

THE CHRONICLE-HERALD

The Chronicle-Herald

Nova Scotia, Friday, January 25, 2002, p. A5

Digby County dog abuser kicks up fuss at courthouse; Couple must pay \$2,300 in vet bills, fines; banned from owning animalsGordon Delaney
Valley Bureau

Digby - The owner of a notorious puppy mill stormed out of court here Thursday, banging doors and yelling obscenities after she was fined for animal cruelty.

Gail Benoit, 32, of Marshalltown, Digby County, then stood on the courthouse steps smoking cigarettes and yelling insults and obscenities at people as they left the building.

Ms. Benoit and her common-law spouse, Dana Bailey, 38, both convicted after an earlier trial, were fined a total of \$1,120 and banned from owning animals for five years. They were also ordered to reimburse the local branch of the SPCA \$1,261 for veterinary bills and housing for the animals.

Judge Robert Prince said he hoped the sentence sends a strong message that "there are consequences for this type of action."

"When we take control of animals, when we bring that animal home, we're responsible for its condition," said the judge. "Animals don't ask to come home with us, we ask them."

Judge Prince didn't accept defence lawyer Michael Power's argument that the poor condition of three dogs - an adult and two puppies - was temporary because the owners were away for the day.

Testimony revealed the dogs were emaciated, flea-ridden and had no food or water. The adult dog and one of the puppies were suffering from hypothermia, Dr. Neil Pothier told the court.

"I disagree that there was a transient period of neglect that would have ended when the accused returned home," the judge said. "It was clear that this was a condition that was chronic and acute."

Ms. Benoit and Mr. Bailey were charged under the provincial Animal Cruelty Prevention Act after the dogs were seized from their yard Nov. 23. The animals were later treated by a veterinarian who testified they might have died had they not been removed.

There was a sign outside the home advertising pups for sale.

Crown attorney Lloyd Lombard wanted a \$3,000 fine and the couple banned for life from owning animals.

"The defendants did not have animals because they loved them. They had them purely for profit," said Mr. Lombard.

Mavis Haycock, vice-president of the Nova Scotia SPCA, was disappointed there was no lifetime ban. "It was a very serious case of neglect," she said outside court.

"The money part of it is not really an issue. It's the ban on owning animals that's really important to us."

delaney@herald.ns.ca

© 2002 *The Chronicle-Herald - Halifax. All rights reserved.*

Document number: news-20020125-HH-1487

PUBLI-C news·20020125·HH·1487

This certificat is issued to **Joan Sinden** for personal and temporary display.

Date of issue: **2008-01-30**

The present document and its usage are protected under these international copyright laws and conventions.