

**INQUIRY INTO EXHIBITION OF EXOTIC ANIMALS IN
CIRCUSES AND EXHIBITION OF CETACEANS IN NEW
SOUTH WALES**

Organisation: Ontario Captive Animal Watch
Date Received: 15 November 2019



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November 19, 2019

Members of Parliament

New South Wales

Dear Sirs and Mesdames:

Re: Exhibition of Cetaceans in New South Wales

I am a representative of Ontario Captive Animal Watch (OCAW). OCAW is an organization serving to document and educate the public on facilities that use animals for entertainment purposes across Ontario, Canada to create productive change, and it does so by organizing educational events and lobbying government to strengthen our current animal welfare laws. Our members include a select group of individuals who specialize in Law, Veterinary Medicine, Animal Enforcement and Education. Ontario Captive Animal Watch was instrumental in ending the captivity of whales and dolphins in Canada; we spoke at Senate in support of Bill S-203 and worked closely with Members of Parliament to enact such legislation.

To commence, the following is a list of countries that have banned the keeping of cetaceans in tanks for entertainment purposes: Bolivia, Chile, Costa Rica, Croatia, Cyprus, Greece, Hungary, India, Slovenia, Switzerland, Canada. A few countries have standards so strict that it is nearly impossible to keep cetaceans in captivity, including Brazil, Luxembourg, Nicaragua, Norway, and the United Kingdom, where the last dolphinarium was closed in 1993. In 2013, in a groundbreaking decision, India's Ministry of Environment and Forests declared dolphins as 'non-human persons' and as such has forbidden their captivity for entertainment purposes.

In early 2017 The Vancouver Park Board in British Columbia, Canada, heard arguments from both Vancouver Aquarium and scientists on the issue of holding cetaceans in captivity and ultimately voted to ban cetacean captivity at the aquarium. It directed staff to develop a bylaw amendment that would prohibit the importation and display of live cetaceans. That By-Law was passed on May 15, 2017, which was appealed by Vancouver Aquarium. In January of 2018 Vancouver Aquarium voluntarily announced an end to their practice of holding cetaceans in captivity, citing it was doing so because "the court of public opinion had spoken". In 2015, Ontario, Canada banned the importation and breeding of orcas in the Province. California has banned killer whale theatrical shows and breeding and Representative Adam Schiff has recently introduced the ORCA Responsibility and Care Advancement Act (2017) which would amend the Marine Mammal

Protection Act of 1972 to prohibit the taking, importation, and exportation of Orcas and Orca products for public display, and for other purposes.

I would like to address the proposed legislation in New South Wales and my support for this legislation. I believe the implications of such legislation can be discussed in three categories; Research and Conservation, Education, and Animal Welfare and I will proceed on that basis.

RESEARCH/CONSERVATION

One of the most beloved cetaceans in the world is the Humpback Whale, and there has never been a single one in captivity.

Regarding conservation, almost all of the species and populations studied in captivity are not highly endangered in the wild. Likewise, those species that are the most endangered in the wild are not typically found in captivity. An example is the vaquita, which is currently the most endangered cetacean in the world. One might validly question the authenticity of any institution's conservation goals if they do not focus on the most endangered species for study purposes. The fact that aquariums focus primarily on the most common cetacean species, and those not on highly endangered species (with very few exceptions), severely limits the applicability of their studies of captive cetaceans to the conservation of wild populations.

ANIMAL WELFARE

Living in captivity is a far cry from the natural world of cetaceans; indeed captivity does not come close to addressing the minimal needs of large, far ranging, socially complex animals like whales and dolphins. Canada has banned the breeding, acquisition and importation of whales, dolphins, and porpoises, recognizing that orcas are deep diving, long ranging, highly social, highly intelligent, highly sentient and highly emotional animals and for those reasons, they do not make good candidates for captivity. Whales and dolphins are highly intelligent. They want and need to live in complex social groups. They also want and need to live in an environment that challenges them to hunt for food, avoid predators and navigate the diversity of a natural environment. In captivity they will usually have been separated from their families, often in cruel hunts and some when they were very young. They are then placed in barren environments which deprive them of exercising their adaption to the ocean. (see photos below)

Upper Photo – Ripley's Aquarium

Lower Photo – Kiska's barren tank at ML



Wild whales and dolphins can swim up to 100 miles a day, hunting and playing. In captivity they have very little space and cannot behave naturally. In short, a concrete tank can never replace their ocean home.

Cetaceans lead very stressful lives in captivity. Many self mutilate, including chewing on their cement tanks out of stress and/or boredom to the point where they wear their teeth down to the gumline, resulting in suffering through painful irrigation procedures daily. (see photos of Kiska at Marineland Canada). Dolphins and Belugas suffer the same fate of broken, worn down teeth.

Kiska – teeth



Kiska – irrigation



Some diseases/afflictions that cetaceans suffer in captivity are: broken teeth; kidney disease resulting from poor dental conditions; bacterial pneumonia (the most common cause of death for captive dolphins and whales); Immunosuppression; Candida, a fungal infection which causes lesions to appear near orifices on the body; West Nile Virus from mosquitos and raking from other cetaceans (the animals are placed in incompatible social groupings and there is no room for them to escape aggression as there is in the wild). Many infections that captive cetaceans suffer from are resistant to prescribed antibiotic treatment, and scientists have indicated that the fact that aquariums regularly administer antibiotics to captive cetaceans can lead to drug-resistant strains of infections.

EDUCATION

Aquariums housing cetaceans have very little, if any, true education regarding the cetaceans in their facility. The shows are strictly for entertainment purposes and do not seek to educate on the true characteristics that these animals exhibit in the wild. Aquariums claim to inspire a love for cetaceans and a desire to protect them, however the opposite is often reflected in some how humans interact with them in the wild; feeding them, handling them, even riding them (photos below). Aquariums generally has very little educational signage regarding the cetaceans they house; they do not hand out any educational materials and they have no docents providing educational information at the animal enclosures.

Beluga show



Humans Interacting in the wild



In conclusion, cetaceans lead shorter and more stressful lives in captivity than their wild counterparts and the scientific data is abundantly clear on this issue. With regard to education, every small child knows about dinosaurs without ever having seen one; captive animals are not essential for education or inspiration. Modern virtual reality technology can provide accurate information about these animals and capture a child's interest. What little benefit derived from research over the past 54 years on captive cetaceans does not warrant the enterprise of keeping them in captivity. I believe that research can and should be conducted without causing animals to suffer. At this point we must ask ourselves, does the limited research that these facilities conduct justify the keeping of cetaceans in captivity, knowing that science has proven cetaceans to be highly sentient, highly social, highly intellectual and highly emotional animals and that they do not fare well in captivity? Perhaps it is time to look at the consequences of what we have done to these animals, and look at science through the lens of ethics.

Respectfully yours,

Diane Fraleigh

Member of OCAW