
- Did obstacles have to be overcome to commit the abuse
- Post mortem mutilation or dismemberment
- Acts committed where risk of detection is high
- Degree of covering up the offence
- Animal cruelty to threatened, intimidate etc a human
- Was it done in front another person, especially a child
- Was it done to “teach” another person how to commit these offences
- Other illegal acts were committed at the scene of the animal cruelty e.g., threats, vandalism
- Was the offender the instigator of an act involving multiple perpetrators victim
- Absence of economic motive e.g., killing and stealing animal for food
- Offence had a sexual motive
- Offence was documented, i.e. offender took photos / video of the offence
- Offence was a staging / re-enactment of media or a fantasy
- Offender sees himself as the victim / Lack of insight into the offence
- Offender experienced positive feelings after the abuse – feeling of power, sexual excitement, a “rush”
- Animal was posed or displayed
- PRIOR ANIMAL ABUSE HISTORY

## TYPES OF ANIMAL ABUSE

### INTIMATE PARTNER VIOLENCE

In a pre-2008 amendment case, the Alberta Provincial Court recognized that animal abuse can be domestic violence.

The aggravating factors in this case are that the offenses took place in the context of a domestic dispute which escalated into domestic violence, a recurring theme of offences before this Court. I recognize that there was no physical assault upon the accused's spouse in this case, but the damage to the property and the killing of the pup were both extreme acts of violence indirectly perpetrated against her during the course of a domestic dispute. They were abusive acts directed at his spouse. The accused's motive in killing the dog as he did was not justified by anything the puppy had done to deserve such a fate. It was his wife he wished to hurt through his violent actions, and his show of physical force could only serve to terrify her, as evidenced by the fact she fled the

matrimonial home. To cruelly take the life of the puppy before her eyes as he did was an extreme act of selfish violence, without regard to the helplessness of the puppy, or the impact such violence would have upon his wife at the time.

*R. v. Zeller*, [\[1998\] A.J. No. 351](#) (Alb.Prov.Ct.)

Also see *R. v. White*, [\[2012\] N.J. No. 263](#) (Nfld. Prov.Ct.) and these other pre-2008 amendment cases: *R. v. Wicker*, [\[2007\] A.J.No. 566](#) (Alb. Prov.Ct.) and *R. v. Courchesne*, [\[2005\] O.J. No. 4601](#) (O.C.J.)

## HOARDING CASES

Most cities have bylaws limiting the number of animals in a home. Hoarders typically have significantly more animals than the bylaw allows. There are, generally speaking, [three types of hoarders](#) and it helpful to distinguish between the types for sentencing purposes.

1. The overwhelmed care-giver – an individual who used to be able to care for the animals but an event has occurred resulting in a change of circumstances, for example, the death of a spouse that used to split the burden of care. The care-giver has become overwhelmed but is accepting of assistance to change the situation. These individuals can benefit from community assistance but can easily transition into the second category if supports aren't put in place at the appropriate time.
2. The saving hoarder. This person (or family) feels they are performing a public service and do not recognize the harm they have caused. They are reluctant to change and believe an animal's life with them is better than the life anyone else could provide the animal. These individuals will continue to recidivate and need intense community supervision, counselling and treatment. Custody may be the only way to deter these individuals.
3. For profit. These individuals run puppy mills, roadside zoos etc. They are solely motivated by profit, the money they can receive from displaying animals and the buying and selling of animals. These individuals might transition to other criminal enterprises. Denunciation and deterrence and paramount and custody is appropriate.

Please note both these cases are pre-2008 amendments but they contain good language when dealing with hoarding cases in the second category.

*R. v. Stewart*, [\[2008\] O.J. No. 5493](#)

*R. v. Raciot*, [\[1998\] O.J. No. 6443](#).

## BESTIALITY

Please note these cases are prior to the change in the definition of bestiality when there was a requirement of proof of penetration.

*R. v. Pye*, [\[2005\] B.C.J. No. 1803](#) (B.C. Prov.Ct.)

*R v Black*, [\[2007\] SKPC 46](#) (Sask.Prov.Ct.)

*R v J.J.B.B.*, [\[2007\] BCPC 426](#) (B.C. Prov.Ct.)

*R v R. (L.M.)*, [2010 ABCA 286](#) (Alb.C.A.)

While these cases are prior to the expanded definition of bestiality they may be helpful when sentencing occurs in an animal case with a “sexual purpose.”

*R. v. D.L.W.*, [2016 SCC 22](#)

*R. v. Dugalic*, [\[2018\] O.J. No. 5590](#) (O.C.J.)

*R. v. S.E.A.*, [2015 ABCA 182](#)

## UTTERING THREATS

Threats are often used as a message of power and control in a relationship.

*R. v. Putt* [\[2013\] N.J. No. 215](#) (Nfld Prov. Ct.)

*R. v. White* [\[2012\] N.J. No. 263](#) (Nfld. Prov.Ct.)

*R. v. Lyver* [\[2011\] N.J. No. 320](#) (Nfld. Prov.Ct.)

*R. v. Trecartin* [\[2017\] N.B.J. No. 143](#) (N.D.Q.B.)

## YOUTH CASES

In cases where a youth is charged with animal cruelty special consideration should be given to potential custodial or deferred custody and supervision orders. The abuse of an animal by an adolescent is a “red flag” universally recognized by psychologists and psychiatrists. It is also important to collect the appropriate information in the event that this offender does return to the criminal justice system with future crimes of violence. Pre-sentence reports and family court clinic assessments should be seriously considered. Upon the sentencing of the offender consideration should be given to ordering of transcripts and the potential high risk flagging of the offender.

A youth under the YCJA can only be sentenced to a custodial sentence if the matter falls into one of the enumerated categories under [section 39 of the YCJA](#). When an offender does not otherwise have a history under the YCJA the only route to custody is under [section 39 \(1\) \(d\)](#).

Section [39 \(1\)](#) allows a youth to receive a period of custody under [section 39 \(1\) \(a\)](#) if the offence is a violent offence. While on its face a crime against an animal may be “violent”, the definition of “violent” precludes an animal offence from being included.

[Section 2](#) of the YCJA states that a violence offence includes the element of causing, attempting to cause, or threatening bodily harm or endangers the safety of another person. [Section 2](#) of the Criminal Code defines that bodily harm is to a person.

As a result, the only route to a custodial sentence is through a “exceptional circumstance” argument under [section 39 \(1\) \(d\)](#).

The leading cases on defining “exceptional circumstances” are *R. v. R.E.W.*, [\[2006\] O.J. No. 265](#) (O.C.A.) and *R. v. S.T.*, [\[2009\] B.C.J. No. 1206](#) (B.C.C.A.).

This argument has been accepted in the recent decision of *R. v. D.R.* [\[2019\] O.J. No. 4177](#) and *R. v. R.P.*, [\[2005\] O.J. No. 2896](#) (however, please note in [R.P.](#) the court held it would also be a violence offence, this does not appear to be legally sound).

The acceptance of animal abuse as an “exceptional circumstance” then opens the door to the availability of a custodial sentence or a deferred custody and supervision order.

## SPECIAL CONSIDERATIONS

### CONDITIONAL SENTENCES

Conditional sentences are a legal sentence under section [742](#), however, courts have frequently held that an actual jail sentence is more appropriate to emphasize the principles of denunciation and deterrence.

- R. v. Reydal*, [2020 NBCA 13](#) (N.B.C.A.)
- R. v. Kennedy*, [2017 ONSC 817](#) (O.S.C.)
- R. v. Fowlie* [\[1998\] N.B.J. No. 539](#) (N.B.Ct.Q.B.)
- R. v. White* [\[2012\] N.J. No. 263](#)
- R. v. Lacroix* [\[2020\] O.J. No. 545](#) (O.C.J.)

### VICTIM IMPACT / COMMUNITY IMPACT

[Section 722](#) governs victim impact statements. [Section 2](#) of the *Criminal Code* defines “victim” as a person. However, the recent New Brunswick Court of Appeal decision of *R. v. Reydal*, [2020 NBCA 13](#) in para 15 stated

Defence counsel had argued there was no victim in this case, presumably because the cat’s owner, Mr. Reykdal’s girlfriend, stood by him. The sentencing judge rejected this notion, correctly pointing out that there was a victim – the cat. Furthermore, the simple fact Mr. Reykdal’s girlfriend asked for leniency in sentencing does not mean she was not a victim.

Obviously, an animal is not going to be able to present a victim impact statement, however, a person can present a victim impact statement outlining the effects this offence has had. The financial consequences are also relevant to the degree of harm that was caused. In cases where the animal survives, the veterinary bills can be substantial.



[Section 722.2](#) governs when a community can provide an impact statement.

The Canadian [Victim's Bill of Rights](#) allows for every victim the right to present a victim impact statement. The definition of victim under that Act is very broad and includes an individual “who has suffered physical or emotional harm, property damage or economic loss as the result of the commission or alleged commission of an offence.”

The definition of “[victim](#)” under the *Criminal Code* is also very broad. A victim is “a person against whom an offence has been committed, or is alleged to have been committed, who has suffered, or is alleged to have suffered, physical or emotional harm, property damage or economic loss as the result of the commission or alleged commission of the offence” and includes for the purposes of providing a [victim impact statement](#) “a person who has suffered physical or emotional harm, property damage or economic loss as the result of the commission of an offence against any other person.”

Sometimes public interest groups will attempt to provide a petition to the court. A community petition was rejected in *R. v. Helfer* [\[2014\] O.J. No. 2984](#) (O.C.J.) but was accepted by the Court in *R. v. Hill* (unreported) (O.C.J.) (transcripts available on request).

The public can become quite heated when cases of animal cruelty occur. There have been countless cases where the media / public has been very engaged with the process.

*R. v. Helfer*, [\[2014\] O.J. No. 2984](#) (O.C.J.)

*R. v. Hill*, (unreported) (O.C.J.) (transcripts available on request). [Justice for Justice](#)

*R. v. Power*, [\[2003\] O. J. No. 2414](#) (O.C.A.)

*R. v. Whitlock*, [\[2013\] B.C.J. No 1324](#) (B.C.Prov.Ct.)

*R. v. Joe Anderson*, [Justice for Teddy, British Columbia](#)

*R. v. Robert Fawcett*, [British Columbia Sled Dog Slaughter](#)

In *R. v. Helfer* [\[2014\] O.J. No. 2984](#) (O.C.J.) the Court accepted a victim impact statement from the animal welfare agent that attended the scene and cared for the animal.

The Court should be provided with information concerning the impact these offences have had on animal that survives. In a starvation case, for example, before and after photos and medical evidence showing the weight of the animal after proper care can be especially compelling.

## CONSECUTIVE SENTENCES

[Section 445.01 \(3\)](#) requires that if an offence is committed against a law enforcement animal it shall be served consecutively to any other punishment imposed arising out of the same events.

Generally speaking, consecutive sentences are warranted when separate legal interests are implicated in each offence. In cases involving animal abuse and other offences consecutive sentence have been imposed

*R. v. Joy*, [\[2019\] O.J. No. 3763](#) (O.C.J.)

*R. v. Helfer*, [\[2014\] O.J. No. 2984](#) (O.C.J.)

*R. v. Dugalic*, [\[2018\] O.J. No. 5590](#) (O.C.J.)

*R. v. K.R.F.*, [\[2019\] O.J. No. 5591](#) (O.C.J.)

## PRE-SENTENCE REPORTS, MENTAL HEALTH REPORTS, HIGH RISK FLAGGING

The violence link has repeatedly documented the progression for some individuals that abuse animals to evolve into the abuse of children, women and the elderly. It is trite but true to say that many serial killers started with the abuse of animals.

Pre-sentence reports and reports prepared under section [21](#) of the Mental Health Act can be very insightful when dealing with the current case before the courts and Crowns should consider whether they should be requested. These reports can become very critical when an offender continues to re-offend and consideration is being given to potential long term or dangerous offender applications. These reports can be very beneficial in establishing patterns, level of dangerousness and likelihood of re-offence. Many animal abusers will find themselves back before the criminal justice system with crimes of violence. Consideration should be given to whether offenders should be “high risk flagged” with the Ministry.

## SPECIAL ORDERS

### RESTITUTION ORDERS

General restitution orders are governed by [section 738](#) of the *Criminal Code*. In cases of animal abuse [section 447.1](#) also provides for a restitution order.

[447.1](#) is important that in that it specifically allows for a person, or an organization that has cared for the animal, to be the beneficiary of an animal restitution order. Often rescues, humane societies or good Samaritans will step in to care of an animal of abuse and the costs can be quite high. Judges should be reminded the care for this animal occurred as charity and the offender should bear the cost for reimbursement.

[447.1](#) does not allow an organization to recoup the cost of investigation however.

It should also be noted that both [738](#) and [447.1](#) result in stand alone restitution orders that can be difficult to enforce. Consideration should also be given to having the restitution order as part of a probation order.

[447.1](#) also only applies to specific offences of [444](#), [445](#), [445.1](#), [446](#) and [447](#). In other words, if an offender is convicted of, for example, of harming a law enforcement animal ([445.01](#)) or uttering threats ([264.1](#)) then a restitution order under this section would not be available and could only be ordered under [738](#) or as part of a probation order.

In the case of bestiality an order for restitution can be made under [section 160 \(4\)](#).

## ANIMAL PROHIBITIONS

Prior to the 2008 the maximum animal prohibition was 2 years. It has now been increased to life. Older case law often combined the maximum 3-year probation order and made the animal prohibition consecutive, in order to provide a 5 year animal prohibition. Given the 2008 changes older case law on animal prohibitions is likely obsolete.

Animal prohibitions may be obtained through probation, but that limits the order to a potential of 3 years. It is still prudent to contain the animal prohibition under a probation order as enforcement is often easier. A good wording on a probation order would be “not to possess, care for, have control of, or reside with any animal.”

A separate order for an animal prohibition can be obtained through section [447.1 \(1\)\(a\)](#) of the *Criminal Code* with states

make an order prohibiting the accused from owning, having the custody or control of or residing in the same premises as an animal or a bird during any period that the court considers appropriate but, in the case of a second or subsequent offence, for a minimum of five years;

A breach of an animal prohibition is an offence under section [447.1 \(2\)](#) and is a straight summary offence.

Court Support does have a standard order form for animal prohibitions. Crowns should resist any attempts to vary the wording of the order. The order should contain a prohibition against “residing” with an animal. *R. v. Wright* [2014 ONCA 675](#). Some courthouse still have the older form that does not have a prohibition against “residing” in the standard wording. Crowns should be mindful to ensure the Court is using the correct form that has this wording. The order should read “owns, has the custody, control, or resides in the same premises as an animal or bird”

There has been a recent increase in the number of individuals with “service animals.” In general, there is little legislation defining what a service animal is and who can have a service animal and there is different legislation in each province. Section [447.01](#) of the *Criminal Code*, for the purposes of that section, defines a service animal” as “an animal that is required by a

person with a disability for assistance and is certified, in writing, as having been trained by a professional service animal institution to assist a person with a disability.” Crown should be wary of offenders claiming they cannot have an animal prohibition because of they have a “service animal.” Regardless, there are some circumstances in which an offender does legitimately have service animal. That is not a free pass on an animal prohibition. Courts have still imposed animal prohibitions despite this.

*R. v. Olendy* [\[2001\] O.J. No. 1957](#) (O.C.J.)

*R. v. Dugalic*, [\[2018\] O.J. No. 5590](#) (O.C.J.)

[447.1](#) also only applies to specific offences of [444](#), [445](#), [445.1](#), [446](#) and [447](#). In other words, if an offender is convicted of, for example, of harming a law enforcement animal ([445.01](#)) or uttering threats ([264.1](#)) then an animal prohibition can only be as part of a probation order for a maximum of 3 years.

In the case of bestiality an animal prohibition can be made under section [160 \(4\)](#) for up to life. Upon a second offence, the minimum is 5 years. A breach of this order would be a summary offence under section [160 \(5\)](#).

## **WEAPON PROHIBITIONS**

[Section 109 and 110](#) specifies the offence must have been committed against a person. Depending on the factual basis the argument could be made that violence against an animal, for example, for the purpose of intimidating another person, is violence against a person. Generally speaking, however, crimes against animals generally do not fit neatly in the 109 / 110 provisions. A Crown can use the same analogy as was accepted by the Ontario Court of Appeal in *Samery*, [\[2007\] O.J. No. 3510](#) to make the argument that the offence was actually a crime against a person.

However, there are often other criminal offences that occurred at the same time as the animal abuse and careful consideration should be made about appropriateness of weapons prohibitions prior to decision not to proceed on these charges. (for example, a charge of intimate partner violence and animal cruelty – the assault charge would be eligible for a weapons prohibition)

## **DNA ORDERS**

Primary Compulsory

160 (2) Compelling Bestiality

160 (3) Bestiality in the Presence of a Child

Enumerated Secondary

264.1 (c) Uttering Threats Against An Animal

Generic Secondary – when Crown proceeds by Indictment

160 Bestiality

445 Injuring, Killing, Poisoning, an Owned Animal

445.01 Injuring, Killing, Poisoning, a Law Enforcement, Military or Service Animal

445.1 Causing Unnecessary Pain Suffering or Injury

## **SOIRA ORDERS**

Offenders convicted of any of the section [160](#) bestiality offences can now also receive a SOIRA order.

## **161 ORDERS**

Offenders convicted of [160 \(2\) or \(3\)](#), compelling the commission of bestiality or bestiality in the presence of a child can also receive a [161](#) prohibition order.