

*Case Name:*  
**R. v. Parent**

**Between**  
**Her Majesty the Queen, and**  
**Camille Parent**

[2003] O.J. No. 5803

File No. 02-30452

Ontario Court of Justice  
Ottawa, Ontario

**P. Wright J.**

Oral judgment: April 9, 2003.

(10 paras.)

*Criminal law -- Sentencing -- Sentence, particular offences -- Killing or injuring animals.*

Sentencing of the accused, Parent, for causing unnecessary suffering to an animal. Parent unnecessarily docked his dog's tail causing considerable suffering. He had no criminal record and there was no evidence that he was deliberately abusive to his pets. The Crown sought an order that Parent spay or neuter all of his pets, but not an order prohibiting him from keeping pets.

HELD: Parent received a suspended sentence and 12 months probation. During that probationary period he was required to bring his pets to the Humane Society every 60 days for inspection, to inform the Society if he acquired any further pets, and to permit access to his residence to the Society so they can monitor the health and care of his pets.

**Counsel:**

Mr. Lindsay, counsel for the Crown.

Mr. Parent, self represented.

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## SENTENCE

**1 P. WRIGHT J.** (orally):-- All right. The offence before the court is a serious one, because it involves considerable suffering by the dog. It would appear that Mr. Parent made an extremely poor decision with respect to the issue of docking the tail of the animal. However, there is no suggestion, either with respect to the animal that was the subject of the charge before the court, or with respect to the animals which Mr. Parent currently has, that he is wantonly or deliberately abusive of the animals.

**2** The serious circumstances giving rise to the charge do warrant supervision and access to any animals which Mr. Parent may have. With respect to the issue of neutering of the animals, the terms of probation have to have a relation - direct relation to the offence which brings Mr. Parent before the court. Unwanted or unplanned pregnancies by animals is a concern, because the Humane Society has to deal with dozens of cats and dogs that are abandoned and are not being properly cared for. That's a valid objective that animals which are not to be bred be spayed or neutered so that we don't end up with unwanted and uncared for animals. On the other hand, if the position of the crown is that Mr. Parent not be prohibited from possessing animals, notwithstanding the valid concern that animals be spayed and neutered, I don't see a connection between the offence and that term. Therefore, I'm not going to make the order that Mr. Parent's dogs be spayed.

**3** Accordingly, there will be a suspended sentence today, and probation for a period of one year. The statutory terms will apply:

- to keep the peace and be of good behaviour; which means not to commit any further criminal act and to appear before the court when required;

- to report to a probation officer today in person and thereafter to report at such time and places as the probation officer may require;

- to bring both or any dogs which Mr. Parent may have, to the Humane Society within 60 days of today's date, and every two months thereafter at the direction of Inspection Laframboise or designate, or to such other local Humane Society office within any jurisdiction which Mr. Parent may move to;

- to notify Inspector Laframboise or designate if Mr. Parent acquires any further pets;

- to agree to inspections by the Ottawa Humane Society or other local Humane Society, and to afford for that purpose access to Mr. Parent's residence, so that care and health of any pets which he may have can be properly monitored;

- lastly, to attend for any assessment or counselling that may be directed by the probation office.

**4** This would be a case where some restitution would be in order, but given Mr. Parent's financial situation, I'm not going to make any further order. Are there any problems, difficulties or omissions, Mr. Lindsay?

**5** MR. LINDSAY: Excuse-me, Your Honour. Your Honour, the inspector has asked that Mr. Parent advise him let's say ten days before he moves where he is moving to, and address and telephone number there, so that the Inspector can fulfill the order, his part of the conditions.

**6** THE COURT: All right. That makes sense. There will be an additional term then, sir, that within ten days of any move, you will notify your probation officer and Inspector Laframboise of your new address and your telephone number. Do you understand all those terms, sir? Do you have any problems, do you foresee any difficulties or problems with respect to any of those terms?

**7** MR. PARENT: No, I can even provide for the court or Mr. Laframboise today that - my mother's address, so that it's not a problem. I'm not sure exactly which day I'm moving. I have to arrange some sort of transportation.

**8** THE COURT: All right. Thank you. Good luck, sir, I hope we don't see you again.

**9** MR. PARENT: Thank you, you won't.

**10** THE COURT: Thank you. Thank you inspector.

P. WRIGHT J.

qp/s/qw/qlamb

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