

Submission
No 231

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

Organisation: Zoo Aquarium Association Australasia
Date Received: 8 December 2019

Hon Mark Banasiak MLC
Chair, Portfolio Committee No.4 – Industry

Inquiry into the use of exotic animals in circuses and the exhibition of cetaceans in New South Wales

Dear Mr Mark Banasiak,

Enclosed is a copy of our submission to the Portfolio Committee No.4 – Industry inquiry, entitled “Inquiry into the use of exotic animals in circuses and the exhibition of cetaceans in New South Wales.” This submission has been written in response to the following terms of reference:

- 1(b) the welfare of cetaceans exhibited in New South Wales, with consideration of community expectation,
- 1(c) in light of the findings in (b) above, whether:
 - (i) to allow the continuation of the practice of breeding of exotic animals for use in circuses and cetaceans for exhibition,
 - (ii) there should be a phase out of the use of exotic animals in circuses and cetaceans for exhibition, and/or

The Zoo and Aquarium Association Australasia is strictly addressing the terms of reference in regard to exhibition of cetaceans only. This submission does not comment on the use or breeding of exotic animals in circuses.

We have provided recommendations on this area of public policy based on our experience as the peak body representing the collective voice of the zoos, aquariums, sanctuaries and wildlife parks across Australasia that operate to the highest standards.

As an organisation at the forefront of this issue, we feel this submission provides valuable insight into the exhibition of cetaceans in New South Wales.

If you have any questions or comments regarding the information enclosed in this submission, please feel free to contact us using the information provided at the footer of this page.

Sincerely

Nicola Craddock

Executive Director, Zoo and Aquarium Association Australasia (ZAA)

Portfolio Committee No.4 – Industry

Inquiry into the use of exotic animals in circuses and the exhibition of cetaceans in New South Wales

Prepared by the **Zoo and Aquarium Association Australasia**

27.11.2019

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1.0 Introduction

The Portfolio Committee No.4 – Industry has called for submissions for an inquiry into “the use of exotic animals in circuses and the exhibition of cetaceans in New South Wales.” This document is the official submission from the organisation, the Zoo and Aquarium Association Australasia (the Association).

The Association clarifies that it is strictly addressing the terms of reference regarding exhibition of cetaceans only, excluding the use or breeding of exotic animals in circuses.

The following terms of reference are addressed regarding exhibition of cetaceans:

- 1(b) the welfare of cetaceans exhibited in New South Wales, with consideration of community expectation,

- 1(c) in light of the findings in (b) above, whether:
 - (i) to allow the continuation of the practice of breeding of cetaceans for exhibition,
 - (ii) there should be a phase out of the use of cetaceans for exhibition, and/or

2.0 Background on the Zoo and Aquarium Association Australasia

As a peak body, the Zoo and Aquarium Association Australasia (the Association) represents the collective voice of the zoos, aquariums, sanctuaries and wildlife parks across Australasia that operate to the highest standards. It does not represent circuses or mobile exhibitors.

It has a progressive, science-based approach to animal welfare. Using the Five Domains Model, the Association grants accreditation to zoos and aquariums that have clearly demonstrated their commitment to positive welfare. This approach champions welfare from the animal's perspective and it underpins all that members do.

The Association and its members lead over 100 breeding programs in support of conservation and community education. Additionally, it actively contributes to threatened species recovery around the world.

Together, Association members enhance the role of individual zoos and aquariums in conserving wildlife. Each year, they connect 22 million visitors with nature, educate 1.1 million students about wildlife, support 629 conservation programs and contribute over \$20 million to conservation.

The Association brings its members together, facilitating shared knowledge and continuous improvement in conservation, animal welfare, biosecurity, science, research, social initiatives and community programs.

3.0 Welfare of cetaceans exhibited in New South Wales

3.1 Defining welfare and ethics

Reference 1(b) raises “the welfare of cetaceans exhibited in New South Wales, with consideration of community expectation.” However, the terms of reference established for the inquiry provide no definition of the term “welfare.”

The Association accepts the World Organisation for Animal Health’s definition of animal welfare as “the physical and mental state of an animal in relation to the conditions in which it lives.”¹

Whilst welfare refers to the internal state of the animal, ethics, as defined by K.L. Rich as “a systemic approach to understanding, analysing and distinguishing matters of right and wrong,”² is a separate and much broader concept. For instance, the Association’s ‘Ethical Decision-Making Framework’ incorporates six values including (1) welfare, but also (2) biodiversity, (3) knowledge, (4) sustainability, (5) trust and (6) fairness. It is important when considering the welfare of cetaceans for exhibition, not to use the terms ‘welfare’ and ‘ethics’ interchangeably.

This submission is a response to the inquiry into the welfare of cetaceans exhibited in New South Wales, it being separate to any philosophical or ethical viewpoints.

3.2 A science-based model for animal welfare assessment

The Association has a progressive approach to animal welfare and supports the use of the Five Domains Model to manage and assess welfare of exhibited animals. The model is a science-based structure for assessing animal welfare, which recognises that animals can be sentient. It provides a best-practice framework to assess welfare in animals of all species, including cetaceans, and is used by all Zoo and Aquarium Association Australasia accredited zoos and aquariums to assess animal welfare.

Evidence under the first four domains (1) Nutrition, (2) Environment, (3) Health and (4) Behaviour provide insight into the animal’s various experiences, which make up (5) the Mental Domain.

The Five Domains Model was developed by Professor David Mellor, founding member of the Animal Welfare Science and Bioethics Centre at Massey University. It is the animal welfare assessment

¹ https://www.oie.int/fileadmin/Home/eng/Health_standards/tahc/current/chapitre_aw_introduction.pdf (accessed 20-11-19)

² https://samples.jbpub.com/9781449649005/22183_CH01_Pass3.pdf (accessed 20-11-19)

model adopted by the World Association of Zoos and Aquariums (WAZA) in their Animal Welfare Strategy.

3.3 Welfare Accreditation of Dolphin Marine Conservation Park

Currently there are four bottlenose dolphins exhibited in New South Wales. These dolphins are exhibited by Dolphin Marine Conservation Park in Coffs Harbour.

The Association recently re-confirmed the Accreditation for positive animal welfare of Dolphin Marine Conservation Park, which involved an animal welfare assessment of the dolphins in care at the facility using the Five Domains Model. As per the Accreditation Program process, positive welfare must be demonstrated through evidence using the Five Domains Model and validated by an Association Accreditation Officer before being recommended for Board approval by the Association's Standards and Accreditation Committee.

Dolphin Marine Conservation Park is the only facility exhibiting cetaceans in New South Wales, therefore all four exhibited cetaceans in the State have been assessed using the Five Domains Model and those assessments have been validated by the Association through the Accreditation Program.

3.4 Independent expert report

Dolphin Marine Conservation Park has also engaged an independent animal welfare assessment. Dr Isabella Clegg³, international cetacean welfare expert, assessed the four cetaceans at Dolphin Marine Conservation Park during 2019. Dr Clegg's cetacean specific welfare assessment, the C-Well[®] Assessment⁴ (Cetacean Welfare Assessment) found the four dolphins to be in positive welfare.

3.5 Community expectations

To the knowledge of the Association, there have been no recent studies conducted which represent an accurate sample of the New South Wales community's expectations around cetaceans for exhibition using valid or accredited market research methodologies. For community insights to be valuable to this inquiry a formal research methodology would be anticipated for validity.

³ <https://www.animalwelfareexpertise.com/organisation> (accessed on 20-11-19)

⁴ <https://www.animalwelfareexpertise.com/the-cetacean-welfare-assessment> (accessed on 20-11-19)

The Association understands that as part of this inquiry process an online questionnaire was distributed, however there has been no communication as to the methodologies used to develop the survey content or recruit a representative sample of respondents. Further insight into this would be valuable to the Association.

3.6 Summary

The welfare of the cetaceans exhibited in New South Wales, when evaluated via the Five Domains Model (a science-based animal welfare assessment model) and an independent expert in marine mammal welfare, is confirmed to be positive.

Community expectations have been garnered, however with limited knowledge of the community study it is difficult to determine its validity and hence its relevance for influence in this context.

4.0 Breeding of cetaceans for exhibition

In New South Wales there is only one facility exhibiting cetaceans, namely Dolphin Marine Conservation Park. This facility is not currently breeding cetaceans and has announced that it has no plans to breed in the future.⁵ Given this, the Association asserts that reference 1(c)(i) is completely irrelevant to this inquiry in the context of exhibited cetaceans.

5.0 The purpose of cetaceans for exhibition

5.1 Connecting people with nature

Modern zoos and aquariums, such as Dolphin Marine Conservation Park, play an essential role in conservation because they are uniquely placed to create deep, personal connections between people and nature. This love for wild animals and places helps create a society that understands and cares about nature, inspiring people to take action to protect what they love.

Dolphin Marine Conservation Park is involved in education at multiple levels from pre-school and primary through to secondary school children. Using the NSW board of study outcomes, Dolphin

⁵ <https://www.abc.net.au/news/2019-03-15/dolphins-no-longer-bred-in-captivity-at-marine-park/10900832> (accessed 20-11-19)

Marine Conservation Park has designed syllabus specific programs.⁶ Formal education is one of the most meaningful ways to empower people to connect with, understand and act for the planet.

Instilling a love, respect and understanding of nature during critical development years, helps to build a generation of environmentally conscious young people with the hope and the knowledge to change the outcomes for wildlife now and into the future.

5.2 Conservation advocates

The animals under the care of Dolphin Marine Conservation Park play an important role as advocates for their wild counterparts. Powell and Bullock state that, “A growing body of literature suggests that emotional stimulation is affected by characteristics of both the visitor and the visitor’s experiences and is important for learning and inspiring pro-environmental sentiment.”⁷

Organisations, like Dolphin Marine Conservation Park, are able to provide a safe space for marine animals and people to interact, creating a highly emotive experience for visitors whilst delivering conservation messages through signage and educational presentations; all important for the health of marine animals and ecosystems. Due to their charismatic and curious nature, dolphins are particularly powerful as advocates for the conservation behaviours that will mitigate the threats faced by all marine animals off the coast of Australia.

The value of this advocacy and the environmental benefits it brings are immense and can be achieved without compromising animal welfare, and in some cases, can provide enriching experiences contributing to positive welfare.

5.3 Marine wildlife rescue and rehabilitation

Over the years Dolphin Marine Conservation Park has successfully rehabilitated and released hundreds of animals, including dolphins, seals, turtles and sea birds, back out into the wild. The Park currently works with the NSW National Parks and Wildlife Services and animal rescue groups such as WIRES and ORRCA Inc. to assist in all marine animal emergencies including caring for sick or injured marine turtles, rescuing injured sea birds or rehabilitating and releasing stranded cetaceans (whales and dolphins) and pinnipeds (seals).

⁶ <http://www.dolphinmarineconservation.com.au/school-education> (accessed 20-11-19)

⁷ <https://doi.org/10.2752/175303714X13903827488042> (accessed 20-11-19)

Handling of cetaceans is a specialist skill and Dolphin Marine Conservation Park's expert staff provides professional support for strandings and entrapments, the length of the country. Dolphin Marine Conservation Park has also been able to provide specialist training to more than one hundred veterinarians along the New South Wales coast for improved welfare outcomes and increased scientific knowledge at stranding events.

Each year Dolphin Marine Conservation Park responds to hundreds of calls for marine fauna in distress. Many rescued animals are rehabilitated by the Park and subsequently released back to the wild.

All the animal rehabilitation services performed by Dolphin Marine Conservation Park are provided at the Park's own cost with no external financial support. Along with other marine species, the cetaceans exhibited at the park support Dolphin Marine Conservation Park to have the financial means to provide its rescue, rehabilitation and release services to hundreds of sick and injured animals.

Of the four exhibited cetaceans in New South Wales, one is a rescued animal deemed unable to survive in the wild. The remaining three are the result of this dolphin and another rescued dolphin breeding naturally, establishing a bonded family group which supports the social needs and therefore the positive welfare of these individuals.

5.4 Contribution of exhibited cetaceans to conservation research

It can be extremely difficult for people and stressful for animals to access cetaceans in the wild for conservation research. The four cetaceans exhibited in New South Wales provide an opportunity to conduct research to better understand and conserve marine mammals without compromising animal welfare.

Dolphin Marine Conservation Park has been supportive of many research activities, including student projects, thesis work and combined research projects with many reputable universities including:

- University of Sydney
- Griffith University
- University of New England
- University of Western Sydney
- Curtin University
- Charles Sturt University
- Macquarie University
- Southern Cross University

5.5 Summary

The dolphins at Dolphin Marine Conservation Park play a valuable role as advocates for their wild counterparts through connection, public education and behavioural change to protect our marine ecosystems. If the welfare of the animals is in no way compromised, the opportunity for research, for marine rescue capacity, and to inspire a deeper personal connection for the long-term protection of our oceans and marine life must be supported.

6.0 Recommendations

Reference 1(b)

The Zoo and Aquarium Association recommends that the Committee consider the science-based and evidence-based welfare assessments of the four cetaceans exhibited in New South Wales conducted by multiple stakeholders both internal and external to Dolphin Marine Conservation park, which demonstrate positive welfare. If community expectations are to be considered, then this should be secondary to the welfare status of the animals and must be conducted using sound research methodologies to obtain a representative sample of the New South Wales population.

Reference 1(c,i)

As there is only one facility in New South Wales with exhibited cetaceans, which is not currently breeding cetaceans, and has announced that it has no plans to breed in the future, the Association recommends that the question of breeding is completely irrelevant to this inquiry as it pertains to exhibited cetaceans.

Reference 1 (c,ii)

The exhibited cetaceans at Dolphin Marine Conservation Park play a significant role in advocacy for wild marine animals and their environment. Their charismatic and curious nature helps to create an emotive and impactful experience which primes visitors for engaging with conservation-friendly behaviour change after they leave the Park.

Exhibited cetaceans are also far more accessible than their wild counterparts for ethically conducted conservation research by reputable universities which can bring significant benefits to the conservation and health of wild cetaceans and their environments.

In addition, the exhibited cetaceans help the Park to fund their significant marine rescue and rehabilitation work, saving the lives of hundreds of animals including dolphins, whales, seals, turtles and sea birds, with release back out into the wild.

Taking into consideration the positive welfare of the four exhibited dolphins, the points above highlight the considerable benefits of exhibiting cetaceans for conservation, research and the rehabilitation of wild cetaceans and many other marine species and ecosystems. The Association recommends that exhibiting of cetaceans is not phased out in New South Wales as long as the science continues to demonstrate conservation benefits without compromise to animal welfare.

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