

Respect for Animals

Consultation Question 1 Do you believe that the exhibitions and performances required of wild animals in travelling circuses compromise respect for the animals concerned? Why?

Yes

Yes, the tricks which animals are trained to perform 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. Audiences are shown a caricature of an animal, often presented to make the trainer look strong and brave. Circuses strive for spectacle, forcing animals to perform increasingly bizarre and unnatural acts that they would naturally resist. http://www.ad-international.org/animals_in_entertainment/go.php?id=3571&ssi=10 – accessed 25/3/14

Animals are sentient and intelligent and have their own wills, desires and ethological drivers. Wild animal species have evolved to live in the ecological niche they occupy in the wild, not to live in captivity. ADI's numerous reports of circuses around the world have shown how, in travelling circuses, the welfare of animals is always compromised. The definition of welfare we use is the following: *"The welfare of an animal is determined by its capacity to avoid suffering and sustain fitness"* (Webster, 1994; 2005). Suffering is defined as *"to undergo or experience pain or loss or damage or disablement"* (The Concise Oxford Dictionary, 1981) and includes mental as well as physical suffering. To *"sustain fitness"* refers to both the mental and physical fitness of the animal and is a positive aspect of their life. Welfare is not just about taking measures to make the animals feel better and to keep them fit (provide them with adequate feed, inject them against disease etc) but is, more importantly, about giving the animal some degree of control over their environment (Broom, 1991; Webster, 1994; 2005). Welfare should be optimised, not just by minimising the negative elements of an animal's husbandry, management and environment, but also by maximising the positive elements. Animals should be able to avoid pain and mental suffering and maintain a degree of fitness compatible with continued existence. *Animals in Travelling Circuses: The Science on Suffering* ADI, 2006.

Making animals perform for human entertainment is treating them as objects, not with respect. Numerous academic papers have shown that the context in which people see animals can not only affect their perception of that animal, but also the species as a whole; one paper states *"Dressing apes in human clothing, or training them to engage in unnatural (usually human) behaviors, while entertaining to some, inaccurately portrays their biology and conservation status. Since conservation efforts rely on informed public opinion, these practices serve to undermine communications vital to achieving conservation."* Association of Zoos and Aquariums, White Paper: Apes in Media and Commercial Performances <http://www.aza.org/white-paper-apes-in-media-and-commercial-performances/> - accessed 27/6/13. There is no reason that this perception of an endangered primate species may not also apply to other endangered species, such as tigers or Asian elephants.

This contention is also supported by academics studying the portrayal of chimpanzees; *"the public is less likely to think that chimpanzees are endangered compared to other great apes...likely the result of media misportrayals in movies, television and advertisements."* Ross, S.R. et al (2011) *"Specific Image characteristics Influence Attitudes about Chimpanzee Conservation and Use as Pets"*, PLoS ONE, vol.6, issue, 7. E22050 <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0022050> – 28/6/13. Clearly the damaging effects of exploiting these animals is not only limited to the individual animal in the circus, but to their species.

Consultation question 2 Do you believe that the exhibitions and performances required of wild animals in travelling circuses have an adverse impact on the development of respectful and responsible attitudes towards animals in children and young people? Why?

Yes

Yes. As outlined above, when people see animals in an unnatural, non-wild context, this can affect their perception of the animal, their species and therefore even conservation efforts to protect their species in the wild. These perceptions do not even rely upon seeing animals performing tricks or behaving unnaturally; Ross et al stated that *“those viewing photographs of a chimpanzee standing next to a human, were 35.5% less likely to categorize chimpanzee populations as endangered/declining compared to those viewing photographs with the chimpanzee standing alone”* Ross, S.R. et al (2011) “Specific Image characteristics Influence Attitudes about Chimpanzee Conservation and Use as Pets”, PLoS ONE, vol.6, issue, 7. E22050 <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0022050> – 28/6/13 Therefore, merely seeing animals in unnatural settings, such as in the circus, in close proximity to their trainers, could have far reaching and negative effects.

Circuses do little to attempt to educate their patrons about the natural behaviour of the wild animals on display, nor their conservation etc. In the programme for the Great British Circus just over half a page of a 28 page programme concerned conservation, and this was highlighting the work of a conservation charity, rather than giving information on the species used and how patrons could help conserve those species in the wild. “Great British Circus” Programme, dated 2009. Zoos and aquaria frequently state that they have a role to play in education and conservation, but have been found not to be fulfilling that role. A recent paper stated that *“There remains no compelling evidence for the claim that zoos and aquariums promote attitude change, education or interest in conservation in visitors”*. Marino, L. et al (2010) “Do Zoos and Aquariums Promote Attitude Change in Visitors? A Critical Evaluation of the American Zoo and Aquarium Study”, *Society and Animals*, vol.18, pp.126-138 Given this, circuses can expect to be viewed as considerably less likely to impart knowledge regarding conservation etc.

Consultation Question 3 Do you consider that concerns relating to respect for animals could be resolved without banning the use of wild animals in travelling circuses. If so, how?

No

The only way to address concerns relating to respect for animals is to ban their use, transport, exhibition and performance.

Travelling environment

Consultation Question 4 Do you believe that the ability of none, some, or all wild animals to undertake natural behaviours are compromised within the travelling circus environment? Which species? Which needs? Why?

All

There are no species of wild animals which it is acceptable to use in circuses. ADI's

investigations have consistently shown that all animals in circuses endure:

- Close confinement, often severe and for extended periods
- Deprived environments, including social deprivation
- Physical abuse during training
- Physical abuse used for day-to-day animal control

These circumstances are inherent to the travelling nature of the circus and are commonplace in the UK and around the world. These circumstances contravene the promotion of animal welfare as stated on Section 9.2 of the Animal Welfare Act 2006 (AWA).

Circuses cannot hope to replicate a wild animal's natural habitat, nor create an environment where its natural behavioural repertoire can be satisfied whilst on tour. Furthermore, these are powerful animals, held in flimsy facilities in close proximity to the public and therefore the day to day husbandry and tricks they are forced to perform require very rigid control and subjugation of the animals. ADI's Submission to Defra Public Consultation on the use of wild animals in travelling circuses – March 2010

In its recommendations regarding the Draft Wild Animals in Circuses Bill in England, the Environment, Food and Rural Affairs (EFRA) committee propose banning only certain wild species from travelling circuses. This however is at odds with public support for a ban on all wild animals, with the will of Parliament and a commitment from Government. ADI's Response to EFRA Committee Report on Wild Animals in Circuses, dated 19th August 2013. Not only is this recommendation in conflict with opinion it goes against common sense.

EFRA suggest that elephants and big cats deserve to be protected, but that zebra do not. It states "We also conclude that issues around the keeping and transporting of species such as zebra are not materially different from the challenges of keeping or transporting horses". This contention is entirely wrong. It is not the case that welfare concerns for keeping and transporting zebra are "not materially different" from those of horses. This ignores the impact of domestication on the nature of animals and the reason for drawing this distinction in the legislation.

One veterinary paper, two of whose authors worked for circus businesses, states, with regard to zebras and zebra hybrids "Although these equids are subject to many of the same health issues as domestic horses, they cannot be handled like horses and generally require heavy sedation to full anesthesia, even for minor procedures". The authors also state that "Even with training, however, all these animals can be highly volatile, with a propensity for intense and unpredictable reactions that can lead to severe physical trauma of these animals". Wiedner, E.B et al (2012) "Management of Zebras and Zebra Hybrids (Zebroids)", *Compendium: Continuing Education for Veterinarians*, September, e1--e9
https://s3.amazonaws.com/assets.prod.vetlearn.com/6e/104c80ec7b11e1b0e6005056ad4735/file/PV0912_Wiedner_CE.pdf

The heart of this issue is the way in which wild animals in travelling circuses are kept and the limitations on welfare provisions for them and their protection from abuse. The basis of our ethical position is prevention of harm and safeguarding welfare. Animals in captivity in permanent environments can, in theory, be provided with the space and environment likely to maintain a reasonable level of physical and psychological health. This however is not possible in the travelling circus.

Animal welfare can be measured by the five freedoms. These are freedom from hunger and thirst; freedom from discomfort; freedom from pain, injury or disease; freedom to express

normal behaviours; freedom from fear and distress.

ADI's observations and evidence have found that for the majority of their time, animals in travelling circuses suffer major deficits in these freedoms. They endure restrictions on most, and sometimes all, of these basic freedoms. Even with the best will in the world, the circumstances of the travelling circus cannot provide standards of welfare and husbandry that will enable animals to adequately express their natural behaviours to the level where optimum physical and psychological health is maintained. Thus by the most commonly accepted measure of welfare, animal circuses cause suffering. http://www.ad-international.org/animals_in_entertainment/go.php?id=1484 – accessed 27/3/14

Evidence shows that, despite any best intentions, travelling circuses cannot provide their animals with adequate facilities to maintain health and welfare. ADI investigations have revealed how circus animals endure confinement, physical and social deprivation, long and arduous journeys, brutal control methods and physical violence. http://www.ad-international.org/animals_in_entertainment/go.php?id=2979&ssi=10 Not only has ADI gathered evidence to this effect over decades, but the scientific literature is also compelling. This evidence demonstrates that animals, whether of a wild or domesticated species, are likely to suffer as a result of living in a travelling circus, as a result of the following:

- Transport has been shown to cause many indicators of stress, for example increased heart rates, rises in body temperature, lowered immunity to illness and disease, changes in hormone levels that are known to affect pregnancies, weight loss, increased instances of aggression and stereotypic behaviours. These stereotypic behaviours are abnormal behaviours not seen in the wild and are indicators of stress and poor welfare. http://www.ad-international.org/animal_rescues/go.php?id=463&ssi=0 – accessed 01/04/14
- Husbandry practices which are inadequate and space limitations make it impossible for animals to express normal behaviour. This in turn leads to high levels of stereotypic and other abnormal behaviours, increased aggression towards other animals, increased susceptibility to disease, greater mortality and the presence of physiological indicators of stress.
- Inappropriate social groupings cause a multitude of negative effects on animals.
- Isolation or separation from companions leads to complex changes in behaviour, often a decreased interest in surroundings, stereotypies, increased heart rate and vocalisations, and higher levels of physiological stress indicators.
- Animals forced to live in close proximity with one another show increases in fighting and competitive behaviours and greater incidences of stereotypies.
- When different species are mixed or have to live in close proximity to one another, they show a range of avoidance behaviours and spend more time being alert, as well as increases in heart rate and other physiological stress indicators.
- When predators are in close proximity to prey, the prey species show anxiety behaviours, changes in the nervous system, a suppression of feeding and grooming behaviours, often a lowered breeding success and, when they do breed, the presence of predator odour can lead to smaller litter sizes and hinder the normal development of the young.

It is important to remember that in a circus:

- living space is necessarily limited to the back of a lorry;
- exercise enclosures, if erected, are frequently not used by some (or all) of the animals due to time restrictions in the working day; not enough space; difficult, competitive or aggressive animals;

- animals are frequently being transported to different parts of the country;
- animals are left shut in their transporters for many hours longer than a journey has taken to complete;
- animals are vulnerable to abuse due to inadequately trained staff, working under time pressure. "Animals in Travelling Circuses: The Science on Suffering" ADI, 2006.

Not all circus sites are the same, varying in the amount of noise, light, pollution, the substrate for the animals, the amount of space available for exercise etc. These factors may affect some species more than others. Sites may vary between car parks, fields and industrial areas.

Animals picketed on concrete or tarmac will suffer a poorer environment than those in a field.

Animal Defenders International. Animals in Travelling Circuses: The Science on Suffering. Page 10.

In addition to the deprivations which are inherent in the travelling circus, violence towards the animals is also, sadly, a common occurrence. ADI's studies of training practices have shown that the rehearsals frequently seen on the road, when a circus is travelling, are entirely different from actual training. The real training of an animal for a performance goes on in the 'winter quarters' or permanent training centre – behind closed doors and away from public view. Once animals have been 'broken' they will probably spend the rest of their lives plodding through variants of the same routine ...right down to the stage-managed moments when they appear to refuse to obey, or for the large cats, the 'pretend attack' on the presenter. The animals will perform these routines, regardless of who is presenting the act. Intimidation and abuse ranges from screaming, whipping, a kick, a punch to a full-blown beating with iron bars, broom handles, pitchforks, buckets or whatever is to hand. http://www.ad-international.org/animals_in_entertainment/go.php?id=486&ssi=10 – accessed 31/3/14

Consultation Question 5 Do you consider that it is possible to facilitate the natural behaviour of none, some or all wild animals within the travelling circus environment? Which species? How?

None

No species of wild animals can fulfil their natural behaviour satisfactorily within a travelling circus. It is certainly not possible to divide wild animal species into those which can travel in circuses and those which cannot. The clearest and most obvious marker for animals that are least able to cope with conditions in the travelling circus is whether the species is domesticated or not. The nature, compliance and behaviour of domesticated species such as horses and dogs have been modified over thousands of years. Wild animals on the other hand, remain essentially wild. ADI's Response to EFRA Committee Report on Wild Animals in Circuses, dated 19th August 2013

Consultation 6 Do you consider that the concerns raised surrounding the travelling environment could be resolved without banning the use of wild animals in travelling circuses? How?

No

No, ADI has shown on numerous occasions that the use of regulations or inspections does not safeguard the welfare of animals. The inadequacy of this approach is highlighted by our report "Out of Control". This detailed and extensive report highlighted multiple failures of regulatory systems and emphasised the public and parliamentary desire, not least in the UK, for a ban on the use of wild animals in travelling circuses. The report demonstrated how:

- A circus managed to hide an injured animal from inspectors –Narla the lioness was

badly mauled by a male tiger. While an inspection was conducted, she was hidden in a wagon, behind bales of straw.

- Prolonged chaining of elephants was missed –an inspection of the Great British Circus failed to discover that elephants were chained, each by two legs, for up to 11 hours a day. The chains were taken to the tent each evening and away in the morning.
- Numerous horrific incidences of violence to animals were only uncovered thanks to undercover investigations – not by inspection and regulation.

The report concluded that "ADI and others have produced a wealth of evidence that shows that a regulatory licensing system is expensive, inspections are unlikely to uncover poor welfare and husbandry practices or even abuse, and it is difficult to implement and enforce. Furthermore, a regulatory licensing system which envisages the continued use of wild or exotic animals in travelling circuses is entirely at variance with both public and parliamentary will. Similar regulatory licensing and inspection systems in other countries, including the USA, have failed to protect circus animals from poor welfare practices and abuse." <http://www.ad-international.org/publications/go.php?id=1837> This contention is supported by opinion polls and Early Day Motions:

Ethical costs and benefits

Consultation Question 7 Do you consider that there are any benefits to be gained from having wild animals in travelling circuses? What are they?

No

No, there are no benefits to be gained from having wild animals in travelling circuses, indeed there are specific concerns regarding travelling circuses which make them wholly unsuitable for wild animals. There is no other industry that keeps wild animals on the road in temporary accommodation for almost the entire year – generally about nine months. Nor is any other industry (including zoos) reliant on such close control of wild animals. The key differences between animals in permanent, static facilities such as zoos or suppliers of performing animals for films, television or other entertainment is the potential to improve the quality of the animal's environment. http://www.ad-international.org/animals_in_entertainment/go.php?id=1484&ssi=10 – accessed 31/3/14

It has even been acknowledged by Defra Minister Lord de Mauley that "*For many years wild animals were an integral part of the circus experience: the only chance that most people would have to glimpse exotic beasts from distant lands.*" He goes on to outline the alternatives to circuses which "*together give children and adults an appreciation and knowledge of wild animals and the environments they come from.*"

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228862/8538.pdf - accessed 01/04/14

Consultation Question 8 Do you believe that there are sufficient benefits to justify the potential compromise to the wider well-being of wild animals kept in a travelling circus? Why?

No

No, there are no benefits to the public from visiting a travelling circus which could not be satisfied in some other way. The desire to see wild animals in close proximity can be fulfilled by

watching TV documentaries, going on safari etc. Also, as outlined in our response to question 7, the deprivation endured by the animals in the travelling circus is particular to this industry.

Consultation Question 9 Do you consider that the potential conflict between compromising the well-being of wild animals and obtaining any benefit could be resolved without banning the use of wild animals in travelling circuses. If so, how?

No

No, there is no benefit from seeing wild animals in circuses. Please see our response to question 6 for the concerns we raise regarding any system, other than an outright ban on the use of wild animals in circuses.

Financial impacts of a ban

Consultation Question 10 As far as you are aware, how often have travelling circuses that use wild animals in performances or for exhibition visited Scotland in the last 5 years and in the last 12 months?

Bobby Robert's Super Circus toured Scotland in 2009 with two wild animals – Monty the camel and Anne the Elephant. Both of these animals were clearly seen in an ADI undercover investigation being abused by staff at the circus and were later re-homed, in the case of Anne, after years of public concern about her well-being and following the conviction of her owner on two counts of cruelty under the Animal Welfare Act 2006. The public outcry which led to the re-homing of these two animals was solely due to the investigation. Although this investigation and the subsequent trial of the circus owner resulted in a conviction, he was still not banned from owning animals, indeed the non-wild animals which were also filmed being abused were left with the owner.

Consultation question 11 What effect do you think a ban on the use and exhibition of wild animals would have on the revenue of such circuses? Why?

Increase

The exclusion of animals could very well increase the revenue of circuses. Every country that is ending the use of animals in travelling circuses is faced with the same issue: whether a restriction on animal use will put people out of work. Many of these countries face enormous economic and employment challenges, yet they are realising that, as well as being the right thing to do, banning travelling wild animal acts makes economic sense too. *Circuses with just human performers grow as animal circuses decline.*

Worldwide, animal circuses are in decline whereas human shows continue to grow. Cirque du Soleil has grown from one show in 1990 to 19 shows, performing now in 271 cities and generating an estimated annual revenue exceeding \$810 million. In sharp contrast, in the US, Piccadilly Circus, which still uses wild animals, cancelled shows across Southern California due to poor ticket sales. http://www.ad-international.org/adi_usa/go.php?id=2791 – accessed 31/3/

In the UK, even those who once used animals in their circuses are turning their back on this

unpopular element - circus impresario Gerry Cottle, who used to tour with elephants, lions and monkeys has admitted that the time has come to end the use of wild animals in circuses. Touring with his new human only circus, Cottle stated "*The animal issue has given circuses a bad name.*" <http://www.ad-international.org/publications/go.php?id=2706> - accessed 31/3

It is also worth noting that no circus is solely reliant on wild animals, which normally represent less than 50% of the show's time. Furthermore, research into working practices shows that most circus workers have multiple roles, and staff can be retrained as the circus moves away from exotic animal acts. http://www.ad-international.org/adi_usa/go.php?id=2791 - accessed 31/3/14

Consultation Question 12 If a ban on the use and exhibition of wild animals was imposed, do you think that such circuses would still visit Scotland without the wild animals? Why?

Yes

Yes. Since the launch of the ADI "Ugliest Show on Earth" report in 1998, the public has turned away from animal circuses. There has been a significant shift away from the use of animals; the number of animal-free circuses has more than doubled, from 10 in 1997 to 21 in 2002. By contrast, the number of circuses using animals has almost halved, from 23 in 1997 to 12 in 2002. The rise in the number of animal-free circuses demonstrates that the industry can be sustained without the use of animals. The number of circuses using wild animals has also fallen from 20 circuses in 1997, to four in 2002 to two this year. The rise in the number of animal-free circuses demonstrates that the circus industry can be sustained without the use of animals. http://www.ad-international.org/animals_in_entertainment/go.php?id=54&ssi=10

A random survey of audience numbers attending animal circuses in 2002, showed no correlation between animal numbers and audience. Zippo's show, which included horses, attracted the largest audience (around 700 people), with a total of 16 animals. Jay Miller's Circus exhibited just one pony, but drew the second highest audience (around 300 people). The circus with the largest animal menagerie, Jolly's (44 animals), attracted the smallest audience (under 50). http://www.ad-international.org/animals_in_entertainment/go.php?id=54&ssi=10 - accessed 31/3/14

Consultation question 13 What effect do you think a ban on the use and exhibition of wild animals in travelling circuses would have on the revenue of other types of circus (e.g. static or those travelling without wild animals)? Why?

The answer to this question depends upon whether or not animals are present in "other types of circus"

A complete ban on wild animals in circuses will not affect the revenue of travelling circuses; on the contrary, circuses can flourish and increase their revenue by becoming animal free.

If the Government were to ban all wild animal acts, it would represent a minor shift in business practices and content of shows, compared to the shift that occurred due to public pressure in the first six months of 1998. This was the point at which the ADI investigation of the UK circus industry was released and a shocked public stopped attending animal circuses - almost half the animal circuses closed within six months (more than exist now). Significantly, in 2000 the number of travelling circuses was the same as in 1995, but the number of circuses with animals (particularly with wild animals) had halved.

The number of animal acts in circuses is very low.

ADIs research has shown that, in UK circuses that feature animals, these acts represent less than a fifth of the whole performance, therefore a ban will not have a substantial effect on their income. The ban would in effect only have an impact on a handful of trainers, presenters and grooms working in the industry, all of whom can undertake other circus work. There need be no loss of jobs, because circus workers can simply be redeployed to other work, and many (those not working with animals) can simply carry on with what they are doing.

There is no significant public appetite for wild animals.

The consistency of opinion polls and data from audience numbers shows that there is no significant public appetite for wild animals in circuses. Animal circuses have been displaced by human performance circuses that have diversified and expanded into new markets – pop concerts, fringe festivals, even major theatres (like Cirque du Soleil at the Royal Albert Hall).

According to the Directorate General for Research of the European Parliament (DG Research) on the situation of the circus in the EU members: *"(...) the circus had to face competition from cinema, television, amusement parks and other forms of entertainment, and suffered a decline in public interest."* The circus industry is aware of its decline. ADI's Submission to Defra Public Consultation on the use of wild animals in travelling circuses – March 2010 DG Research continues: *"(...) in the last twenty-five years, new forms of circus which are enjoying great success have been appearing, and public interest has increased. (...) Contemporary circus or, as it is known colloquially, "new circus", differs from the traditional circus in certain respects. **Animals are not used, (...). This "new circus" has attracted new audiences and other groups of people who had never visited the circus before.**"* Directorate General for Research of the European Parliament. The Situation of the circus in the EU member states.

In March 2009 Circo Agora in Norway announced that it had become an animal free show, although animal circuses are still allowed in the country and regulations are being discussed to ban certain species. Circuses that give up animal performances in favour of the development of new human acts are increasingly successful. As our response to Question 12 shows, the circus industry can still thrive and even increase overall attendance, without the stigma of animal suffering.

This data strongly suggests that a ban on animals in circuses would not affect revenue from public attendance in a negative way. There is a clear economic route for circuses with wild animals to become animal-free.

The ban on wild animals in circuses has been a way of promoting the circus industry.

Governments in Europe and around the world have acknowledged the difficulties that animal circuses face and have intervened by promoting the ban of wild animals in circuses as a way of leveraging its development.

The Regional Council of Venice underlined the increasing aversion of the public towards animal performances: *"In the last years the use of the animals in the circus shows has been placed under accusation due to an increased sensibility of the citizens towards the rights of animals. **Proof of this orientation and the lack of affection of the public with a consequential diminution on cash intakes: in Italy, the country with the greatest concentration of European circus enterprises, the circus risks to disappear.**"* ADI's Submission to Defra Public Consultation on the use of wild animals in travelling circuses – March 2010

The Council added: *"**It is necessary to intervene decisively to support of the circus arts but it cannot leave out a measure that puts an end to the useless and non educational use of animals, forced to captivity and to coercive treatment.**"* ADI's Submission to Defra Public Consultation on the

use of wild animals in travelling circuses – March 2010. The local government's decisive intervention was to promote a bill to ban the use of animals in circuses in the Venetian region.

A similar approach is currently being followed by the Brazilian government. In 2008, the Ministry of Culture, in partnership with the National Arts Foundation, launched a programme to promote small and medium circuses. The programme includes a *new acts policy* to stimulate substitutes of animal acts which includes the distribution of grants. Conversely, substitutive bill No. 7.291 of 2006 banning the use of animals in circuses aims to promote the circus as a part of the local culture. Moreover, the Chilean Congress (Bill No. 7031) is studying legislation to ban the use of animals in circuses by amending the Law of benefits to the Chilean Circus.

Thus, bans on animal circuses can generate conditions to increase attendance and reactivate the circus.

Removing animals from circuses lowers costs and animal related accidents.

Circus acts are a dangerous activity *per se*. As a result, the circus industry has acknowledged that insurance companies often place high premiums or even refuse to insure the workers and the businesses. Directorate General for Research of the European Parliament. The Situation of the circus in the EU member states. 2003 **Having wild animals in circuses just adds a further and unnecessary level of risk, for both the circus workers and members of the public.** Circuses around the world take measures to try to avert such incidents but these ADI's Submission to Defra Public Consultation on the use of wild animals in travelling circuses – March 2010. are not effective. Thus the ban is the way forward in order to reduce costs and accidents. ADI's Submission to Defra Public Consultation on the use of wild animals in travelling circuses – March 2010

Consultation question 14 What effect do you think a ban on the use and exhibition of wild animals in travelling circuses would have on the revenue of circus venues? Why?

Increase

Please see our response to question 13. Additionally, banning wild animals in travelling circuses would have a positive effect as those who avoid circuses because they do not wish to see wild animals used in such a way, will start to attend circus shows. A 2005 MORI Poll for ADI showed that 80% of respondents wanted a ban on all wild animal circus acts and that more than twice as many people were visiting animal-free circuses as opposed to those with animals. It revealed how, in the previous 5 years, attendance at animal-free circuses had risen from 6% to 16% and how animal circuses remained slumped at 7% attendance. http://www.ad-international.org/animals_in_entertainment/go.php?id=3278&ssi=10 – accessed 1/4/14

Wider film and television industry

Consultation Question 15 Do you consider that a ban on wild animals in travelling circuses could have an impact on other industries? If so, which industries, what would be the effect and why?

| | Positive impact | Negative impact | No impact | Don't know |
|------------------|-----------------|-----------------|-----------|------------|
| Film | | | X | |
| TV - drama | | | X | |
| TV - documentary | | | X | |
| TV - childrens | | | X | |

| | | | | |
|---------------------|--|--|---|--|
| Advertising – TV | | | X | |
| Advertising - other | | | X | |

A complete ban on wild animals in travelling circuses will not have an impact on other industries.

The use of performing animals in films is a very small sector of the UK film and television industry. Furthermore, the current UK circuses are peripheral to the supply of this sector. Circuses are more likely to be involved in a handful of adverts per year, which could be made without using animals anyway. In addition, the use of animals in entertainment, especially films, is being increasingly questioned and moves made to avoid this by using alternatives to animals. For example, 'The Rise of the Planet of the Apes' was made without using animals, its director spoke out about animal exploitation for such roles, and 'Noah' is the latest film to show on a huge scale that CGI can be used to replace the use of performing animals in films.

There would be no discernible impacts on the UK film and television industry due to ending the use of wild animals in circuses, just as closures of circuses or training establishments have not impacted the industry to date.

In 1997, the UK had a large circus industry using wild animals – there were 16 elephants touring the UK that year, and two years earlier there had been 19; there were also numerous lion and tiger acts. By 2002, there was just one performing elephant and a single circus touring with lions and tigers.

Even more significant was the closure in 2000 of Mary Chipperfield Promotions in Hampshire, following the conviction of two of the directors for cruelty, Mary Chipperfield and Roger Cawley. This operation did count the supply of animals for films and television as a significant part of its activity. Wild animals kept at the facility included chimpanzees, lions, tigers, bears, a giraffe, with numerous other species passing through.

Europe's largest supplier of performing lions and tigers was Chipperfield Enterprises in Oxfordshire, which closed in 2003.

These closures, theoretically more significant to the industry than the loss of a handful of circuses with wild animals that currently exist, have not had a negative impact on the film industry.

The three key reasons for these closures and the justification that a future ban on the use of wild animals in circuses would not impact the film and television industry:

- Performing animals are a minor, and generally dispensable, part of the film and television industry.
- Circuses are a minor source of animals and the major suppliers would therefore remain unaffected
- Technology has replaced animals and, in other cases, changed performance requirements.

The majority of animals used by the industry are supplied by fixed training centres with a broad range of species. Currently the largest in the UK is Amazing Animals, operating out of Heythrop Zoological Gardens in Oxfordshire, which offers a wide range of animals. The past decade has seen this facility move its animals out of traditional circus beastwagons into permanent facilities more akin to zoos, but poorer in environmental terms. The operation provides for

filming to take place on site.

This is similar to the model that provides animals for films in Hollywood, where there are numerous fixed facilities across California, some specialising in particular species. If the US circus industry plays a role in films then it is negligible and not apparent from the available evidence.

The supply of animals for films and television is not without significant welfare, confinement, and abuse problems as shockingly evidenced at Mary Chipperfield Promotions, Chipperfield Enterprises, and others. However, the husbandry issues are not necessarily insurmountable in that permanent facilities can be improved, standards set and inspections made more comprehensive. In the travelling environment the options for improvements are restricted by the circumstances.

In some cases, technology has replaced the use of animals in filming altogether. For example the use of animatronic models and suits have created convincing on-screen animal action.

Perhaps more significant is the use of computer generated images (CGI) which has markedly reduced what animals, and people, are required to do on screen. Many animals are now filmed in front of blue screens and the images dropped in behind them. This means that they do not need to be transported to different locations and for example that an animal simply jumping from point A to point B can be presented as something very dramatic. Such technology means that making animals carry out unnatural circus-style tricks can be eradicated.

Economically and in terms of generating growth in the UK film industry and raising its international status, encouragement towards the use of these modern technologies and away from performing animals should actually be encouraged. ADI's Submission to Defra Public Consultation on the use of wild animals in travelling circuses – March 2010 ADI is opposed to the use of animals in entertainment, due to the training methods involved, so these progressive steps to replace the use of animals are extremely encouraging.

Should Scotland ban the use of wild animals in travelling circuses?

Consultation Question 16 Do you agree that the use of wild animals for performance in travelling circuses should be banned in Scotland? Why?

Yes

Yes. The constant travel, deprived environment, unnatural social groupings and restrictions on natural behaviours do not respect the animals' needs in terms of mental stimulation, social and emotional welfare and is therefore an unethical approach to the keeping of captive animals.

ADIs Response to EFRA Committee Report on Wild Animals in Circuses, dated 19th August 2013.

Even with the best will in the world the Five Freedoms, which are used to measure animal welfare are all, to a greater or lesser degree, affected by the environment to which the animals are subjected in the travelling circus – please see our response to Question 4.

As has been highlighted above, training requires coercion and subjugation. ADI has captured numerous assaults on animals in our investigations around the world. In fact ADI investigations have found that the use of violence in the training and control of animals is a regular

occurrence and part of the circus culture [http://www.ad-](http://www.ad-international.org/animals_in_entertainment/go.php?id=732&ssi=10)

[international.org/animals_in_entertainment/go.php?id=732&ssi=10](http://www.ad-international.org/animals_in_entertainment/go.php?id=732&ssi=10) – accessed 1/4/14 Not only have ADI uncovered violence against circus animals, which have been the basis of the two prosecutions of circus owners in the UK, but this reliance on violence to control animals, and to force them to perform is also supported by academics who state, with regard to primates, that *“the potential for training and controlling intelligent nonhuman primates possessing superior abilities in agility and strength – without physical punishment – is highly questionable”*. Agoramoorthy, G. & Hsu, M.J. (2005) “Use of Nonhuman Primates in Entertainment in Southeast Asia”, *Journal of Applied Animal Welfare Science* vol.8, no.2, pp.141-149

Public opinion and the will of parliament demand a ban on wild animals in travelling circuses, as shown in our response to Question 21. At a political level, a number of Early Day Motions in support of a ban have been backed by MPs over many years:

Prior to the Backbenchers’ vote, 199 MPs from all parties signed **EDM 403 Wild Animals in Circuses** urging *“the Government to use its powers under section 12 of the Animal Welfare Act to make a regulation banning the use of all wild animals in circuses..”* – making this the 7th most signed EDM in Parliament out of 2292 motions tabled.

EDM 1860 Wild Animals In Circuses urged *“the Government to use its powers under section 12 of the Animal Welfare Act 2006 to introduce a regulation banning the use of all wild animals in circuses without further delay”*. **2011: 86 signatories**

EDM 2179 Wild Animals In Circuses urged *“the Government to maintain its commitment to ban the use of wild species in travelling circuses, and to restrict and limit the use of domesticated species under a strict, accountable and open licensing system”* **2009: 96 signatories**

EDMs 965 & 976 Animal Welfare In Circuses urged *“the Government to maintain its commitment to ban the use of wild [or non-domesticated in EDM976] species in travelling circuses and to restrict and limit the use of domesticated species under a strict, accountable and open licensing system”*. **2008 & 2009: 187 signatories & 78 signatories**

EDM 1626 Animal Welfare urged *“that the Animal Welfare Bill is used to end the use of animals in travelling circuses”*. **2006: 108 signatories**

EDM 468 Circus Animal Welfare called *“on the Government to introduce measures to end the use of wild animals in circuses in the forthcoming Animal Welfare Bill”*. **2005: 107 signatories**

EDM 787 & 64 Animal Defenders and Circus Animals called *“for a ban on the use of animals in travelling circuses...”* **1998: 214 signatories & 192 signatories**

Consultation Question 17 Do you agree that the use of wild animals for exhibition in travelling circuses should be banned in Scotland? Why?

Yes

Yes. Please refer to our response to Question 16.

In addition, even if animals are not being used to perform, they would still be moved and handled more than other wild animals, such as those in zoos. Training requires coercion and

subjugation, animals are still likely to be subject to intimidation and possibly violence.

It should also be pointed out that even if animals are not performing, they will still be subjected to the same deprivations due to frequent travel, prolonged periods in transporters while the circus is dismantled, moved and erected at the new site, collapsible enclosures; and inappropriate social groups.

Travelling itself has adverse effects. ADI has previously highlighted the extended hours which circus animals spend in their transporters, even for short journeys. Elephants travelling with the Great British Circus were confined to their cramped transporter and forced to wait until their tent was erected, resulting in many hours being shut away. During a move from Watford to Bushey, the elephants were kept inside the transporters for seven and a half hours, even though the distance travelled was just five and a half miles. http://www.ad-international.org/media_centre/go.php?id=1623&si=12 – accessed 1/4/14

Anne the elephant, prior to ADI's investigation and her re-homing, was used for photographs at the circus. Despite being 'retired', she continued to tour with the circus, being brought out during the show interval and made to pose for photos with paying members of the public. <http://www.ad-international.org/conservation/go.php?id=2935&ssi=0> – accessed 1/4/14 One year, when Bobby Roberts Super Circus came to Scotland, Anne was shut in her transporter for over 17 hours for a journey of just 25 miles that took 45 minutes. http://www.ad-international.org/animals_in_entertainment/go.php?id=3562&ssi=10 – accessed 1/4/14

Consultation Question 18 Do you consider that any ban should be a blanket ban on all wild animals in travelling circuses? Why?

Yes

Yes, please refer to our responses to questions 4 & 5.

Additionally, it was stated in Defra's reply to the EFRA Committee, which attempted to limit the number of wild animal species included in the ban (see our response to question 4), that *"Wild animal' is already a term recognised in legislation; allowing laws to differentiate between domesticated animals, such as horses or dogs, and animals that have not undergone the same process of domestication, such as tigers and zebras. Both the Zoo Licensing Act 1981 and the Animal Welfare Act 2006, for example, rely on the principle that there is a distinct difference between domesticated animals and non-domesticated 'wild' animals. The concept of what is, and is not, a wild animal is well established and the Committee does not explain why the scope of the ban should be further sub-divided into smaller sub-categories of 'wild animal'. Neither does the Committee provide any clear guidance as to how those further sub-categories of 'wild animal' should be determined or on what grounds the proposed delegated powers should be used."* <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmenvfru/746/746.pdf> - accessed 1/4/14

Consultation Question 19 Do you consider that any specific species of animal not commonly domesticated in the British Islands should be permitted to be used in travelling circuses in Scotland? If so, which species and why?

No

No. Please refer to our responses to questions 4 & 5.

Consultation Question 20 Do you consider that there are key species that should be covered by a ban in the event that a blanket ban could not be achieved? If so, which species and why?

No

All wild animal species should be covered – it is not possible to discriminate between species which are “suitable” for living in travelling circuses and those which are not. No wild animal species can live, with optimum welfare, in a travelling circus. ADIs Response to EFRA Committee Report on Wild Animals in Circuses, dated 19th August 2013.

Any other Comments

Consultation Question 21. Do you have any other comments on whether/how the use of wild animals in travelling circuses should be banned in Scotland?

Yes

The use of wild animals in travelling circuses should be banned as soon as possible, not prevaricated upon as in Westminster. Parliamentarians and a huge majority of the public want a ban.

Public opinion polls and consultations have, over the years, shown consistent support for a ban. It is a popular move with the public. Banning the use of animal acts from circuses has also been tested politically in 25 countries and enforced in the UK, including Scotland, in over 200 local authorities.

2013 YouGov poll; public were asked whether certain species should or should not be allowed to be used in travelling circuses:

| Species | Should (%) | Should not (%) |
|-----------|------------|----------------|
| Lions | 13 | 78 |
| Tigers | 12 | 79 |
| Bears | 9 | 81 |
| Elephants | 16 | 74 |
| Snakes | 30 | 57 |
| Camels | 21 | 79 |
| Zebras | 17 | 73 |
| Racoons | 19 | 67 |
| Parrots | 39 | 48 |

2011 ComRes poll for ADI

-71% of the public backed a ban.

2011 Dods Parliamentary Poll for ADI asked 100 MPs whether the government should ban the use of wild animals in circuses rather than let the industry self-regulate:

- 63% of MPs agreed or strongly agreed
- 14% disagreed or strongly disagreed
- 6% did not respond.

2009-Defra's public consultation found that 94.5% of respondents supported a ban.

2005 MORI Poll for ADI showed:

- 65% say ban all animal circus acts.
- 80% say ban all wild animal circus acts.
- Only 7% strongly opposed the call for a ban.

This poll also revealed that more than twice as many people were visiting animal-free circuses as opposed to those with animals. In the previous 5 years, attendance at animal-free circuses had risen from 6% to 16%. Animal circuses remained slumped at 7% attendance.

Consultation Question 22. Do you consider that the consultation paper explained the key issues sufficiently for you to properly consider your responses?

Yes

Consultation Question 23. Do you consider that you had sufficient time to respond to the consultation?

Yes

Consultation Question 24. Do you have any other comments on the way this consultation has been conducted?

No