

Horse-slapping incidents highlight service animal protection law



Three people charged for slapping a Kingston police horse points to a new law aimed at protecting law enforcement and other service animals, and the stiff penalties it carries, says Toronto civil litigator [Sarah O'Connor](#).

"The laying of these criminal charges points to the new law and that police are going to use it to protect working animals," she tells [AdvocateDaily.com](#).

O'Connor, principal of [O'Connor Richardson Professional Corporation](#), comments after the [CBC](#) reports that three individuals — a female Queen's University student, a male Algonquin College student and another man from the Cobourg, Ont., area — each face a charge of injuring a law enforcement animal. The charges relate to three separate incidents that occurred within an hour of one another during Queen's Homecoming.

A video posted online shows a woman running up to a police horse and slapping or touching the animal's hip area; the horse then kicks the woman, who falls to the ground. She gets up and runs away while holding a hand to her face. [Watch the video here](#).

The charge the woman and the other two individuals face is part of an amendment to the *Criminal Code* known as "*Quanto's Law*," so named for an Edmonton police dog stabbed to death by a suspect in 2013, reports the national broadcaster. The new law was enacted in 2015 and holds accountable those who kill or injure service, military and law enforcement animals, the article says.

It was effected in order to make the penalties tougher for such acts. Prior to the amendment, police were only able to charge individuals under animal cruelty laws, which generally carry less-severe penalties.

O'Connor explains that anyone convicted of killing such an animal can face up to five years in prison; injuring such animals can result in 18 months in jail and a maximum fine of \$10,000.

To put these penalties into perspective, you can look at those associated with manslaughter convictions in the *Criminal Code*.

"The minimum sentence for manslaughter when it involves a firearm is four years in prison — the maximum for killing a service animal is five years in prison," she says.

O'Connor says the new law is not just there to protect police and military animals; it also protects guide dogs and other service animals.

"The argument could also be made that it applies to *other* compassion pets, which are trained to do tasks for the benefit of an individual with a disability," she says.

O'Connor says the first charge under the Quanto's Law was laid in August in Edmonton.

O'Connor says it's important to highlight that the *Criminal Code* s. (455.01 (1)) says "injuries," but doesn't quantify the injury.

"The Act says 'injuries' and not assault," she says. "Would the Crown have to tender veterinary records to show the slap caused an injury? The case law might evolve or the section might be later amended to define the term injury. There is a difference between an animal being stabbed or a leg broken by a suspect and a horse being slapped with no injuries."

O'Connor notes the woman in the video is lucky she wasn't seriously injured.

"Had the horse kicked her in the head, she may have been paralyzed," she says. "As well, if the animal was spooked and had injured people in the crowd, would those individuals then come after the police in a civil suit? If the officer had been injured, the charges would have escalated to include injuries to an officer."

O'Connor says the horse-slapping case shows how it's important to be careful around any service animal and how serious the law takes their role.