

**Submission
No 184**

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

Name: Ms Nikki Ogle
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Introduction

As a person interested in the exhibition of exotic animals I make this submission in opposition to the proposal that Portfolio Committee No. 4 - Inquiry into the use of exotic animals in circuses and the exhibition of cetaceans in New South Wales and in support of the continued use and further breeding of exotic animals for mobile exhibition in circus.

I have been employed the circus and zoo industry in Australia and abroad working with both exotic and domestic animals. The exotic animals currently on exhibition in Australia are lions. These lions are captive bred for generations and exhibited in enclosures approved by the Department of Primary Industries (DPI). The DPI is responsible for the auditing and the licensing under the Standards for Circus Animals. The standards were made with industry consultation and have effectively addressed and monitored the welfare needs of circus animals.

Welfare

The welfare concerns for exotic animals in circus has been well documented in a number of peer-reviewed publications. Most noteworthy is the Dr Kiley-Worthington report commissioned by the RSPCA in the UK [1] and the Radford report of 2007 [2] conducted by experts with actual circus animals, not data extrapolated from zoological studies.

Dr Kiley-Worthington, internationally renowned animal behaviour expert and ethnologist addresses the perception of dignity of performing animals in travelling circuses in her book *Animals in Circuses and Zoos: Chiron's World*

"In this way they [circuses] could have an important role to play in educating the public and heightening the respect for individual animals, their unique intelligences and amazing abilities." [1]

The Radford report [2] was a panel made of six academic specialists that reviewed both sides of evidence in 2007. Of these six academics, three were nominated by the circus community and three by the organisations opposed to circus animals. The Academics concluded, "On the basis of the scientific evidence submitted to it, the (Academic) Panel concluded that such an argument (to ban the use of wild animals in circuses) had not been made out." and further note was made by the Chair, a specialist lawyer, that "Ministers do not have before them scientific evidence sufficient to demonstrate that travelling circuses are not compatible with meeting the welfare needs of any type of non-domesticated animal presently being used in the United Kingdom. It is further submitted that such a decision must be based on scientific evidence, and other considerations are extraneous, and therefore unlawful in the context of section 12 (of the Animal Welfare Act). Furthermore, in the absence of compelling scientific evidence, any attempt to ban the use of an animal would fall foul of the principle of proportionality."

Italy, the UK and more recently Wales have proposed bans on exotic or wild animals. The Italian ban was not successful, the UK ban was not heard in Parliament, and in Wales submissions are currently being considered.

In all of these proposals a review by Stephen Harris was submitted in support of the ban. An eminent American animal behaviourist, Professor Ted Friend (Texas A & M University), wrote to the then UK government that when he and his colleagues were told their lengthy specialist

researches on behalf of the US government were extensively quoted in one such document, they were 'flattered'. However, on reading a copy, they were appalled to discover that their work had been 'egregiously misrepresented', with information cherry-picked to suit an anti-circus argument. More recently (July 2017), Prof Friend submitted a lengthy complaint to the Italian Parliament regarding such matters [4]

Further examination of peer reviewed studies finds that both exotic animals and cetaceans live as long or longer in human care than in the wild (Jaakkola, Willis 2013) [5] and data analysis reports (Proie, 2013) [6] show that stress levels using a cortisol measurement are not significantly different from animals in the wild under handling, and captive animals when trained and correctly managed actually have a decreased stress profile to their wild counterparts.

Furthermore the exhibition of dolphins provides funding and facilities for wildlife rescue. Without facilities and funding, rescue and rehabilitation is not possible. Recently in New Zealand the marine park on the south island closed and left no facilities to rescue and rehabilitate marine life and any injured marine life was euthanised.

Animal rights agenda

The animal rights agenda seeks to end all contact between humans and animals. I do not believe measures towards such an agenda would be of ultimate benefit to either human beings or to the natural world of which we are all part. A brief glance at websites of the organisations that condemn circuses show they also oppose farming, horse-racing, and even pet ownership. During submissions you will hear from organisations with a vested interest in condemning circuses and dolphinariums. These organisations profit financially and politically from exploitation of animals by running emotive campaigns with old overseas footage of animal abuse, these designed to generate outrage towards many whose work and / or lifestyle involves working with animals. As such, their accuracy is highly questionable and their soliciting of donations to save animals from a situation that does not exist in Australia is therefore highly questionable. Recently in the USA the American Society for Prevention of Cruelty (ASPCA) agreed to pay Feld Entertainment \$9.3 million in settlement for racketeering and other charges of alleged abuse in a circus. The court found that the ASPCA paid witnesses and fabricated stories. The ASPCA has a framework almost identical to many animal rights organisations in Australia, and in a similar story in January of this year, Animals Australia was accused of pay for abuse photographs of the live sheep trade, which were used as evidence to support a ban. Circus performances show how humans and animals can work together; the bond between animal and handler is built with countless hours of contact. Circuses tour regional areas taking animals to communities that do not always have the means to travel to a city zoo or overseas safari. A visit to the dolphinarium to witness the incredible bond between dolphins and their trainers and the amazing abilities of dolphins exhibiting behaviours from a verbal command, by seeing an animal and being up close, sparks an interest that no book or computer can provide, and this interest may well inspire our future conservationists.

Community Expectation

As outlined in the terms of the proposal, consideration is in line with community expectation; removing the choice seems unethical and totalitarian given the above positive body of evidence from reputable sources.

[1] *Animals in Circuses And Zoos: Chiron's World?*

[2] *Wild Animals In Traveling Circuses: Report of the Chairman of the Circus Working Group October 2007*

[3] Friend, T. H. 1999. *Behavior of picketed circus elephants. Appl. Anim. Behav. Sci. 62:73-88.*

Friend, T. H. and M. L. Parker. 1999. *The effect of penning versus picketing on stereotypic behavior of circus elephants. Appl. Anim. Behav. Sci. 64:213-225.*

Gruber, T. M., T. H. Friend, J. M. Gardner, J. M. Packard, B. Beaver, and D. Bushong. 2000. *Variation in stereotypic behavior related to restraint in circus elephants. Zoo Biology 19:209-221.*

Toscano, M. J., T. H. Friend and C. H. Nevill. 2001 *Environmental conditions and body temperature of circus elephants transported during relatively high and low temperature conditions. J. Elephant Managers Association 12:115-149.*

Nevill, C. H. and T. H. Friend. 2003. *The behavior of circus tigers during transport. Appl. Anim. Behav. Sci. 82:329-337.*

Williams, J. L. and T. H. Friend. 2003. *Behavior of circus elephants during transport. J. Elephant Managers Association 14:8-11.*

Nevill, C. H., T. H. Friend and M. J. Toscano. 2004. *Survey of transport environments of circus tiger (Panthera Tigris) acts. J. Zoo and Wildlife Medicine 35:167-174.*

Nevill, C. H. and T. H. Friend. 2006. *A preliminary study on the effects of limited access to an exercise pen on stereotypic pacing in circus tigers. Appl. Anim. Behav. Sci. 101:355-361.*

Krawczel, P.D., T.H. Friend and A. Windom. 2006. *Stereotypic behavior of circus tigers: Effects of performance. Appl. Anim. Behav. Sci. 95:189-198.*

[4] <http://www.sivelp.it/wp-content/uploads/2017/07/TED-FRIEND-PDF.pdf>

[5] *How long do dolphins live? Survival rates and life expectancies for bottlenose dolphins in zoological facilities vs. wild populations Jaakkola and Willis 2019*

[6] *A SYSTEMATIC REVIEW OF CORTISOL LEVELS IN WILD AND CAPTIVE ATLANTIC BOTTLENOSE DOLPHIN (Tursiops truncatus), KILLER WHALE, (Orcinus orca), AND BELUGA WHALE (Delphinapterus leucas). Proie 2013*