

17 September 2020

Dear Mr Cho,

Please find below my answers to the questions that I took on notice during the hearing on 14 August 2020 for the Inquiry into the use of exotic animals in circuses and the exhibition of cetaceans in New South Wales.

Please let me know if you need further clarification on any of the answers.

Kind regards,

Dr Jo Dorning

## Answers to questions taken on notice

Questions are in red and bold. Answers are in normal font.

**1. How long are the licences for? Are they annual licences or are they three or five-year licences? (in the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012.)**

Based on the Welfare of Wild Animals in Travelling Circuses (England) Regulations, licences could be for any period of up to three years. However, these Regulations expired on January 19th, 2020. Now the use of wild animals in circuses is banned in Scotland (Wild Animals in Travelling Circuses (Scotland) Act 2018, <https://www.legislation.gov.uk/asp/2018/3/contents>), England and Wales (Wild Animals in Circuses Act 2019, <https://www.legislation.gov.uk/ukpga/2019/24/contents/enacted>).

**2. Just going back to the space requirements, you mentioned that some of the jurisdictions had space requirements. I know that you might want to take this on notice because it is quite a specific question, but I am just wondering how the New South Wales space requirement of 20 metres squared for up to 11 months would compare to some of those other areas that you looked at? [in reference to lions]**

England and New Zealand are examples of countries with legislation that relates specifically to the requirements of lions in circuses:

Under the (now expired) Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012 (<https://www.legislation.gov.uk/ukxi/2012/2932/contents/made>, guidance: <https://www.gov.uk/government/publications/guidance-on-the-welfare-of-wild-animals-in-travelling-circuses-england-regulations-2012>), the minimum indoor space requirement is 12 m<sup>2</sup> per big cat, and outdoors 50 m<sup>2</sup> for up to two cats, with an extra 25 m<sup>2</sup> per additional animal. These requirements apply for animals on tour and at winter quarters or the home base.

In New Zealand, the Code of Welfare: Circuses 2018 (<https://www.agriculture.govt.nz/dmsdocument/1405-Circuses-Animal-Welfare-Codes-of-Welfare>) states that for lions “(a) A minimum exercise area of 50 square metres for 1-4 lions must be provided, plus an extra 10 square metres for any additional lion. (b) At least part of the exercise area must be a minimum height of 3 metres and allow the lions access to a climbing facility with areas allowing the animals to rest above the ground”. The Code of Practice states that when exotic circus animals are being held at permanent home or over-wintering bases, then the provisions of the Code of Welfare: Zoos apply to them.

There may be other examples in other jurisdictions, but I hope the two examples above offer a useful comparison with the New South Wales requirements.

### 3. What would be an acceptable level of space requirement for such a species? (lions)

I am afraid there is no magic number that will ensure good welfare and there are many factors to consider. In the Dorning report we don't make recommendations for minimum space requirements, but rather we show evidence for what the captive environment should enable the animal to do to promote good welfare. An enclosure must be large enough to allow the animal to have control over their internal and external environment, and to show natural behaviours. For lions these are things like hunting, socialising, mating and rearing cubs that can disperse to other social groups to avoid inbreeding. A lot of space is needed to perform these kinds of motivated behaviours, and there is research to suggest that wide-ranging carnivores such as lions are particularly vulnerable to welfare problems in captivity, where space is restricted

([https://atrium.lib.uoguelph.ca/xmlui/bitstream/handle/10214/4715/Clubb %26 Mason 2003.pdf?sequence=1&isAllowed=y](https://atrium.lib.uoguelph.ca/xmlui/bitstream/handle/10214/4715/Clubb%20Mason%202003.pdf?sequence=1&isAllowed=y)).