

**BVZS REPOSE TO DEFRA CONSULTATION ON USE OF WILD ANIMALS IN CIRCUSES**

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**Qu.1** Do you think there are any species of wild animals which it is acceptable to use in circuses? If so which and why.

**A** Under adequate conditions some species may be used in Circuses without Jeopardising welfare. However some individual animals of all species may prove to be temperamentally unsuitable for performance use and therefore animals would to some degree need to be selectively chosen. Possible acceptable groups/ species might include: (Elephant), large cats, some avian species (particularly Parrots, other psittacines), camelids, some reptiles. Specifically unsuitable groups would include marine mammals, ursidae, Large primates (including Chimps), and any other group or species for which conditions of welfare including housing etc. could not be adequately provided. Reservations on the use of any species of a substantially conservation - sensitive nature should be considered.

In all cases performance should only include activities which illustrate or mildly enhance the animal's natural ability in such a way that the entertainment has an educational or conservation value for the audience.

***Option 1***

**Qu 2.:** Do you think that a ban on the use of wild animals in travelling circuses is the BEST option to achieve consistently better welfare standards for such animals?

**A.** No. A ban will not in itself necessarily improve welfare.

**Qu 3.** If a complete ban were introduced, how much time do you think travelling circuses should be given to stop using their wild animals?

**A.** This would vary with the availability of alternative permanent housing and the suitability of the animals concerned to be moved to alternative environments, social structures etc. Many Circus animals have known no other lifestyle and sudden change may actually drastically compromise welfare by imposing excessive distance travelling, disruption of trained and acquired life patterns , imprinting, requirements for specific medical care etc. Each case would have to be considered on its own merits and planned for the lifetime of the animal/s involved. There is a strong case for the animal to remain in the circus environment until its life end, although it has to be accepted that in some cases this may be many years (e.g. elephants, parrots, some reptiles ).

**Qu.4:** If a complete ban were introduced, what do you think should happen to the animals at the time the ban becomes effective?

**A.** The response to this relates in some ways to the answer preceding. Any ban should only become effective at the life end of the animals. If a ban were introduced then it should only prevent the addition of new animals and allow the process to end in a progressive but natural decline.

**Qu 5:** Do you think that travelling circuses should be prevented from acquiring any further wild animals?

**A.** If a ban were to be introduced then the response at Qu. 4 would apply.

**Qu 6:** If a complete ban were introduced, how often do you think travelling circuses should be inspected to ensure compliance?

**A.** At least twice yearly while travelling.

**Qu 7:** How do you think a complete ban might affect the revenue of the travelling circuses affected?

**A.** Very substantially. Those circuses at present using wild animals would probably have to acquire and train domestic species to hold even a proportion of their audience and in the

interim would suffer considerable costs of acquisition and transition which may never be recoverable. In most cases we would foresee closure within a short time frame.

**Qu 8:** Do you think that wild animals from travelling circuses have skills which make them more suitable than other animals for work in the audiovisual industry? If yes, why?

**A.** This would depend on the individual animal and the type and degree of training which it has received. In some cases the regular proximity to the public and conditioning for performance may make the animal more suitable for certain types of a/v industry work, and in other cases not. Again, the individual temperament of the animal must be considered.

**Qu.9:** Do you think that a complete ban on wild animals in travelling circuses could have an impact on other industries? If so, why?

**A.** Yes it would have some impact on those industries which supply the infrastructure and services to the circus industry e.g. animal food suppliers, human food caterers, vehicle suppliers and servicers, marquee suppliers etc. BUT it has to be considered that the size of the industry is such that the overall effect (except in a small number of cases for specialist suppliers) would be minimal. OVERALL we see no value in an outright ban other than to silence a small but vociferous anti circus lobby. There appear to be insufficient welfare grounds to justify such action and thus any such introduction would be ostensibly political and not science-based.

### *Options 2 & 3*

**Qu.10:** Do you think that travelling circus employees undergoing training would be an appropriate measure to help raise standards of welfare of wild animals in circuses?

**A.** We would consider it essential that employees working with both domesticated and wild animals in both static and travelling circuses should be offered the opportunity to undertake training for the management of these animals. We would also consider that those employees permanently in charge of any animals in circuses should have a basic animal care qualification (say NVQ) and where wild animals are concerned that the opportunity to undertake specific training (e.g. Zoo animal Certificated qualification [Sparsholt College]) should be pursued.

**Qu 11:** Do you think that circus owners should have to produce, on demand, veterinary records for the wild animals performing in their circus?

**A.** Yes, but only to appropriate authority / inspectors and this information should not be subject to the FOI Act unless it becomes the subject of a subsequent legal pursuit of a welfare deficiency charge.

**Qu 12:** Do you think that visits from an appropriately trained inspector would safeguard the standard of welfare for wild animals travelling in circuses?

**A.** Yes. BUT the inspector as well as being adequately trained should neither be an employee of the Circus or of related circuses or any performing animals Company nor an employee of any welfare organisation which has as its agenda the intention to pursue the possibility of the introduction of a ban on such circuses. To be effective the inspection must follow specific guidelines and standards and be transparent in its application.

**Qu 13:** If visits were required, what should be the minimum circus inspection frequency per year and why?

**A.** We consider two variants of the visits procedure are worthy of consideration each of which would form an integral part of the monitoring process: first, a short visit at each location by a local authority officer to check conformity with basic requirements. This could be carried out following guidance on a check list provided for LA officers. One copy of the result and any recommendations made to the circus to be held by the LA and the other by the Proprietor in a fixed page ledger (this would then give each authority a paper trail to examine on subsequent inspections). Secondly IN ADDITION to the former procedure, each circus should undergo an annual check whilst travelling (a record of the intended locations throughout the season

could be lodged with the circuses own trade body) and perhaps every 2-3 years a visit by an inspector to the static winter quarters to ensure standards are maintained in this area.

**Qu 14:** Do you think that inspectors should undertake unannounced inspections of travelling circuses?

**A.** Not as a routine procedure since this might encourage unsympathetic LAs to pursue such interventions unjustifiably. However if there is due cause to believe that welfare of the animals may be jeopardised, either as a result of a complaint by a member of the public or as a result of sound information from an LA at a former location, which may reasonably indicate a failure of compliance, then such “spot checks “ would be acceptable. These should not be based on frivolous or non-factual suppositions.

**Qu 15:** Do you think that a Code of Practice for the keeping of wild animals in circuses could effectively safeguard their welfare? If yes, who do you think should write such a code ?

**A.** Yes such a code is essential for any welfare standardisation process to be effective. There is already some evidence of a basic code used in most circuses. However we believe that an acceptable New Code should be drawn up taking into account the requirements of the Animal welfare Act (and which may include some elements of the Zoo Licensing Act where appropriate commonality occurs). This should be drawn by DEFRA but following consultation with interested parties such as The Associations representing the proprietors of travelling (and static) circuses, certain welfare societies, Specialist Veterinary and Wild animal management groups (BVZS, BIAZA), Local Authorities etc.

**Qu 16:** Do you think that the hours and the environment in which Circus animals travel should be restricted? If yes, what should these restrictions be?

**A.** Yes. Existing animal transport guidelines could easily be adapted to ensure standards are adequate although it is accepted that for certain species these may not be appropriate and specific guidelines may have to be prepared. Some reasonable restriction on the time intervals between which animals are moved would be necessary since unlike most farm/domestic animal movements those in circuses are repeated on a regular basis with the same animals. Details of the minimal standards for housing during transport for a variety of species could be agreed by consultation as above in Qu 15.

### ***Option 2***

**Qu 17:** Do you think that circuses themselves are best placed to regulate welfare standards for wild animals in travelling circuses?

**A.** We have some reservations on this matter. Although there is probably the competence within the circuses to undertake this regulation, the problem would be that of transparency and maintenance of standards. The industry is relatively small and thus any regulatory procedure would have a tendency to be somewhat incestuous and thus open to criticism by both the public and those with an anti circus agenda . We believe it is against the interests of the circuses themselves in the long term to undergo complete self-regulation, although a system could be constructed under which some degree of self-regulation could be effective.

**Qu 18:** If self regulation is supported, should a regulatory body be accredited by the UKAS or an equivalent body?

**A.** As previously stated we have reservations with the principle of self-regulation in such a small industry and thus would have concerns that the pool of personnel available for accreditation may be restricted to a small “elite” number.

### ***Option 3***

**Qu 19:** Do you think the use of no more than 50 wild animals in travelling circuses merits action ? If yes what action?

**A.** On the grounds that existing Animal Welfare legislation covers all animals in any circumstances one could reasonably make the case that additional regulation is unnecessary

and wasteful of resources. However there is a case to be made for some sort of additional protection for animals in travelling circuses (be they wild or not), because of the special nature of their performing role, the variety of the species involved and the frequency of movements. This action should be proportional to the likely risks of welfare standards not being maintained and yet not so expensive or onerous that it unfairly penalises operators. We believe some sort of inspection process would be justified.

**Qu 20:** Do you think that there is an existing body that is appropriate to enforce any regulations on the use of wild animals in travelling circuses ?if so which and why?

**A.** The Global Wildlife Dept of DEFRA at present manages the regulation of the Zoo Licensing Act, using the authority of the Local Government and a list of inspectors with knowledge of inspection procedures and welfare and other requirements of zoo and wild animals. This could be the basis of an inspectorate for Circuses with the possible addition of experts with specific knowledge in the performing animal field. Some procedure which uses these existing skills and structure without the addition of excessive costs to the Circus operators could be considered. The existing procedures for monitoring welfare already being carried out by the industry's own professional body could to some degree be integrated with these.

MJF Feb 2010.