

## Consultation on the use of wild animals in travelling circuses January 2010

### RESPONSE BY ADVOCATES FOR ANIMALS

9 March 2010

#### **1.0 Comments on Option 1 (complete ban)**

Advocates for Animals believes that a complete ban on wild animals in travelling circuses (both terms as defined in the Impact Assessment) is overdue.

Our policy is based on two related points:

(i) A travelling circus is not an environment where the needs of wild animals can be met. A travelling circus combines a number of specific characteristics (including extreme confinement, frequent transport and relocation, training for performance). This combination is not found elsewhere, even in zoos where wild animals are kept captive. It makes it impossible fully to meet wild animals' needs, increases the risk of stress and, in some cases, ill-treatment of the animals, and makes effective inspection and regulation very difficult.

(ii) Travelling circuses that exhibit performing wild animals are fundamentally out of step with modern views on the proper way to treat animals and modern understanding of animals' environmental, behavioural and social needs. They are an inheritance from past ages that accepted the existence of dungeon menageries and the travelling showman with his dancing bear - but they should have no place in 21<sup>st</sup> century Britain.

These conclusions are based on evidence from scientific reviews, NGO investigations (including our own) and trends in public and parliamentary opinion over the last years .

#### **1.1 Overall unsuitability of circus conditions**

A 2009 review from Bristol University published in the journal *Animal Welfare* has highlighted the fundamental mismatch between what a travelling circus can provide and what wild animals need. This concluded that 'species commonly kept in circuses [such as highly social or wide-ranging species] appear the least suited to circus life' and suggested that the only wild species for which circuses might be suitable environments were those with 'low space requirements, simple social structures, low cognitive function, non-specialist ecological requirements and which are capable of being transported without adverse welfare effects.' These criteria clearly exclude the big cats, elephants, primates, camels, zebras and other exotic species that have been, or are currently, used in British circuses.<sup>1</sup>

#### **1.2. Space and environment**

A travelling circus is inevitably limited as to the space and complexity of the environment that it can provide. When on tour, the animals are kept on 'beastwagons' (animal transport lorries), in tents or outside cages or in temporary outside enclosures, all small in size compared to what would be provided even in a zoo.<sup>1,2,3</sup> The space for animals

outdoors is on average only 26% of the recommended size for zoo outdoor enclosures and the space on beastwagons is on average 27% of the recommended size for zoo indoor enclosures.<sup>1</sup>

Animals used in circuses spend only 1-9% of the day performing or training,<sup>1</sup> and the remaining time in travelling or holding accommodation similar to that described above, typically bare of environmental enrichment.<sup>2</sup> An American black bear in Peter Jolly's circus was provided a small unfurnished cage on grass, open to view on all sides, with a small trailer for an indoor enclosure. Tigers and lions are kept in small cages on beastwagons (approximately 2 x 1 body lengths in area) or in small 'exercise' cages (4 x 4 body lengths). Zebras are kept tethered in stable tents. Camels are kept tethered in stable tents, or in small outdoor enclosures.<sup>2</sup> Circus animals, especially wild animals that are potentially dangerous, can spend almost the whole day, every day, with their movements severely restricted.<sup>4</sup>

Animals spend long periods tethered or chained when not performing. Circus elephants are chained for between 12 and 23 hours per day,<sup>1</sup> including the periods in outside enclosures. The elderly and arthritic elephant Anne, belonging to Bobby Roberts' Super circus, 'has been observed chained by a front and back foot in a temporary stable tent, spending many hours in her transport vehicle or in a small temporary paddock surrounded by a single electric wire.'<sup>2</sup>

Even when not travelling, conditions are inadequate. All-day video-recording by ADI during the 1990s of the winter quarters of a British circus company showed that circus elephants spent 60% of their time with a fore and back leg shackled with a chain in a barn and had no outdoor enclosure, some not leaving the barn between October and January. Lions and tigers were kept similarly in small bare cages inside truck containers or beastwagons. One beastwagon of total area 28 m<sup>2</sup> held 8 lionesses and 1 lion, in 3 groups in separate partitions<sup>5</sup>. There was also a free exercise paddock and a training ring and the big cats were observed to leave their containers at speed to enter the exercise paddock and were reluctant to return to their cages. On average, they spent over 23 hours out of 24 confined in their cages.<sup>5</sup>

Some typical requirements in modern guidelines for zoos internationally include the following<sup>2</sup>, which are almost inevitably impossible to provide in the conditions of a travelling circus:

- Elephant indoor housing should allow access to outdoor enclosures overnight
- Female elephants should not be kept singly
- Elephants should be provided with access to water, bathing or showering facilities daily
- Elephants should be chained for only 3 hours per day / not for the majority of 24 hours / not overnight
- Bears should be provided with visual barriers or means of escape from view
- Tigers should be provided with pools
- Big cats should be provided with visual barriers

- Big cats should be provided with outdoor enclosure furniture such as platforms, wood for scratching, marking and climbing

Advocates for Animals believes that the long confinement in beastwagons, cages and small, bare enclosures that is a routine feature of life for animals in travelling circuses internationally<sup>6</sup> is entirely unacceptable as a way of keeping wild animals. The conditions documented in circuses by NGOs, in comparison to regulated zoos, would shock most members of the public.

Advocates for Animals is opposed to the keeping of animals in zoos as well as circuses. Animals such as elephants are increasingly recognised as being unsuitable for keeping in zoo conditions, and fewer are being kept. However, our conclusion has to be that if travelling circuses were judged by the same standards as zoos they would be assessed as entirely unacceptable environments for captive wild animals.

### **1.3. Unnatural social groups**

Circuses almost inevitably fail to provide animals with natural social groupings and thus frustrate natural social behaviour. Animals of social species (such as elephants or zebras) may be kept singly. The elephant Anne at the Bobby Roberts' Super Circus has been alone since 2002<sup>2</sup>. Animals that have established relationships are often separated by sale or relocation<sup>1</sup>.

Alternatively, animals that have evolved to be solitary (such as tigers or pythons) may be housed close to others of the same species, and animals of predator and prey species may be housed within sight of each other<sup>2</sup>. All these forced situations are inconsistent with the natural behaviour of the species and are very likely to cause stress or distress.

### **1.4. Stress-related abnormal behaviour**

Much of an animal's natural behaviour is impossible in the conditions of a travelling circus. Frustration of natural behaviour is a recognised cause of stress for all animal species, domesticated or wild. The range of behaviour that is restricted or prevented in the circus environment includes normal grazing or browsing behaviour, normal social behaviour, and normal exercise or ranging. Responses linked to stress in captive elephants<sup>7,8</sup> and wide-ranging carnivores<sup>9</sup> include increased infant mortality, breeding difficulties, and abnormal behaviour such as stereotypic pacing, trunk-swaying and head-bobbing. Many captive great apes studied (including those originating from circuses) show 'gross behavioral abnormalities such as stereotypies, self-mutilation, inappropriate aggression, fear and withdrawal,' due to 'adverse husbandry conditions', some developing conditions analogous to post-traumatic stress disorder<sup>10,11</sup>.

Stereotypies are more likely when the animal's movement is more restrained and the environment is more barren, as has been documented for primates, elephants, bears and leopards, among others, and this behaviour is probably indicative of 'prolonged distress' and an impoverished environment<sup>1</sup>.

All-day video recording of stereotypic behaviour among a group of circus elephants in England found that stereotypic behaviour accounted for 61-73% of the time budget of one elephant, 30-66% for another and up to 14% for a third elephant. For one elephant, stereotypes seemed to be associated with being chained and with the presence of a particular stockman.<sup>12</sup> Video footage of travelling circuses internationally shows a wide range of species performing obviously stereotypic behaviour in their small bare cages or enclosures, including big cats, bears, giraffes, elephants, horses, monkeys and chimpanzees.<sup>6</sup> Stereotypic trunk-swaying by 3 elephants imported in 2009 to tour with a British circus was also filmed in the 2009 touring season and shown on Sky News. One wild-caught African elephant performed stereotypic behaviour for 40% of the 11 hours during which she was observed, according to the investigators<sup>13,14</sup>.

### **1.5 Stress related to exhibition and performance**

Public exhibition and performance involve crowds, loud noise and bright lights and are known to cause stress to circus animals. Crowds of people cause obvious signs of nervousness and desire to hide or escape in primates, bears and wild ungulates. Circus tigers and elephants pace more when faced with crowds or before performances, possibly due to anxiety, and Bristol University scientists have concluded that, 'The majority of evidence available suggests that human audiences have stressful effects on non-domesticated animals.'<sup>1</sup> In a case reported in 2009 from a zoo in Sweden, a chimpanzee for years systematically and calmly collected and stored stones which he then used as missiles to throw at zoo visitors, apparently in a 'very agitated' state, and similar behaviour is not uncommon among zoo primates<sup>15,16</sup>.

### **1.6. Effect of transport**

Travelling is not a rare or exceptional event, but an intrinsic part of the animals' way of life during the touring season,. European circuses spend on average 8.5 days in one location and 100 miles between performance destinations<sup>1</sup>. Constant travel contributes to the difficulty in providing a larger and more enriched environment and is in itself a known stressor for most animals, either domesticated or non-domesticated<sup>17</sup>.

Factors that contribute to stress are forced movement for loading and unloading, handling, noise, confinement, the motion of the cage and the vehicle, and unfamiliar external surroundings. Prodding, hitting and shouting may be used to get the animals to move in or out of cages and in some circuses internationally there is video evidence of routine violence being used to get animals to move<sup>6</sup>. On the day of travel, the animals will often spend the whole day on the vehicle in their small cages. Elephants are chained during transport.

Non-domesticated animals show behavioural and physiological signs of stress when transported. Zoo tigers have altered levels of stress hormones for up to 6 days even if they have travelled on previous occasions and for up to 12 days on the first occasion they are transported<sup>1</sup>. In 2004 the Scientific Panel of the European Food Safety Authority (EFSA) reported on the welfare of both domestic and non-domestic animals in transport and concluded that 'many aspects of welfare assessment have not been included' in the existing scientific research on the transport of circus animals and that

the statement that circus animals become habituated to transport (and therefore suffer no ill effects) 'has not been scientifically documented'<sup>18</sup>. In general, the panel concluded that transport can 'substantially affect' the welfare and health of animals and recommended that, 'Transport should therefore be avoided wherever possible and journeys should be as short as possible'<sup>17</sup>.

Circus animals are often dangerous animals and are being transported and exhibited in close proximity to the general public, using temporary facilities. This means that they have to be more severely restricted in their movement than would be the case even in a zoo, as well as being more frequently moved and handled.

### **1.7 Training and performance**

Circus tricks are essentially unnatural behaviours of the animal, in the sense of being behaviour that the animal would not engage in without specific training, persuasion or, in some cases, intimidation or force. This is of course why the tricks were invented – to amaze the paying public. Elephants do not naturally balance with all four feet on a tub, perform 'headstands' or sit on a stool (see, for example, the photograph of elephant Anne in 2003 in Reference 2). Unlike training a companion dog to walk to heel in a busy street, circus training is not done for the benefit of the animal. We do not know of any justification for the view that training for up to a couple of hours per day is a useful compensation for the 90% of the time that the animal is confined, tethered or chained.

Circus trainers claim to use positive training methods for the most part, that is, to work with the natural behaviour of the animal and use reward rather than punishment, but they also admit to using 'negative reinforcement'. Training normally takes place out of the sight of the public. Revelations by a retired trainer of elephant calves at Ringlings Circus, one of the largest elephant breeding and showing facilities in the United States, were published by the *Washington Post* in 2009. Photographs of what were described as classic professional elephant training methods showed a calf being encouraged to stand on his hind legs by using a bullhook (elephant hook), a stick incorporating a metal spike at one end. Calves were trained to lie down by being trussed with ropes and pulled off balance by several people so that they fell to the ground on their heads or sides, at the same time a bullhook being pressed to their skin. Forceful manipulation with ropes, and the use of bullhooks, was also used to train them to sit up, sit on a tub, stand on two legs, salute and do headstands. Electric prods were occasionally used, according to the report. Training also involved separating calves from their mothers at an early age (18 – 22 months old). In 2004 an 8-month old calf was destroyed after injuring a leg tumbling off a performance tub during 'pre-training.'<sup>19</sup>

Because circus animals are being taught what are essentially unnatural tricks, training must be difficult and it is reasonable to suppose that this increases the likelihood that pain, fear or force will be used. In some zoos the use of violence and fear to control the animals may be standard practice. Video footage of circuses internationally has shown what appears to be casual and routine violence used in training and performance. Hooks and goads are used that may not be visible to the public during performances, as well as cracking whips which elicit a visible fear response from big cats and horses.<sup>6</sup>

Video evidence of instances of violence and cruelty towards animals that shocked the public resulted in convictions of experienced British circus owners and trainers in 1998-1999.<sup>20</sup> Film footage has shown elephants on tour in a British circus being beaten by staff member (who was dismissed after the footage was made public) and of the use of a goad during training and performance.<sup>13,14</sup> The essential point is that violence and cruelty are a higher risk in circuses than in the majority of zoos for a number of reasons: these include the need for constant movement to and from cages, training and performance in very *ad hoc* conditions and the fact that the circus's income depends on the animals performing unnatural tricks for the public as required.

### **1.7 Public opinion**

We believe that public opinion is entirely ready to see a ban on wild animals in circuses and that a large majority would support this action. An opinion poll carried out for Advocates for Animals indicated that 83% of the Scottish public supported a ban on the use of some or all animals in circuses<sup>30</sup>. Because the number of wild animal touring acts has decreased so much already since the 1990s, many people in Britain probably believe that wild animals are already banned from circuses and some are shocked when a wild animal makes an appearance in the ring.<sup>20</sup> The decline in the popularity of wild animal tricks has coincided with hugely increased public interest in the conservation and natural behaviour of animals in the wild, as evidenced by the audience for wildlife documentaries. In this sense the public has voted with its feet and wild animal acts are, deservedly, a dying industry that would not be missed by most people in modern society.

As has been pointed out by other organisations, there were 6 Early Day Motions in the Westminster parliament between 1998 and 2006 calling for an end to wild animals in circuses, the last one obtaining 144 signatures. Of 318 local authorities surveyed by ADI, 39% prohibit circuses with animal acts performing on public land (17% banned only wild animals) and only 22.5% continued to allow animal circuses.<sup>21</sup> These bans are clearly in response to public concern. In a MORI poll of 2005, 80% of respondents supported a ban on wild animals in circuses (and 65% supported a ban on all animal acts).<sup>21</sup> In terms of moral weight, we believe that the disinterested view of the majority of the public deserves more attention than the views of the very few circuses still utilising wild animals.

### **1.9 Society's ethical views on animal welfare**

In common with other animal protection organisations and some other scientists<sup>1, 21-23</sup> we believe that the very limited evidence taken into consideration by the Circus Working Group (CWG) resulted in a flawed report and faulty conclusions, in particular that:<sup>24</sup>

- 'There appears to be little evidence to demonstrate that the welfare of animals kept in travelling circuses is any better or worse than that of animals kept in other captive environments,' and
- 'such a decision [ie to ban wild animals in circuses] must be based on scientific evidence, and other considerations are extraneous, and therefore unlawful....'

On the first point, we believe there is ample evidence, both scientific, eye witness and photographic, that wild animals are more likely to suffer in travelling circuses than in, for example, most appropriately regulated zoos. But in fact the comparison with zoos is only partly relevant, since the remit given to the CWG by the Minister was simply to advise whether travelling circuses could 'readily' meet the welfare needs of wild animals (Ministerial statement cited in Radford Report, 2.2.1).<sup>24</sup> We believe the evidence that their needs are not and could not easily be met, even with the best intentions of circus owners, is overwhelming.

On the CWG's second conclusion, we emphasise that judgments about animal welfare involve public morality as well as scientific evidence (where that is available). Society today would not require scientific studies to be conducted to prove that bear-baiting is unacceptable. Society's views should be taken into account in the decision on whether it is appropriate to continue to allow wild animals in circuses.

Regarding the relationship between science and society's judgments, leading animal welfare scientists have commented that: 'Scientific research on 'animal welfare' began because of ethical concerns over the quality of life of animals, and the public looks to animal welfare research for guidance regarding these concerns. The conception of animal welfare used by scientists must relate closely to these ethical concerns if the orientation of the research and the interpretation of the findings is to address them successfully.'<sup>25</sup>

Animal welfare scientists also accept that: 'When scientific evaluation of welfare has been carried out, there remains the moral question of how poor welfare should reach before it is regarded as unacceptable. This is an issue where the farmer [or, in this case, circus owner], the veterinary surgeon, the welfare research worker or the member of the general public are equally entitled to have an opinion.'<sup>26</sup>

With this in mind, while we believe the evidence of unacceptably poor welfare is overwhelming, we agree with the conclusion of the CWG report that the decision on the future of wild animal circuses should be a 'political decision'<sup>24</sup> and one that is consistent with modern views on acceptable treatment of wild animals.

In support of this, we further suggest that using wild animals in circuses does not engender compassion towards, or understanding of, animals, but instead reinforces outmoded attitudes concerning the acceptability of exploiting or dominating other creatures for entertainment. These are not attitudes that can be beneficial for animals or for human society in the 21<sup>st</sup> century.

### **1.10 The international dimension**

In many respects, Britain has been a pioneer and a standard-setter on animal welfare both in Europe and worldwide for several decades. In the present case, however, a number of countries including Sweden, Austria, Finland, New Zealand and Bolivia have

already banned some or all wild animal species from circuses<sup>2</sup>, while Britain has not yet taken action to end.

Investigations in the late 1990s of five foreign circuses that used animals supplied by UK circus businesses indicated that welfare standards were at least as bad outside the UK<sup>6</sup>. Animals originating in the UK have been found being used in Europe, the United States, Japan and elsewhere in the Far East.<sup>27</sup>

The international dimension means that it is not sufficient to take decisions based on the number of wild animals and the training, performance and handling methods that are currently being used in the UK. European circuses using wild animals could choose to tour in Britain and more animals, of different species, could be imported by existing circuses at any time (3 performing elephants were imported to a British circus in 2009).

We would like to see the UK, as one of the European Union's most influential members, take a lead by banning wild animals in circuses and sending a clear message internationally that this type of animal exploitation is no longer acceptable.

### ***1.11 The need to end all animal acts in British travelling circuses***

While we accept that the suffering of wild animals in travelling circuses may be even greater than that of domesticated animals such as horses, we believe that the use of any animals in travelling circuses either for exhibition or performance puts their welfare at unacceptable risk and should be phased out.

## ***2. Additional specific responses under Option 1***

*Q4. If a complete ban were introduced, what do you think should happen to the animals at the time the ban becomes effective?*

Animals must be provided with a secure, long-term home, and not sold to other circuses or entertainments. Re-homing would be carefully planned by the relevant animal welfare organisations to ensure that the sanctuaries or zoos that took the animals were able to offer alternative placements that were likely to be permanent (lifetime) and had none of the characteristics (travel, public performance, inadequate space and environmental enrichment) that make circuses unsuitable places for wild animals. It is important that the re-homing of animals is under the control of animal welfare organisations and not the circuses themselves, and we understand that the RSPCA has already offered to facilitate this.

The history of what happened to some of the animals sold as a result of the Chipperfield circus cruelty allegations in 1998-1999 indicates that animals may be traded on more than once, each involving a stressful relocation. One elephant who was the subject of the 1998 criminal conviction was sold to Valwo Zoo in Spain and then transferred on to Wroclaw Zoo in Poland. Another elephant who was a subject of the 1999 conviction was originally sold to Dudley Zoo and in 2003 transferred on the Planet Sauvage, a zoo in Nantes, France.<sup>28</sup>

*Q3. If a complete ban were introduced, how much time do you think travelling circuses should be given to stop using their wild animals?*

The main consideration from the point of view of animal welfare should be how long it would take for the relevant animal welfare organisations to set up arrangements for re-homing the animals. We understand that the RSPCA has recommended a 6-month period and we are happy to support their recommendation.

*Q5. Do you think that travelling circuses should be prevented from obtaining any further wild animals?*

Certainly it would be necessary to ban acquisition or breeding during the phase-out period.

*Q6. If a complete ban were introduced, how often do you think travelling circuses should be inspected to ensure compliance?*

This is a matter for law enforcement. It is also likely that members of the general public would become aware if wild animals were being used and would report this to the local authority or to animal protection organisations.<sup>20</sup>

*Q7. How do you think a complete ban on wild animals might affect the revenue of the travelling circuses affected?*

Circuses that use wild animals have acquired an association with cruelty to animals in the minds of many members of the public. The fact that wild animals were guaranteed never to be used would probably increase a circus's popularity and revenue and there are, of course, many popular and successful circuses that do not use any animals.

### **3. Comments on Options 2 and 3 (self-regulation and statutory regulation)**

We believe that the only way to prevent wild animals suffering in travelling circuses is to prohibit circuses from owning or using wild animals (Option 1). Statutory regulation would be tinkering around the edges of activities that are fundamentally inimical to animal welfare, therefore we would not encourage Defra to start looking at travelling times, space allowances, etc.

### **4. Comments on Option 2 (self-regulation)**

We see no reason to think that self-regulation would be effective and do not consider this a viable option.

As an example of the potential for self-regulation to be ineffective, we cite the Advertising Standards Authority (ASA) adjudication of 8 November 2006. A claim that Bobby Roberts Super Circus had been 'Voted No.1 for Animal Care' was printed on the

circus's leaflets and posters. The ASA upheld a complaint that the claim was misleading because it gave the impression that the award had been given by a body that was in a position to assess welfare, such as an animal welfare organisation. In fact the award had been given by a trade body five years previously, on the basis of an individual's opinion and without any vote. The ASA ruled that the claim breached the advertising Code's clauses on 'substantiation' and on 'truthfulness'<sup>29</sup> – but it had persisted for some time prior to the ruling.

### **5. Comments on Option 3 (Statutory regulation)**

We cannot see how statutory regulation could remove the fundamental and inherent welfare problems of a travelling circus, listed and discussed above under Section 1 (confinement, travel, restriction of behaviour, performance stress, etc.).

Travelling circuses would be very difficult to regulate effectively, with the resources that are likely to be available. Regulators would need to monitor conditions of travel, housing, handling, training and performance on a day-to-day basis during the touring season, which is unlikely to be practical. Indeed, most of the detailed information about animal welfare in circuses to date has been uncovered by patient, long-term investigations by animal protection NGOs rather than by regulators, veterinarians or scientists.

A case study is provided by our own monitoring of the use of wild animals by the Bobby Roberts circus on its tour of Scotland in 2009, which included performances at Galashiels, Edinburgh, Perth, Milngavie, Cardross, Kilmarnock, Stevenston, Ayr and Dumfries during June and July. The circus did not publish its tour schedule in advance, presumably because of increasing public opposition to animal circuses. We focused on the use of the single elephant Anne, who is now elderly and arthritic (and, as noted, keeping female elephants singly is contrary to international zoo guidelines). Anne was used for exhibition during the performance interval for members of the audience to photograph, usually at a charge of £5, and performed a trick of eating candyfloss.

Our major concern was that the circus appeared to interpret this use of Anne as 'non-performing', whereas on any reasonable interpretation she was being used as part of the circus act and was in close contact with the paying public. As a result, the circus on more than one occasion did not make it clear to the licensing local authority that an elephant would be part of the performance (as opposed to merely travelling with the circus).

The Bobby Roberts visit to Perth illustrates the difficulty that local authorities encounter in enforcing their own policies. Perth and Kinross Council does not lease its land to circuses with wild animals and informed Advocates for Animals that: "The Council has received assurances from the circus that it does not include any wild animals in its performances. [...] The Council has additionally requested that no monies be taken from members of the public for photographs of them posing with the elephant, and has been assured the elephant is a non-performing animal.' Despite this, visitors to the

circus on 18 June 2009 saw Anne being exhibited for photographs at a charge of £5 each. The public were also charged to see animals, including Anne and a camel, in the tent after performances. These apparent breaches of lease conditions occurred even after Council officers had visited the circus during its stay in Perth.<sup>20</sup>

If circuses continue to use wild animals, there may be a greater potential for statutory regulation of circus winter quarters. At present, winter quarters are not even required to meet the same standards as regulated zoos and should at least comply with the guidelines of the British and Irish Association of Zoos and Aquariums (BIAZA).

## **6. Additional specific responses under Options 2 and 3**

*Q10. Do you think that travelling circus employees undergoing training would be an appropriate measure to help raise the standard of welfare of wild animals in circuses?*

As stated, we believe that the use of all wild animals in circuses should be banned. The welfare problems inherent in travelling circuses are too fundamental to be resolved by staff training.

In general, however, all stockpeople or others who have the care of animals in any commercial area should have undergone suitable training and certification. Training should always be delivered at least in part by advisers qualified specifically in animal welfare and who are entirely independent of the industry involved.

*Q11. Do you think that circus owners should have to produce, on demand, veterinary records for the wild animals performing in their circus?*

Yes. As in other commercial areas, independence is essential. It would be important that the veterinarians involved were not employed directly by the operators or the industry, in order to avoid conflicts of interest and to ensure their professional independence.

*Q12. Do you think that visits from an appropriately trained inspector would safeguard the standard of welfare for wild animals in travelling circuses?*

In any regulatory regime inspection is necessary, but we do not believe that this measure alone would safeguard the welfare of wild animals in travelling circuses. Understandably, at present, there is little specialist knowledge or expertise regarding wild animals among the local authority animal health officers who are normally tasked with carrying out inspections and we are aware that they tend to rely on information and assurances given them by the circus operators. Training would have to be very specific – and very costly – to provide the specialist knowledge required and we are concerned that in practice this would not occur.

We do believe that inspections should be carried out during the phase-out period to ensure that no additional wild animals were bred or acquired and that standards of care were not deteriorating.

*Q14. Do you think that inspectors should undertake unannounced inspections of travelling circuses?*

Yes, during the phase-out period. Announced inspections in any industry pose obvious questions as to whether the inspector sees the 'normal' conditions and handling of the animals. This would apply equally to the circus industry. In the case of travelling circuses, inspection would be particularly difficult because of the touring schedule- one of the main reasons why regulation would not be sufficient to safeguard animal welfare and a complete ban is required.

*Q15. Do you think that a code of practice for keeping wild animals in travelling circuses could effectively safeguard their welfare? If yes, who do you think should write such a code?*

Any industry that has the care of animals should have a code of practice, preferably one issued by an independent authority such as DEFRA. However, we do not believe that in the case of travelling circuses a code of practice would be sufficient to safeguard welfare. Codes of practice are generally based on best practice within an existing industry, rather than requiring substantial changes in existing practice. Travelling circuses by their nature involve confinement for long periods in unsuitable accommodation and severe restriction of behaviour and we do not believe that these fundamental problems could be addressed by a code of practice.

*Q16. Do you think that the hours and the environment in which circus animals travel should be restricted? If yes, what should these restrictions be?*

In principle, travelling times should be reduced as much as possible. We are sceptical, however, that a journey limit would make a major improvement in the animals' lives. Investigations have shown that animals may be confined on beastwagons all day even if the circus is travelling for only a few hours.<sup>6</sup>

*Q19. Do you think the use of no more than 50 wild animals in travelling circuses merits action? If yes, what action?*

In view of the small numbers of wild animals currently touring in the UK, a complete ban would be more cost-effective from the point of view of public finances than the creation and running of an expert and effective regulatory and inspection system for the long term.

Animal welfare concerns the state of the individual as it attempts to cope with its environment. Each of these animals is a sentient individual whose welfare needs are not being met, and cannot be met, in a circus environment. It is therefore entirely

proper, in our view, to legislate under the Animal Welfare Act (and we hope, in due course, also under the Animal Health and Welfare (Scotland) Act 2006) to end their use in circuses.

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