Dear Senators,

Thank you for the opportunity to provide a submission regarding Bill S-203. While we are unable to attend the committee hearings as a witness, please find our submission below. For any questions, please contact Dr. Sara Dubois, Chief Scientific Officer for the BC SPCA at sdubois@spca.bc.ca or (604) 647-6403.

Sincere regards,

Craig Daniell
Chief Executive Officer
Introduction
Thank you for the opportunity to provide a submission as part of the Senate committee hearings for Bill S-203. The BC Society for the Prevention of Cruelty to Animals is a registered charity that is responsible for enforcing provincial and federal legislation regarding the neglect and cruelty of domesticated animals and wildlife in captivity. We represent 80,000 donors and 80,000 supporters on social media across the province of British Columbia.

The BC SPCA operates the second largest licensed wildlife rehabilitation centre in the province – Wild ARC - where we take a compassionate conservation approach\(^1\) to rescuing and rehabilitating the more than 3,000 wild animals that come into the centre each year. Wild ARC does not publicly display any patients, nor rely on display for funding its operations.

One statement governs all of the work we do at the BC SPCA: animals are sentient beings. This means they have the capacity to feel. As such, it is our role, as humans who have the capacity to reason and feel, to be attentive to the experiences of the animals where our actions have intentionally or unintentionally caused harm to them.

At the BC SPCA, we recognize that extreme arguments are often used to polarize issues and bring them to a stand still, creating an environment of “us” versus “them”. We wish to avoid this approach in our below analysis. Our statements are grounded in both scientific research and economic analysis.

In the last 30 years, new research has emerged on the complexity of cetaceans\(^2\)\(^3\)\(^4\)\(^5\) and their ability to communicate, create social structures and culture, and demonstrate cognition. Cognition includes memory, problem-solving, concept formation, and self-awareness, among other elements. For example, cetaceans studied in the wild have demonstrated the ability to use tools\(^6\) and to learn and remember individuals within their communities\(^7\). Bill S-203 was drafted to take this scientific evidence into consideration.

There has been a significant swell of media attention around Bill S-203 and the rhetoric has been largely values-based. Fears surrounding S-203 include those that cetaceans will no longer be saved (affecting conservation), that such animals will not be allowed to be displayed in captivity (affecting the economy) and that whales will no longer be able to serve as a food source (affecting culture). This submission will challenge these perspectives and provide guidance from current research on how cetaceans experience captivity.

\(^1\) http://www.spca.bc.ca/animal-issues/wildlife/issues/compassionate-conservation.html
1. Affecting Conservation
Studies conducted in wild environments have led to significant findings. These include the tracking of migration patterns, monitoring cetacean health in the ocean and learnings about what kind of ecosystem is required to sustain cetacean populations. Such learnings have informed how people operate in the ocean environment, reducing our impact on wild cetacean populations.

Studies conducted in captive environments have not significantly benefitted wild populations, though these studies help researchers better keep animals in captivity. While this research could be used for an animal that must be kept in captivity for rehabilitation, it does not impact conservation. This research also has not been effective in maintaining quality of life for cetaceans in captivity. Cetaceans continue to die in captivity at ages far younger than their lifespan in the wild. As of now, Canada’s two facilities that keep cetaceans in captivity are unable to provide a life that approximates their wild-living counterparts. Further, cetaceans born in captivity are non-releasable given they would not have the social and learned experience to be able to survive on their own in the wild.

2. Affecting the Economy
The Vancouver Aquarium has demonstrated concern that future marine mammal rescue and rehabilitation will be at risk as a result of legislation that prevents the display, import and captivity of cetaceans. Bill S-203 is expertly worded to grandfather existing cetaceans in captivity and permit the rehabilitation of a cetacean that is in need of assistance, care, or rehabilitation. These generous provisions allow for captivity to continue for cetaceans where it is going to be beneficial to the individual cetacean.

Funding rescue, rehabilitation conservation and research is not directly tied to the keeping or display of animals in captivity – we know this because we and the dozens of other wildlife rehabilitation facilities across BC that care for more than 15,000 animals a year do not rely on such funding. Further, a willingness to pay study conducted in Tofino, B.C. confirmed that whale watchers in nature are willing to pay up to $15 for whale conservation in another country. Economists in New Zealand also researched willingness to pay for dolphin conservation and found that 52% of the population was willing to spend some amount annually as a dolphin protection tax.

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8 Marino L, Frohoff T (2011) Towards a new paradigm of non-captive research on cetacean cognition. PLOS One 6(9), retrieved from https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3168481/
Likewise, the BC SPCA Wild ARC animal rescue and rehabilitation facility is self-funded, with BC SPCA supporters who donate over $800,000 annually for wildlife rescue and rehabilitation.

3. Affecting Culture
The aboriginal Inuit people of the Canadian Artic are the only Canadians allowed to legally hunt for whales in Canada. In these instances, whales live their entire lives in the wild before they are hunted and killed for food and other traditional use. The wording of Bill S-203 does not affect this sustenance-driven hunt in any way, as it focuses on whale import and captivity.

Are Cetaceans Really Suffering in Captivity?
As humans, we know that for our species, confinement and social isolation in small indoor spaces without any control over our environment or food sources is emotionally damaging. In our society, this kind of treatment is used as a punishment (e.g. solitary confinement). We have evidence for cetaceans that appropriate social interaction and enough diverse space are basic requirements for their psychological well-being.\textsuperscript{13,14} Though the veterinarians and staff try to provide the best possible care for these complex marine mammals, the current captive environments available in Canada do not provide for appropriate social interaction or enough diverse space.

Organizations like the Whale Sanctuary Project are working on a solution to this, a model seaside sanctuary where current captive cetaceans can live out their lives in an environment that maximizes well-being and autonomy and is as close as possible to their natural habitat\textsuperscript{15}. This facility would provide for research, rescue, rehabilitation and conservation efforts without compromising psychological and physical well-being. This kind of facility would provide positive impact on the economy as individuals continue to invest in rescue and conservation, while upholding the social well-being of the Canadian population. Bill S-203 would ensure that this kind of rescue and conservation work could continue and that cetaceans continue to thrive in ways that are appropriate to their species.

Summary
The BC SPCA is supportive of Bill S-203 as written. The policy approach is balanced, reasoned and will have no negative consequences for the Canadian economy, Canadian citizens or cetaceans. Alternatively, if Bill S-203 is not supported by Canadian senators, there is a risk of significant harms to Canadians’ social well-being as well as the well-being of the cetaceans confined in perpetuity with no moral, logical or economic justification.

\textsuperscript{15} http://www.whalesanctuaryproject.org/