

ANIMALS & THE LAW



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Understanding the Link Between Animal Cruelty and Interpersonal Violence

Animal Abuse Exposes Other Criminal Behavior



**70% of people charged
with cruelty to animals
were known by police for
other violent behavior--
including homicide.**

(National Link Coalition—Boat & Knight, 2000)

The Link Between Animal Abuse and Family Violence: Women



Twelve independent surveys have found that between 18% and 48% of battered women have delayed their decision to leave, or have returned to their abusers, out of fear for the welfare of their animals.

(Ascione, 2007)

The Link Between Animal Abuse and Family Violence: Women



**71% of abused women said
their partners harmed, killed
or threatened pets.**

(NATIONAL LINK COALITION—ASCIONE, WEBER & WOOD,
1997)

The Link Between Animal Abuse and Family Violence: Children



- ◆ Abused animals were found in **60%** of homes where child abuse or neglect occurred.
- ◆ Abused animals were found in **88%** of homes where physical child abuse occurred.

(DEVINEY, DICKERT, & LOCKWOOD, 1983)

The Link Between Animal Abuse and Family Violence: Children



- ❖ **Children exposed to domestic violence were three times more likely to be cruel to animals.**

(NATIONAL LINK COALITION—CURRIE, 2006)

- ❖ **26.8% of boys and 29.4% of girls who were victims of physical and sexual abuse and domestic violence have been reported to abuse the family pet.**

(FRANK R. ASCIONE, *CHILDREN AND ANIMALS: EXPLORING THE ROOTS OF KINDNESS AND CRUELTY* (2005))

The Link Between Animal Abuse and Family Violence: Children



- **75% of the incidents of animal abuse occurred in the presence of children to psychologically control and coerce them.**

(NATIONAL LINK COALITION—ASCIONE, WEBER & WOOD, 1997)

- **The parent responsible for abusing the child was often also the person who injured or killed the family pet.**
- (THE FIRST STRIKE: THE VIOLENCE CONNECTION. THE HUMANE SOCIETY OF THE UNITED STATES. DEVINEY, DICKERT & LOCKWOOD, 1983)

Willingness to Discuss Animal Abuse vs. Child/Domestic Violence



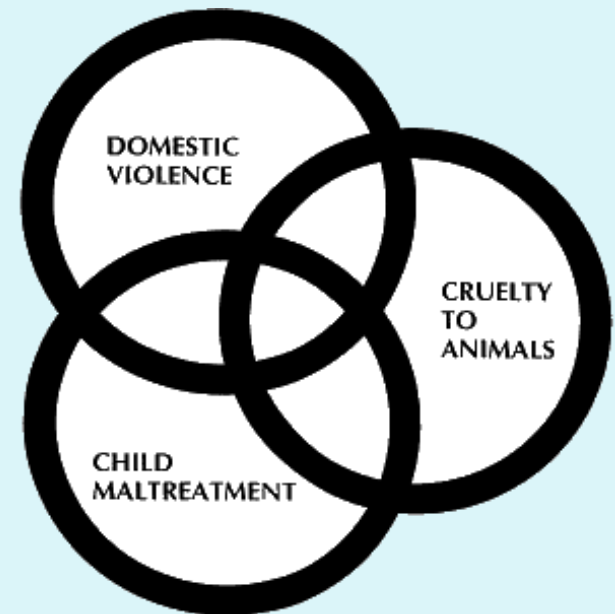
- Victims may be more willing to speak about harm to a pet.
- Talking about animal cruelty or neglect may open discussions to other family violence.

What is “the Link” ?



- ❖ Correlation between related abuses and violence
 - Animal abuse
 - Child abuse
 - Domestic violence
 - Elder abuse
 - Other personal violence

(Ascione, Arkow, 1999)



Examples of the Link Between Animal Cruelty and Interpersonal Violence



**Physical animal cruelty as a symptom
of child abuse and family violence:**

**“LOOK WHAT I CAN DO WITH
YOUR ANIMAL, AND IMAGINE
WHAT I CAN DO TO YOU.”**

*(Cynthia Hodges, *The Link Between Animal Cruelty and Violence Toward People*, 2007)*

What Are The Animal Laws?



- **THE CONSTITUTION OF INDIA**
- **THE INDIAN PENAL CODE, 1860**
- **THE CRIMINAL PROCEDURE CODE, 1973**
- **THE PREVENTION OF CRUELTY TO ANIMALS ACT, 1960**
- **THE WILDLIFE PROTECTION ACT, 1972**
- **THE POLICE ACTS**
- **THE MUNICIPAL CORPORATION ACTS.**

The Indian Penal Code, 1860

On Animals



- **SECTION 47 – DEFINITION OF “ANIMAL”**
- **SECTION 289- NEGLIGENT CONDUCT WITH RESPECT TO AN ANIMAL**
- **SECTION 428- MISCHIEF BY KILLING OR MAIMING ANIMAL OF THE VALUE OF TEN TO FIFTY RUPEES.**
- **SECTION 429 – MISCHIEF BY KILLING OR MAIMING ANY ANIMAL OF THE VALUE OF FIFTY RUPEES AND MORE - UP TO FIVE YEARS IMPRISONMENT.**

Other Animal Laws



- **THE PREVENTION OF CRUELTY TO ANIMALS ACT, 1960 – PERTAINS TO CAPTIVE ANIMALS AND DOMESTIC ANIMALS – SEC. 11 DEFINITION OF CRUELTY**
- **THE WILDLIFE PROTECTION ACT, 1972 – PERTAINS TO WILD ANIMALS – BOTH FLORA AND FAUNA – AIMED AT CONSERVATION OF ANIMALS AND THEIR HABITAT.**

Police Acts



- Empowers Police Officers with respect to offences under the PCA Act, 1960 or WPA, 1972
- Empowers Police Officers with respect to offences otherwise e.g. when a cow is left tied on the road for hours together
- State Laws – enacted and enforced by various States

Municipal Corporation Acts



DEALS WITH:-

- Deals with dead animals
- Establishment & maintenance of veterinary hospitals, cattle pounds, farms, dairies, municipal markets and slaughter houses;
- Licenses to private markets and slaughter houses, theatre, circus etc.
- State Acts – enforced by State agencies.

Salient Features of the Prevention of Cruelty to Animals Act, 1960



CENTRAL ACT - IN FORCE THROUGHOUT THE TERRITORY OF INDIA.

RULES UNDER THE ACT - IN FORCE THROUGHOUT INDIA UNLESS SPECIFIED OTHERWISE.

SEC.11 ENUMERATES THE VARIOUS FORMS OF CRUELTIES ON ANIMALS WHICH ARE PROHIBITED

Salient Features of the Prevention of Cruelty to Animals Act, 1960



CHAPTER IV - EXPERIMENTATION ON ANIMALS- CPCSEA -TO REGULATE EXPERIMENTATION - GENERAL OBJECTIVES LAID DOWN – NON-COGNIZABLE OFFENCES

CHAPTER V – PERFORMING ANIMALS- REGISTRATION MANDATORY- PROCEDURE LAID DOWN IN SEC.23 - SEC.26 OFFENCE AND PUNISHMENT.

Salient Features of the Wildlife Protection Act, 1972



APPLICABLE ALL OVER INDIA EXCEPT JAMMU AND KASHMIR WHICH HAS ITS OWN ACT.

HUNTING OF ANY SCHEDULED ANIMAL PROHIBITED.

HUNTING - ALSO INCLUDES CAPTURING AND TRAPPING A WILD ANIMAL

Salient Features of the Wildlife Protection Act, 1972



SCHEDULES I,II,III & IV LIST DIFFERENT PROTECTED SPECIES, THE KILLING OR TRADE OF WHICH IS PROHIBITED.

SCHEDULE VI LISTS PROTECTED PLANTS

A SCHEDULE I OFFENCE CAN EARN A REPEAT OFFENDER 6 YEARS IN PRISON AND A FINE OF RS.25,000.

RULES FOR PROTECTED AREAS

Why Should Wildlife Crime be Prevented?



SPECIES FACE EXTINCTION BECAUSE OF DEMANDS FROM THE WILDLIFE TRADE.

WILD PLANTS - PROVIDE GENETIC VARIATION FOR CROPS-NATURAL SOURCE FOR MANY MEDICINES-THREATENED BY THE TRADE.

ILLEGAL WILDLIFE TRADE-PART OF THE CRIME SYNDICATE-MUST BE PREVENTED.

Wildlife crime



LIVE ANIMALS ONLY FORM A SMALL PART OF THE TRADE.

THE TRADE OCCURS AT ALL LEVELS

**ONLY SECOND TO NARCOTICS -
SECOND LARGEST ILLEGAL
OCCUPATION IN THE WORLD.**

CITES



**CONVENTION ON INTERNATIONAL TRADE IN
ENDANGERED SPECIES OF WILD FLORA AND
FAUNA.**

**REGULATES INTERNATIONAL TRADE IN
ENDANGERED SPECIES & EXPORT-IMPORT
OF ENDANGERED SPECIES BETWEEN
MEMBER COUNTRIES- SPECIES**

**AUTHORITY- DIRECTORATE OF CITES &
OFFICERS OF THE WPA**

Areas of Application of Animal Laws



PERFORMING ANIMALS

DRAUGHT AND PACK ANIMALS

TRANSPORTING OF ANIMALS

**SLAUGHTER INCLUDING TREATMENT OF
ANIMALS BEFORE AND DURING SLAUGHTER**

COMPANION ANIMALS AND STRAYS

WILD ANIMALS AND THE WPA

FISHING

ZOOS

EXPERIMENTATION ON ANIMALS

Performing Animals



**PERFORMING ANIMAL (REGISTRATION)
RULES, 2001.**

WILDLIFE PROTECTION ACT, 1972.

**CENTRAL ZOO AUTHORITY GUIDELINES.
CINEMATOGRAPHY ACT, 1952.**

Performing Animal (Registration) Rules, 2001.



- **REGISTRATION WITH AWBI MANDATORY.**
- **LION, TIGERS, BEARS, PANTHERS, MONKEYS, BULLS – COMPLETE PROHIBITION ON PERFORMANCE.**
- **APPLICABLE TO ALL KIND OF PERFORMANCE INCLUDING**
 - Circuses, Madaris, Kalanders
 - Films (Movie, Advertisements, etc.)

Performing Animals & WLPA 1972



**ALL WILD ANIMALS UNDER ACT- GOVT.
PROPERTY**

**PERMISSION IN WRITING OF THE CWW TO
KEEP SUCH ANIMALS-NO GUIDELINES TO CWW
TO ISSUE LICENSE**

**-PROOF THAT ANIMAL WAS BRED IN
CAPTIVITY TO BE GIVEN BY THE LICENSEE-
LOOPHOLE**

**SNAKE CHARMERS, PARAKEET FORTUNE
TELLERS ALL COVERED BY THE WLPA,1972.**

Performing Animals Instances



ANIMAL RACING - SEC.11(1)(A), PCA, 1960

BULL-FIGHTING - SEC.11(1)(N), PCA, 1960

**COCKFIGHTS - SEC.11(1)(M)(II) & (N) PCA,
1960**

**PARTRIDGE FIGHTS - SEC.11(M)(II)(N), PCA,
1960 –ALSO A OFFENCE UNDER THE WPA, 1972
- SCHEDULED BIRD.**

Animals in Films



LANDMARK JUDGMENT :

- **PETA INDIA V/S CBFC AND OTHERS**
- **MANDATES CBFC TO SEEK CERTIFICATE FROM AWBI BEFORE GIVING A CENSOR CERTIFICATE**
- **AWBI TO SET UP INSPECTION MECHANISM**

Draught & Pack Animals



PCA, 1960 - SEC.11(1)(A) & (B)

**SEC.38 - “PREVENTION OF
CRUELTY OF DRAUGHT AND
PACK ANIMALS RULES, 1965”-
PRESCRIBES MAXIMUM LOAD
ETC.**

Animal Experimentation



**CHAPTER IV- SECTION 15-
EXPERIMENTATION ON ANIMALS- CONFERS
POWER ON THE CG TO APPOINT CPCSEA- SET
UP TO REGULATE EXPERIMENTATION -
GENERAL OBJECTIVES LAID DOWN.**

**CPCSEA NOT ADVISORY COMMITTEE BUT A
STATUTORY COMMITTEE- HENCE RULES
FRAMED BY THIS COMMITTEE ARE BINDING-
BREACH - OFFENCE UNDER THE PCA, 1960.**

Dissection



**SEC.17 CALLS FOR AVOIDING EXPERIMENTS
WHERE EVER POSSIBLE**

**CPCSEA - STATUTORY BODY - RIGHT TO
PROHIBIT & REGULATE DISSECTION.**

Transporting Animals



**PCA ACT, 1960- SEC.11(A), (D),
(E) & (H)**

**TRANSPORT OF ANIMAL
RULES, 1978**

**PCA (TRANSPORT OF ANIMALS
ON FOOT) RULES, 2001**

Slaughter

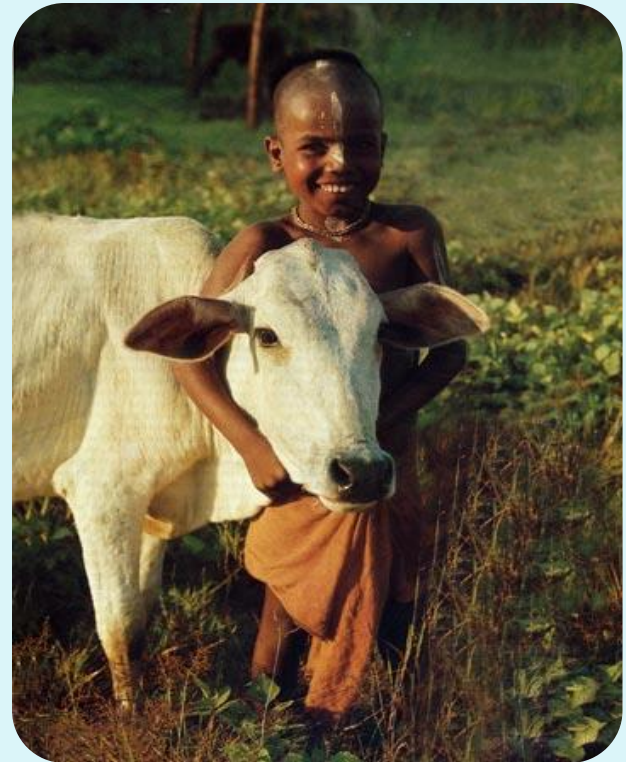


**PROHIBITED IN ANY CORPORATION OR
MUNICIPAL AREA WITHOUT LICENSE**

PCA (SLAUGHTERHOUSE) RULES, 2001

FSSAI

Cattle, Sheep and Goat



Meat - Process Chain



Shandy



Transport



Abattoir

Shandy (Animal Market)



No shade, Water Troughs , Tied Closely



Photo Courtesy : PETA India

No Loading Ramps



Photo Courtesy : PETA India

No Unloading Ramps



Photo Courtesy : PETA India

Over loading



Photo Courtesy : PETA India

Animals under legal age of slaughter sold



Photo Courtesy : PETA India

Transport – Truck and Foot



Transport of Animals by Foot



- Animals are walked across the borders to

Photo Courtesy : PETA India avoid check posts and other authorities

Animals are injured during transport



Photo Courtesy : PETA India

Animals collapse during transport



- Animal Handler standing on a downed cattle

Photo Courtesy : PETA India

Abattoir

No Proper Holding Area



Photo Courtesy : PETA India

Cruel Handling



Photo Courtesy : PETA India

Slaughter in Contravention of Slaughterhouse Rules



Photo Courtesy : PETA India

Public Health Concerns



Photo Courtesy : PETA India

Animals Slaughtered in Full view of each other in contravention of the Slaughterhouse Rule



Environmental Hazard



Photo Courtesy : PETA India

Poultry Meat and Eggs









Chicken Meat

Broiler Farm





Dairy Industry



Krishna Mandapa, Mamallapuram



Future of Milk Production in India ?





Thank you!