

Bil Anifeiliaid Gwyllt a Sycrasau (Cymru) | Wild Animals and Circuses (Wales) Bill  
WA 11

**Ymateb gan :** Animal Defenders International  
**Evidence from :** Animal Defenders International

### General comments

1. ADI would like to express concern regarding the implementation date of the ban. The Bill currently states that “This Act comes into force on 1 December 2020”. A ban is already in place in Scotland and the Wild Animals in Circuses (No. 2) Act 2019, banning the use of wild animals in circuses in England, will come into force on 20 January 2020. It is therefore likely that, with the proposed implementation date, circuses with wild animals, from England and possibly elsewhere, will tour Wales for another season, delaying further the ban that the public wants and the animals need.

### **To consider the general principles of the Wild Animals and Circuses (Wales) Bill and whether there is a need for legislation to deliver the Bill’s stated policy objectives**

2. Animal Defenders International (ADI) is pleased that the Welsh Government has introduced the Wild Animals and Circuses (Wales) Bill and welcomes this commitment to finally end the suffering of wild animals in travelling circuses in Wales. ADI has investigated the use of animals in travelling circuses in the UK, Europe, and around the world for more than 20 years and has documented the day-to-day treatment of animals, animal care practices, and studied the physical and psychological effects of constant travel. Welfare is always compromised.
3. Seeking to ban the use of wild animals in travelling circuses, the Wild Animals and Circuses (Wales) Bill is a practical and popular measure, its ethical basis reflecting the consistently overwhelming public support for a ban. The Welsh Government’s public consultation on the issue in 2018 showed 97% support a ban and 97% agree it would have a positive impact on attitudes of children and young people towards animals. In addition, a 2018 opinion poll on the use of wild animals in circuses in Europe showed that 81% of adult respondents in Wales agreed that such acts should not be allowed<sup>i</sup>. UK polls over many years have also consistently shown overwhelming support for a UK-wide wild animal ban.
4. The tricks which animals are trained to perform in circuses are neither natural movements for the animals, nor educational for those watching them. Circus animal acts do not teach respect for animals or appreciation of the species

with whom we share our planet; in fact, they teach the opposite, and do little to educate their audience about the natural behaviour of the wild animals on display, or their conservation.

5. As outlined in the explanatory memorandum accompanying the Wild Animals and Circuses (Wales) Bill, the 2016 report<sup>ii</sup> on the welfare of wild animals in travelling circuses (and mobile zoos) commissioned by the Welsh Government, conducted by Professor Harris of Bristol University and for which more than 650 experts were consulted worldwide, concluded that life for the animals “does not appear to constitute either a ‘good life’ or a ‘life worth living’”, supporting a ban. Other findings included that:
  - All five of the ‘freedoms’ are compromised.
  - There is “No scientific evidence to suggest that some species of wild animals (vertebrates or invertebrates) are more suited” to such a life.
  - Most animal performances “focus on tricks that do not reflect natural behaviours”.
  - “Traditional animal training methods are coercive and based on force and aggression”. Circus trainers “have few or not recognised qualifications or formal training”.
  - “Minimum recommended enclosure sizes for animals in circuses are on average 26.3% of the recommended enclosure size for animals in zoos”.
  - There is “No scientific evidence that wild animals fully adapt to frequent transport”.
6. As these findings indicate, using wild animals in a travelling circus presents a particular set of issues due to the nature of the travelling environment which can only be remedied through prohibitive legislation.
7. A ban on the use of wild animals in circuses is the economic and proportionate option, given the difficulty of enforcing regulations in travelling shows. The creation of an offence would be very effective in preventing wild animals from being used in travelling circuses in Wales. Restriction of the use of animals has already been shown to benefit circuses and the sector as a whole, shows with human-only acts proving very successful.
8. Due to the nature of the travelling circus, licensing and inspection cannot safeguard or improve animal welfare. Visits from an inspector, whether pre-arranged or unannounced, do not necessarily detect welfare deficits experienced by wild animals in travelling circuses, as ADI investigations have shown. For example:
9. 2015/6: ADI made extensive observations of the winter quarters of Peter Jolly’s Circus – which tours Wales and is currently licensed to use wild animals in England. The site in operation for decades and inspected by Defra, there was little evidence of any effort to provide appropriate facilities for the

animals. ADI filmed appalling overcrowding, fighting between animals, a worker spitting in the face of and tormenting a camel, animals crammed in a run-down building for 14 hours a day, some animals shut in the dilapidated building for days on end, on one occasion, animals tethered for up to 40 hours and government regulations ignored<sup>iii</sup>.

10. 2015: When big cat owner Thomas Chipperfield was unable to obtain a licence in England, he embarked on a tour of Wales with his act 'An Evening with Lions and Tigers' under the guise of education. The tour sparked a public outcry and political opposition, and at the end of the season, the circus returned to England<sup>iv</sup>. The following year ADI revealed the miserable lives of the lions and remaining tiger. Living caged on the back of a truck, the animals were shut behind metal shutters at night, with restricted access to an outdoor exercise area during the day<sup>v</sup>.
11. 2011: ADI exposed the beating of Anne, a 57-year-old elephant and other animals kept at the winter quarters of Bobby Roberts' Super Circus. The abuse was only captured as a result of recordings made by a hidden camera over a three-week period in February. Anne had apparently been placed in the barn at the end of the season, the previous November. Given the circumstances, a visit by a local inspector, whether pre-arranged or unannounced, could not have prevented or identified the abuse ADI recorded. Despite the advice of a vet in 2002 that Anne should be retired to a sanctuary, Anne continued to tour with the circus until the end of 2010. She was released from the circus winter quarters when the resulting public pressure forced the circus to relinquish her. <sup>vi</sup>The footage led to the first ever conviction for cruelty of a British circus owner under the Animal Welfare Act 2006. Bobby Roberts was charged on three counts for causing the elephant unnecessary suffering, failing to prevent the employee from causing suffering and failing to ensure her needs were met. <sup>vii</sup>
12. 2009: ADI's investigation of the use of three elephants with the Great British Circus demonstrated that enforcement of regulations by inspection would be doomed to failure. DEFRA animal health inspectors, local authority inspectors and a team of RSPCA inspectors were unaware during inspections that: the elephants were chained for up to eleven hours a day; their access to water was being restricted; there were various health problems; they were being abused by the workers. The circus reported they had been inspected on six occasions during the tour, and had told MPs at a presentation in the House of Commons earlier in the year that there were "no chains in our elephant tent". <sup>viii</sup>
13. 1997: ADI video footage of an injured lioness, mauled by a tiger, being hidden behind bales of straw during an RSPCA visit demonstrates the comparative ease of hiding animals in a travelling environment from even the best-intentioned inspections <sup>v</sup>. This is because the animals are kept in a

variety of vehicles and containers which are not all obvious places to keep animals; they move around from place to place in the circus and their numbers can vary.

14. 1997: At Mary Chipperfield Promotions in Hampshire, ADI produced evidence of elephants, camels, chimpanzees and other animals being beaten. The farm was an official Ministry of Agriculture, Fisheries & Food (MAFF) quarantine facility; it carried a Dangerous Wild Animals Act 1976 licence; it was registered under the Performing Animals (Regulation) Act 1925; co-owner Roger Cawley was at the time a Government zoo inspector <sup>v</sup>. As a result of the footage, Mary Chipperfield was convicted on 12 counts of animal cruelty towards 18-month old chimp Trudy. Her husband, Roger Cawley, was also convicted of cruelty to a sick elephant named Flora.

**To consider the provisions of the Bill, in particular, in relation to:**

- (i) the prohibition of using wild animals in travelling circuses (including the meanings set out in sections 2 to 4);**

15. ADI accepts most of the definitions set out in the Bill.

**Meaning of “operator”**

16. ADI accepts this definition in the Bill, which is defined in a way which is widely understood and accepted.

**Meaning of “wild animal”**

17. The draft Bill in its current form outlines that “wild animal” means an animal of a kind which is not commonly domesticated in the British Isles.” Whilst we agree with this definition, clarification that “domesticated” means animals physically changed by domestication due to selective breeding by humans may be helpful to address claims from circuses and circus associations that wild animals in circuses are domestic. Such statements are not in line with any scientifically recognised definition of domesticated species and it is therefore important that the definition of “wild animal” is in no way distorted. As stated by the Federation of Veterinarians of Europe “These animals have the same genetic makeup as their counterparts in the wild and retain their natural instinctive behavioural drives and needs.”

**Meaning of “travelling circus”**

18. ADI accepts this definition in the Bill, which is defined in a way which is widely understood and accepted.

**To consider whether there are any unintended consequences arising from the Bill;**

**Fate of the animals**

19. Concerns have been raised over what will happen to the animals as there are no provisions made in the Bill. While discussions during the passage of the ban in the UK Parliament assessed the risk of the animals being euthanized, neither of the two circuses with wild animals expressed an intention to euthanize their animals during evidence given at committee stage.
20. ADI would be happy to assist with relocation of animals affected by a ban and has extensive experience in relocating circus animals following government action. We have assisted with enforcement of legislation banning the use of animals in circuses in Bolivia, Peru and currently in Guatemala, this work includes logistical support for seizures and rescue, and relocation of animals to suitable sanctuaries.

**To consider the financial implications of the Bill (as set out in Part 2, Section 8 of the Explanatory Memorandum);**

21. A complete ban on the use of animals in circuses is the most cost effective option for the government and circuses, whose revenue should not be negatively affected; on the contrary circuses can flourish and increase their revenue by becoming animal free, as other circuses who have done so have shown.
22. For the circuses that tour Wales with wild animals, such acts represent only a small part of the entire show and so a ban will not have a substantial effect on the programme. The handful of trainers, presenters and grooms working with the animals could undertake other circus work, as most will invariably already do.
23. As opinion polls and declining audience numbers show, there is no significant public appetite for wild animal acts, with animal circuses, as a whole, displaced by human performance circuses that have diversified and expanded into new markets – pop concerts, fringe festivals, even major theatres.
24. There are now more animal-free circuses than ever before. ADI has found that as animal circuses close, the trend is that animal-free circuses replace them. Between 1996 and 2000, the number of UK animal circuses plunged from 22 to 11, whilst the number of animal-free circuses rose from 9 to 23. The circus industry can still thrive and even increase overall attendance, without the stigma of animal suffering.

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<sup>i</sup> Reference available on request

<sup>ii</sup> [https://www.academia.edu/28471968/The\\_welfare\\_of\\_wild\\_animals\\_in\\_travelling\\_circuses](https://www.academia.edu/28471968/The_welfare_of_wild_animals_in_travelling_circuses)

<sup>iii</sup> [http://www.ad-international.org/animals\\_in\\_entertainment/go.php?id=4172&ssi=10](http://www.ad-international.org/animals_in_entertainment/go.php?id=4172&ssi=10)

<sup>iv</sup> [http://www.ad-international.org/animals\\_in\\_entertainment/go.php?id=4601&ssi=10](http://www.ad-international.org/animals_in_entertainment/go.php?id=4601&ssi=10)

<sup>v</sup> [http://www.ad-international.org/media\\_centre/go.php?id=4595&si=12](http://www.ad-international.org/media_centre/go.php?id=4595&si=12)

<sup>vi</sup> [https://www.ad-international.org/admin/downloads/adi\\_parlbrieff\\_circus\\_regulation\\_oct\\_2011f.pdf](https://www.ad-international.org/admin/downloads/adi_parlbrieff_circus_regulation_oct_2011f.pdf)

<sup>vii</sup> <http://www.ad-international.org/publications/go.php?id=3344>

<sup>viii</sup> [http://www.ad-international.org/animals\\_in\\_entertainment/go.php?id=2859&ssi=10](http://www.ad-international.org/animals_in_entertainment/go.php?id=2859&ssi=10)