

Ontario Zoo Review Series - #5

Guha's Tigers & Lions



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ZOOCHECK CANADA INC.

Zoocheck Canada is a national animal protection charity (#13150 2072 RR 0001) established in 1984 to promote and protect the interests and wellbeing of wild animals.

Policy

Zoocheck objects in principle to the keeping, confinement, use, exhibition and performance of wild animals in captivity as captivity is not in the best interests of those animals¹. Nor does the exhibition of live wildlife provide a positive educational experience for the general public. Wild animals removed from their natural environment and ecological context bear little or no meaningful resemblance to their counterparts in the wild.

Nonetheless, animals are kept in zoos and similar captive situations at present and for these animals, improvements in the conditions to which they are subjected are urgently needed. Zoocheck believes the onus must be on the owners/operators of facilities who choose to keep these animals captive, to provide for them the best possible care in the circumstances.

The Investigation

This report provides an overview of Guha's Tigers & Lions in Utterson, Ontario on August 22, 2008. It is the fifth in a series of investigative reports aimed at providing a snapshot image of the current status of captive wild animals in Ontario.

Investigator Profile

In 1978 Else Poulsen received her BSc. in Biology from Brock University and in 1995 her 4 year Diploma in Zookeeping from the City of Calgary Apprenticeship Programs. She has dealt with variety of animal species, in her work as a field biologist in Alberta's energy industry, as a zookeeper at the Calgary Zoo, and as a bear specialist in several other facilities.

She has provided expert assistance and advice about modernizing bear husbandry methods, environmental enrichment programming and enclosure design issues to zoos, sanctuaries and animal welfare groups around the world.

Poulsen has more than 40 papers and articles to her name in scientific research and technical journals, textbooks and other publications. She consults as an animal behavior and captive environment trouble-shooter. She has also lectured on modern bear care and animal welfare issues to audiences as diverse as university students studying population genetics to First Nations Band Council members in northern Canada.

¹ In limited circumstances, exclusively for the purpose of benefiting the individual animal or species, Zoocheck Canada supports the keeping of wild animals in captivity as part of a legitimate rehabilitation and release program, or for non-releasable animals that have been retired or rescued, or that are part of a legitimate captive propagation initiative, provided the animal's physical, psychological and social needs are addressed as the primary concern.

THE SITUATION IN ONTARIO

There are currently few rules governing the operation of zoos and other kinds of captive wildlife displays in Ontario. This lack of regulation has resulted in a proliferation of zoos and zoo-type exhibits in the province. Ontario has more of these facilities than any other province, including many of the worst in Canada

Unlike many other jurisdictions, in Ontario, non-indigenous exotic wildlife species are not regulated. Virtually anyone can acquire exotic wild animals, house them in conditions of their choosing and then open up for public viewing. There are no laws or regulations requiring the owners or operators of zoos to have expertise or experience in wild animal care, the financial resources to properly operate their facility or an ability to conduct their business in a humane and safe manner.

"Specially protected and game wildlife," defined as native wildlife listed in the *Fish and Wildlife Conservation Act*, can only be kept and displayed if a license to do so has been obtained from the Ontario Ministry of Natural Resources (MNR). Three general animal welfare conditions are attached to all licenses, but they are not specific and are open to interpretation, so enforcement is problematic.

Ontario's lack of zoo licensing and comprehensive wildlife in captivity standards has resulted in a large number of zoos and wildlife menageries operating at a standard of their own choosing. There is nothing in place that specifically addresses the many issues associated with the capture, breeding, keeping and display of wild animals in zoos and zoo-type exhibits.

The unfettered proliferation of wild animal displays in Ontario has been recognized as a problem for approximately 30 years. Numerous measures to deal with this issue have been initiated, but none have been fully supported by government, so the captive wildlife industry remains essentially unmonitored and uncontrolled to this day.

The Government of Ontario has the ability to create a regulatory regime for all wildlife in captivity that is consistent with other jurisdictions, comprehensive, fair to license holders and respectful of the many individual animals whose lives are directly affected by it. In addition to numerous workable and adaptable models being available in other jurisdictions, in 2001, the MNR published its own set of standards for zoos.

Comprehensive Licensing and Regulation is Required

The Ontario government should implement and administer a comprehensive zoo and wildlife in captivity regulatory program that requires anyone holding native and/or exotic wild animals in captivity to obtain a license and to satisfy a series of conditions as to their knowledge, experience, financial abilities, wild animal housing and management practices, safety procedures and other relevant issues. Licenses should be issued annually and only after an inspection of the premises to be licensed is conducted. The regulatory program should include the ability to conduct special inspections, penalties for non-compliance and provisions for license revocation.

Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act

In 2008, the Ontario government introduced *Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act*. During the buildup to the introduction of the Act, government officials and elected representatives said the Act would deal with a variety of animal welfare issues, including roadside zoos.

Bill 50 would:

- Make it a provincial offence to abuse any animal. Ontario is the only province where it is not an offence to abuse most animals. It is only an offence to abuse cats and dogs in commercial breeding operations.
- Establish penalties including a lifetime ban on owning animals.

- Allow the Ontario SPCA to inspect roadside zoos and other facilities that keep animals. Currently, anyone can refuse to show the Ontario SPCA their animals.
- Establish animal care standards and make failing to comply with these an offence.

While Bill 50 contains a number of very positive features and will significantly improve the existing Ontario SPCA Act, it will not address most of the problems that have been identified in zoos and zoo-type exhibits across the province.

Even though the Ontario government has repeatedly indicated its intent to deal with wildlife in captivity issues through Bill 50, there are currently no standards or regulations being proposed at this time. If standards of some kind are developed in future, they will not contain up front licensing of zoos and zoo-type exhibits that screen persons wanting to own wild animals or open public displays. Standards promulgated under Bill 50 will be enforced retroactively after animals have been acquired or a zoo or wildlife display opened.

If, as the Government of Ontario has stated, Ontario is to move from "worst to first" in animal protection, then Bill 50 must include comprehensive regulations for zoos. With the weakest zoo regulations in the country, Ontario is the only province that does not require zoos and zoo-type facilities to meet specific public safety requirements and does not require residents to obtain a license to keep exotic wild animals.

The lack of appropriate laws and regulations, and the difficulties inherent in enforcing the existing relatively minor welfare provisions attached to licenses issued under the *Fish and Wildlife Conservation Act*, mean that Ontario's zoos and wildlife exhibits go more or less unchecked. This has left a need for independent animal welfare agencies, such as Zoocheck Canada and the World Society for the Protection of Animals (WSPA), to proactively and comprehensively monitor and evaluate these facilities for concerns of human health and safety and animal welfare.

COMMENTARY – Guha’s Tigers and Lions

General

Guha’s Tigers & Lions was previously evaluated on August 22, 2006. I recommended then that the facility be closed in the interest of animal welfare and human safety. Cages were inappropriately small, animals were languishing in completely barren environments, and the barriers were in a state of disrepair that I felt was dangerous.

During this current investigation, I estimated that there were approximately 75% fewer animals than during my previous visit. This may be the result of the Ontario Ministry of Natural Resources (OMNR) removing a number of native animal species in the fall of 2007. While I did not observe any tigers, there were three male and two female adult lions and three 3-day old lion cubs (one male and two females) that had apparently been pulled from their mother. I also observed one black jaguar, two adult cougars and three 10-day old cubs that had been removed from their mother, two Vietnamese pot-bellied pigs and two alpacas, as well as several domesticated pets.

Mr. Guha provided a colleague and me a personal tour and indicated that the facility was still open to the public. No other members of the public were present during my visit, something that I thought was unusual for a Friday during the summer season. During my 2006 visit, there were six to eight cars in the parking lot and approximately 30 visitors, as well as three or four animal care volunteers.

Mr. Guha himself does not appear to be well. His vision seemed to be impaired and he was walking with a cane. During the tour his physiotherapist arrived and joined us. Under normal circumstances the health of the zoo operator is not necessarily an issue, but Mr. Guha informed us that he still enters the lion cages. Entering cages housing big cats is a questionable and usually risky practice at the best of times.

I was informed that a black jaguar escaped from his enclosure, killed the family dog and was eventually shot in February 2008. The jaguar was stuffed and now stands in the living room of the family home.

Husbandry and Animal Welfare

Although there are now fewer animals in the menagerie, there does not appear to have been any improvement in the overall welfare of the animals. Most enclosures are still in a state of disrepair, except for the newer lion exhibit and the now empty tiger exhibit at the entrance to the farm. All of the enclosures are too small, fenced inappropriately with small gauge wire, hardpan floors (muddy from this summer’s excessive rainfall) and lack any significant species-specific enrichment. The old enclosure that currently houses 1.1 young lions has a low chain-link fence approximately 2.4m (8 ft) high that lacks an inwardly angled upper segment at the top and which did not appear to be buried into the ground to prevent digging.

Several older empty cages were now overgrown and seemed to be in a decaying state.

The interior of the animal cages were poorly equipped, so the animals had nothing to keep them mentally stimulated. Most of them were inactive at the time of my visit, except the black jaguar who I observed pacing, in what appeared to be a stereotypic fashion.

Of particular concern to me was the disposition of the big cat cubs that I observed. The female cougar had given birth to three cubs ten days previously which Mr. Guha apparently pulled for hand-raising in his home. My colleague and I were invited inside to observe and hold the 10-day old cubs. According to Mr. Guha, two of the three cubs were going to be sent to friends in Germany as pets.

The adult lioness gave birth to three cubs the day before my visit and Mr. Guha plans to pull them from their

mother and hand raise them as well. Since lions and cougars are already in a surplus situation in captivity, I question why these animals are being bred and where these cubs will end up.

When asked where his tigers were, Mr. Guha told me, “a group of us got together and decided that they needed to breed Siberian tigers in order to preserve them. The tigers are at many facilities but he will be getting young from the Cincinnati Zoo that he will then hand raise for training.”

Human Safety

In addition to the questionable state of many of the animal cages and enclosures, possibly a factor in the recent escape of a jaguar, and Mr. Guha’s apparent health problems, he also informed us that he has 100 acres [without a perimeter fence] where he takes the adult lions out for a run behind his all terrain vehicle. When asked if he thought the lions would escape, he replied, “Where would they go? I am their everything.” If Mr. Guha’s statements are accurate, an additional, quite severe public safety threat exists. These factors all combine to create a potentially hazardous situation for Mr. Guha, visitors to his property and local residents.

One additional health issue is the fact that visitors are able to contact certain animals, creating a potential for animal to human disease transfer. While this concern can be somewhat mitigated through the provision of handwash stations equipped with antiseptic soap, none were observed on the property.

Public Education

There is no educational signage for visitors and no information about the biology, behaviour, conservation status of the animals was available or offered during my visit. As well, the poor condition of the enclosures, lack of enrichment to stimulate natural behaviors, and the resultant abnormal behaviours (e.g., lethargy, pacing) combine to make this facility devoid of public education value.

Summary

It appeared to me that Guha’s Tigers & Lions may be in the process of shutting down. There are fewer animals, reduced public visitation hours and seemingly fewer people visiting. As well, the facility has experienced numerous recent problems, including the removal of native wild animals by the OMNR and the escape and death of a jaguar. Unfortunately, the animals that are left still languish in dilapidated, barren cages where they are unable to express natural movement patterns or behaviors. In my opinion, this facility should be closed and the animals moved to other, preferably better, facilities.



This lion cage is barren and has a hardpan floor surface. All animals must be provided with furnishings, enrichment and soft floor surfaces that encourage natural movements and behaviours.



Cougars and other big cats are already overpopulated in captivity and should not be bred.



The furnishings in this cougar enclosure are simplistic and inadequate. The interior spaces of animal exhibits should be changed periodically to prevent boredom.



The horizontal ceiling support on this cage should be repaired. All cages must be well constructed and secure, particularly if they contain potentially dangerous animals.



This ramshackle lion cage is small and barren. The fencing is poorly constructed, not equipped with an overhang section at the top and the gate does not properly fit the frame.



Bored animals often seek stimulation outside of their cages. This lion enclosure is devoid of furnishings, objects and other forms of stimulation

CONCLUSIONS & RECOMMENDATIONS

This series of investigative reports highlight animal welfare and human safety concerns in zoos and wildlife displays across the province.

Key problems identified in Ontario zoos in 2008 include:

1. Poor animal health and welfare;
2. Undersized, badly constructed, poorly designed cages and enclosures;
3. Inappropriate substrates (floor surfaces);
4. Lack of adequate shelter and privacy;
5. Lack of stimulation (e.g., furniture, objects, other enrichment);
6. Lack of nutritive food and potable water;
7. Inadequate safety and security measures.

Many of these problems have been identified in previous reports by various parties in past years.

Recommendation

Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act is currently being considered by the Government of Ontario. It contains a number of very positive features and will significantly improve the existing Ontario SPCA Act. However, there are currently no standards or regulations being proposed at this time within Bill 50 or in any other provincial legislation that will properly address issues associated with the keeping of wildlife in captivity. Ontario has the ability to create a regulatory regime within Bill 50 and in other legislation that is both comprehensive and workable but, so far, has chosen not to do so.

In order to properly handle the various animal welfare and human safety concerns inherent in the operation of zoos and wildlife displays, a comprehensive regulatory regime is required. Regulations must require anyone holding native and/or exotic wild animals in captivity to obtain a license and to satisfy a series of conditions as to their knowledge, experience, financial abilities, wild animal housing and management practices, safety procedures and other relevant issues. Annual licenses should only be issued after an inspection of the premises that is to be licensed is conducted. The regulatory program should include the ability to conduct special inspections, penalties for non-compliance and provisions for license revocation.

If, as the Government of Ontario has stated, Ontario's animal protection laws are to be brought from "worst to first," then *Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act* must include comprehensive zoo regulations that adequately and proactively address animal welfare and human safety concerns in Ontario zoos and wildlife displays.