

REPORT ON PROCEEDINGS BEFORE

PORTFOLIO COMMITTEE NO. 4 - INDUSTRY

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

CORRECTED

At Macquarie Room, Parliament House, Sydney on Thursday 13 August 2020

The Committee met at 10:00 am

PRESENT

The Hon. Mark Banasiak (Chair)

The Hon. Catherine Cusack

The Hon. Emma Hurst (Deputy Chair)

The Hon. Sam Faraway

The Hon. Peter Primrose

The Hon. Mick Veitch

PRESENT VIA TELECONFERENCE

The Hon. Lou Amato

The CHAIR: Welcome to the first hearing of the Portfolio Committee No. 4 - Industry inquiry into exhibition of exotic animals in circuses and exhibition of cetaceans in New South Wales. Before I commence I acknowledge the Gadigal people, who are the traditional custodians of this land, and I also pay respect to the Elders of the Eora nation, past and present, and extend that respect to other Aboriginals present. Today we will hear from: the NSW Department of Primary Industries; representatives from the circus industry, including Animals All Around, Stardust Circus, and Circus Royale; the Dolphin Marine Conservation Park; representatives from Animal Care Australia and the Zoo Aquarium Association Australasia; and Dr Isabella Clegg, a cetacean welfare scientist and founder of Animal Welfare Expertise.

Before I commence I will make some brief comments about the procedures for today's hearing. While Parliament House is closed in terms of public access at the moment, today's hearing is a public hearing and will be broadcast live via the Parliament's website. A transcript of today's hearing will be placed on the Committee's website when it becomes available. In accordance with the broadcasting guidelines, while members of the media may film or record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I would also remind media representatives that you must take responsibility for what you publish about the Committee's proceedings.

It is important to remember that parliamentary privilege does not apply to what witnesses may say outside of their evidence at the hearing, so I urge witnesses to be careful about any comments you may make to the media or to others after you complete your evidence as such comments will not be protected by parliamentary privilege if another person decides to take an action for defamation. The *Guidelines for the Broadcast of Proceedings* are available from the secretariat. There may be some questions that a witness could only answer if they had more time or with certain documents to hand. In these circumstances, witnesses are advised that they can take a question on notice and provide an answer within 21 days. Witnesses are advised that any messages should be delivered to the Committee members through the Committee staff. I remind everyone that we have a number of witnesses and a Committee member participating via teleconference today, to aid audibility please speak into the microphones when asking or answering questions. Finally, could everyone please turn their mobile phones to silent for the duration of the hearing.

PETER DAY, Director, Compliance and Integrity Systems, NSW Department of Primary Industries, before the Committee via teleconference, affirmed and examined

SCOTT HANSEN, Director General, NSW Department of Primary Industries, before the Committee via teleconference, sworn and examined

SUZANNE ROBINSON, Director, Animal Welfare, NSW Department of Primary Industries, before the Committee via teleconference, affirmed and examined

The CHAIR: Before I offer you the chance to make an opening statement, as you are all via teleconference could you make it clear for the Hansard reporters when answering a question who is speaking so that they can attribute the comments to the correct people. We will, as Committee members, announce who we are when we ask questions.

Mr HANSEN: The inquiry today is looking at a range of questions regarding cetaceans; one facility in New South Wales which currently holds three dolphins, I believe our written submission may reference four. Unfortunately, one of those four dolphins, a 40-year-old female dolphin by the name of Calamity, passed away on 9 June 2020 of old age. So we are talking about one facility that has three dolphins. In regard to circuses in New South Wales we have two companies operating under four brands that between them have 41 exotic animals: 15 lions, two tigers, 16 macaques, five baboons and three camels. You will have a number of the commercial operators of circuses before you over the course of today, but our understanding is of those 41 animals 13 are currently in what we would traditionally and typically describe as a travelling circus.

The three dolphins and 41 animals are afforded protections for their welfare in New South Wales under the Exhibited Animals Protection Act 1986, which requires licenses for fixed displays such as aquariums that hold the dolphins and off displays, which are the facilities in which the circuses operate out of as a home base. It also requires approvals for mobile exhibitors such as circuses, and requires the granting of permits for the exhibiting of prescribed species, of which all of the animals that we are here to talk about today are captured under in schedule 2 of the regulations. Giving guidance to the Act, the regulations and the licensing approvals and permits are a range of standards, including the general standards for exhibiting animals in New South Wales, the standards for exhibiting circus animals in New South Wales and the standards for exhibiting bottlenose dolphins in New South Wales. I have with me experts in our compliance activities, as well as experts in our animal welfare framework.

The Hon. EMMA HURST: In your submission you mention that circuses have strict standards that they must comply with. Lions in zoos in New South Wales have to have a minimum enclosure size of 300 square metres. However, in circus standards that is as small as 20 square metres. What is the explanation for the size difference in these standards?

Mr HANSEN: I will start the response and then I will see if either of my colleagues wish to add to it. The standards for the holding of the lions in the off displays, so the home base for the circuses, is the same as that for the fixed displays with regards to zoos. The variation comes in the mobile exhibit. The rationale around the setting of a different size for that is predicated on evidence of the stimulation that the animals get on daily contact with trainers and performances that they would not typically get in a static display where they would be without that stimulation for extended periods of time.

The Hon. EMMA HURST: I guess that is the same for the macaque monkeys: There is a size difference of 6.5 metres wide by 3.5 metres high in zoos but in circuses it is 2.4 metres wide by 2.5 metres high. Is that the same explanation? Is it only mobile exhibits?

Mr HANSEN: You will find that for all of the animals being discussed here today. The standards between a zoo holding those animals and the off displays for the circuses, so the home base at which these animals are kept, are identical. What varies is the size difference required between their home base and their mobile exhibits; it is all predicated around that interaction and engagement both with trainers on a daily basis as well as with performances.

The Hon. EMMA HURST: Is there a time limit for them to be in a mobile exhibit in these much smaller enclosures?

Mr HANSEN: I will ask if either of my colleagues has an answer to that question.

Mr DAY: There is no prescribed time limit. There is a requirement that they have a rest period in any given year of up to a month, of which two weeks must be taken in a fixed block and the other time can be taken as individual days as part of their moving itinerary.

The Hon. EMMA HURST: Technically these animals could potentially be in these much smaller enclosures for 11 months of the year consistently?

Mr DAY: That is correct.

The Hon. EMMA HURST: You mentioned that there are 28 not travelling. Those 28 not travelling are in off display larger home base exhibits?

Mr DAY: Yes, that is correct.

The Hon. EMMA HURST: You mentioned that there are two companies with four brands, what are the two companies with four brands?

Mr DAY: The two companies in New South Wales are Janlin Circuses Pty Ltd, which has the brands of Stardust, Burtons, and Lennon Bros circuses. The other one is Earl Courtney Pty Ltd, which trades as Animals All Around, probably better known as Bullens.

The Hon. EMMA HURST: Does Animals All Around have animals that are travelling and performing in circuses?

Mr HANSEN: They are actually giving evidence later this afternoon and that is probably a question best directed to them. Our belief is that they have not had animals travelling as part of what we would typically see as circuses in the last 12 months. Their submission—and hence again probably a question best addressed to them—points to their increased involvement in the use of exotic animals for film and television production.

The Hon. EMMA HURST: Yes, that is right. It is a bit confusing because they are partly registered here and partly in Queensland, and their address is actually the Zambi sanctuary. I was a bit confused as to where they had these animals, or whether they were travelling. An internet search did not show that they were travelling. I wanted to ask you about the wagons. Animals can be held in wagons for up to two days at a time. Is there anything in the standards that requires that these wagons must be of a certain size?

Ms ROBINSON: Yes, there are requirements for their enclosure sizes. They usually will need to also have an exercise area. There are also standards requiring that they have access to those other areas for a certain amount of time, which I think is about six hours, off the top of my head.

The Hon. EMMA HURST: What is the minimum size requirement of the wagons?

Ms ROBINSON: I will have to take that on notice to provide that information.

The Hon. EMMA HURST: The standards talk about adequate exercise. What would be considered adequate exercise?

Ms ROBINSON: They generally have a requirement to—well, they are out doing performance and training. They are required to have about 45 minutes of training each day for at least four days of the week for circuses.

Mr DAY: In terms of the big cats, they must have access to an exercise area that does attach to the animal wagon for a minimum of six hours a day. And for monkeys those exercise areas must be available at all times during the daylight hours.

The Hon. EMMA HURST: Is that only when they are in a mobile exhibit?

Mr DAY: That is correct.

The Hon. EMMA HURST: The training is not required when they are in home base?

Mr DAY: The training may well be carried out when at home base, but in terms of size of enclosures, we are back to talking at standard size of enclosures that you would also find for fixed establishments, such as zoos.

The Hon. EMMA HURST: I was wondering whether the training was still required. Could somebody be registered as a circus under the Act, but they are actually just a home base fixture? Is that possible?

Ms ROBINSON: No, you cannot do that. The display establishment, or those home bases, you can only be licensed for one of those if you have a fixed establishment or a mobile licence. You can only keep animals there if you are displaying animals.

The Hon. MICK VEITCH: With regard to the adequate exercise arrangements, how long have they been in place, and when were they last revisited to determine whether or not they meet contemporary expectations?

Ms ROBINSON: The circus standards, I think they were developed in the nineties, so they are fairly dated. We are in the process of reforming our legislation at the moment and the phases of that will be to reform the Act first, then the regulations, then the standards. That will be part of that process, to look at the standards for this bit of legislation in that new legislative framework.

Mr HANSEN: If I can add to that; obviously the prioritisation of most recent refresh and revamping of standards focuses on those standards that cover a significant number of animals. Those standards that have been in operation now for 30 years currently cover 13 animals travelling across the State; 41 total of the prescribed animals in circuses, hence why it probably has not been updated as recently as some of the other standards that we have been working nationally to try to update.

The Hon. PETER PRIMROSE: On page 6 of your submission you talk about the proposed new animal welfare legislative framework following the release of the Animal Welfare Action Plan in May 2018. It has been mentioned a few times. What is the time frame that you propose for the introduction of that new legislative framework?

Ms ROBINSON: The commitment from the Government has been to aim to introduce the new Act later in 2021.

The Hon. PETER PRIMROSE: Thank you. I will come back with some other questions later.

The Hon. EMMA HURST: I have two questions about the Animal Welfare Action Plan. First, I am wondering if the submissions for this inquiry will be considered as part of the Animal Welfare Action Plan? Secondly, from the timeline on the website it looks as though the standards will be considered at the very end of the Animal Welfare Action Plan process. I wanted to confirm if that was correct?

Ms ROBINSON: Yes, that is correct. We need to bring the Act in first—which is the head of power—which will be 2021, then the regulations, then the standards that will sit under that. It is a three-phase process.

The Hon. EMMA HURST: The submissions for this inquiry?

Ms ROBINSON: Will be considered in our reform piece. We have gone out already with an issues paper that closed in June. That is being considered at the moment to develop up proposals. In terms of anything coming out of the inquiry, that will be considered through those processes. And there will be another public consultation on the proposals as the next phase of that reform piece.

The Hon. LOU AMATO: I believe my question could be for Mr Day. On page 7 of your submission under the heading "Audit activities" you mention:

Between 1 July 2017 and 30 June 2019 the Department conducted 191 audits and inspections at licensed display establishments. These audits and inspections were carried out as part of the normal audit program and as complaint driven investigations.

What were the results of these audits and inspections? Did anyone fail those audits and inspections?

Mr DAY: No. I will start with the circuses. We have done two audits of Stardust, which is that company that represents the two other brands as well. We did an audit in the 2017-18 financial year, and recently 2019 as well, late last year of Stardust. We did an audit in the 2018-19 financial year of Animals All Around and those three circuses have passed their audits, with some minor issues raised, but only minor issues. In terms of Dolphin Marine Conservation, they have had the audits done in 2017, 2019, 2020, plus a number of inspections as well. They have all passed those audits as well, as an A-rating. Our audit program commenced in 2017. It is three years into that process now.

The Hon. LOU AMATO: That sounds like a great result.

The Hon. EMMA HURST: Mr Hansen, can we go back to the 13 animals that are currently travelling in circuses that you mentioned. Which animals are travelling with Animals All Around?

Mr HANSEN: I am not aware of any animals travelling at the moment with Animals All Around or Bullens—again, a question to ask them about their intent with regards to the 28 animals that they currently have. The 13 animals that I was referencing are travelling with the Janlin company, who have the Stardust, Lennon Bros and Burton's brands.

The Hon. EMMA HURST: That makes a lot of sense. How is it, if they do not have any animals travelling—just going back to the response from Suzanne Robinson about not being able to be registered as a circus—that Animals All Around are still considered a circus if they are not travelling?

The Hon. LOU AMATO: COVID is the problem, at the moment.

The Hon. EMMA HURST: No. That is not the problem, Mr Amato.

Ms ROBINSON: I understand they still have their circus approval. They are just not out on the road at the moment.

The Hon. EMMA HURST: But did you not say that without a mobile licence and without travelling they cannot actually register as a circus?

Ms ROBINSON: You cannot have a home base where you are not actually displaying animals because that is pseudo-private keeping. So, the intent with that home base or off-display licence is that you can hold one of those if you are a mobile exhibitor, which includes circuses, because you are displaying them in a mobile—you have got your mobile approval. Also potentially a fixed establishment could have one if they were having a second site where they were holding animals that were not on display there, but then moving them to their fixed establishment for display.

The Hon. EMMA HURST: Okay. And you are not quite sure how Animals All Around fit into that. Is that correct? Did that not come out in the audit?

Mr DAY: My understanding with Animals All Around is that they have maintained their desire and intention to maintain a circus licence for that area in case they ever wanted to go back into that business again. They do the odd mobile exhibit, but very rarely and on a very small scale, where they may take an animal somewhere as part of a mobile exhibition—but nothing like what we would describe as what we would traditionally see as a circus operation.

The Hon. EMMA HURST: Thank you. Even though there are only two circuses and one dolphinarium in New South Wales operating at the moment, there is nothing currently in the legislation or the regulative framework to actually stop more from opening up. Is that correct?

Mr DAY: That is correct. If another dolphin park wanted to open up it would have to get ministerial approval. With a circus or aquaria, they would have to meet all the relevant requirements and standards.

The Hon. EMMA HURST: The RSPCA argued in their submission, as they have for many years, that the current standards for exhibiting animals are not sufficient to mitigate inherent welfare risk, particularly those associated with the inhibition to express natural behaviours. Why are these aspects not covered in the Act?

Mr HANSEN: Sorry. I just lost the last bit of that question, Ms Hurst. Could you just repeat that?

The Hon. EMMA HURST: Yes, that is fine. The RSPCA have put forward in their submission to this inquiry—and they have put this position forward for many years—that the current standards for exhibited animals are:

... not sufficient to mitigate inherent welfare risks, particularly those associated with inhibition to express natural behaviours.

Why is that not covered in the Act?

Mr HANSEN: I guess the Act seeks to prevent cruelty to animals and to provide good animal welfare outcomes. RSPCA's long-stated position around any captivity which inhibits the displaying of natural behaviours stretches far beyond circuses and well into other standards, which we have had Committees and inquiries into. I must say, New South Wales is one of the few jurisdictions that actually does have standards to guide the activities of circuses and exhibitors. The standards that are there are built there in recognition of this endeavour to ensure that the way in which the animals are kept, the way they are housed, the way they are fed and the way they are cared for provides the best possible animal welfare outcomes for an animal that is caged or in an enclosure for exhibit.

The Hon. EMMA HURST: I do understand that, as you say, the RSPCA does have concerns in other industries where natural behaviours are not being able to be expressed, but this was a direct quote from their submission specifically for this inquiry and specifically in relation to animals in circuses. Their point is that we cannot actually meet the welfare needs of these animals because of the lack of natural behaviours being able to be expressed. That has not currently been considered in the Act. My question was: Why is it not considered in the Act?

Mr HANSEN: We contend that it is actually is considered in the Act. The Act requires licensing of—that there both be off-display housing for these animals, which is in line with that for zoos, and it also enables or requires approvals for mobile exhibitors. So, the Act actually does lay down the base for appropriate facilities, care and treatment to provide good animal welfare outcomes. Those animal welfare outcomes are in line with what the expected outcomes would be from normal fixed exhibitors such as zoos. But obviously taking into account the different nature of both the travelling of the animals, the daily exercising, training and performance of the animals—hence why there is a variation between those standards that apply for our biggest zoos and our mobile exhibitors or circuses.

Ms ROBINSON: The general standards also require appropriate environmental enrichment for animals. So, the general standards apply to all the animals.

The Hon. EMMA HURST: But given that these animals can be held in enclosures 20 metres squared, which is significantly smaller than 300 metres squared, for up to 11 months at a time—and obviously the RSPCA is putting forward this whole idea about natural behaviours and the natural space limits of what an animal would do in the wild—are you specifically saying that the Department of Primary Industries [DPI] actually disagrees with the RSPCA's position on that and their concerns?

Mr HANSEN: I am saying that DPI's role is to enforce the standards and the regulations and legislation that is before us. Our role at the moment is also to collect the views and thoughts of the community, of community organisations, of lobbyist groups such as RSPCA Australia and of industry in trying to formulate what a modern piece of legislation for good animal welfare outcomes should be as we look to modernise and reform the current legislation, regulation and standards that are applicable. We are very conscious of the fact that in doing so we are going to have all parties on a very common path in terms of their goals and ambitions about providing good animal welfare outcomes.

I think you will hear from all of the participants today that common theme about their care for the animals either in their care, or their care for the animals for which they lobby and seek to achieve changes for. It always comes down to the question of how that is being delivered. That will be a difference in views. Our job over the course of this animal welfare reform program is to try to navigate a path through that, to ensure that the Government's intervention in this space is to ensure the best animal welfare outcomes possible for the animals within the State.

The Hon. EMMA HURST: We have received a huge number of submissions that are talking about reduced ticket sales. We are seeing major companies no longer promoting certain shows. We are seeing councils ban circuses; we have seen 40 councils ban circuses. Virgin and Tripadvisor are no longer promoting dolphin shows. We are seeing 33 countries all around ban the use of exotic animals in circuses. We have seen a ban in Victoria for the use of dolphins in dolphin shows. So, there is this real potential as we go forward that these industries would potentially collapse, particularly if they decided to continue to breed these animals and have more animals in existence. Is there a fallback plan from the Government to actually ensure the welfare of these animals if these industries no longer become financially viable?

Mr HANSEN: If you take the keeping of cetaceans as a starting point, the fact that we have one facility in the State that currently has three dolphins, one of which is near the end of—it is 32 years old. The average age for these dolphins is around 40 years. The other two are around 15 years of age. Dolphin Marine Conservation Park, the last remaining facility, or the only facility in the State that has dolphins, have made it clear in media statements that they do not intend breeding. I think the consumer or community sentiment change is being reflected and responded to by the changing nature of the circuses and these aquariums, and that will obviously be taken into account as we are working through regulatory standards going forward. However, whilst the industry is responding and adjusting to these changes, we again come back to a question which is similar to the one we had in Tuesday's inquiry: At what point does government intervene and at what point is there the necessity for government intervention?

The Hon. PETER PRIMROSE: Just a follow-up question seeking information in relation to your last answer, and please feel free to take it on notice. At the beginning of your evidence you outlined for each of the relevant species the numbers of exotic animals—and you have now spoken about cetaceans as well—that were being exhibited. Can you also tell us the date of the most recent acquisition of each of those species? What I am getting at is I am trying to understand whether these animals are just being allowed to live out their natural lives, or are they being replaced? If you could please take that on notice, or maybe you could answer that now.

Mr HANSEN: I will start with cetaceans and I will see while I am doing that whether my colleagues have any data on the others, because cetaceans is an easy one. All three remaining dolphins were born in captivity and the most recent of those bred was actually 11 years ago.

The Hon. PETER PRIMROSE: The most recent acquisition was 11 years ago. You have indicated that one has recently unfortunately died. Are you aware if there are any proposals to acquire an additional dolphin?

Mr HANSEN: We are not aware of any proposals for acquisition of additional dolphins, no.

The Hon. PETER PRIMROSE: And possibly now, if you can, the other species?

Mr DAY: We will take that on notice, but my understanding is that the animals that are in both those companies, Janlin and Animals All Around, have been there for a significant amount of time. My understanding is the submission from Janlin is that they have got a plan to retire those lions in the future, in about five years'

time, I think. They have all been there for a period of time. They are all of a mature age, but we can come back with the specifics on that.

The CHAIR: We have already covered from the question from Mr Amato about there being no concerns or breaches of those standards. Can we just go to part of the terms of reference which looks at the breeding of these animals. I know that you have already submitted that they have no intention of acquiring or breeding any more dolphins. Are you aware that the circuses in question have also publicly made that commitment, and also have openly stated to animal rights groups and the Animal Justice Party, that they do not intend to be breeding these lions and in fact they are transitioning those lions?

Mr HANSEN: We have seen those public statements and we have seen the submissions which reflect a couple of those as well, yes.

The CHAIR: If government intervened—and the Animal Justice Party achieved one of their wildest dreams and we shut down exotic animals in circuses and other venues—and these animals had to be seized, what would happen to those animals?

Mr HANSEN: There are three likely outcomes. One is the potential for them to be rehomed in a fixed exhibit such as a zoo that has both the space, the facility and the ability to rehouse the animals. That obviously is not an option for the dolphins. We are talking about the other exotic animals there at this stage. So that is one option. Second option is that they be rehomed in an alternative facility interstate, and that is both an option for the dolphins as well as obviously for all the other exotic animals. They have moved out of the New South Wales jurisdiction and into other jurisdictions, and not just interstate but potentially internationally. The third option, and obviously the least preferred of all of them, is the euthanasia of those animals.

The CHAIR: Are you aware that the circuses in question have already explored those options of zoos and other sanctuaries and there are no other sanctuaries or other sites that wish to take particularly the lions? I guess if the Government intervened at this point, then the only option for those lions would be the least desirable that you have cited, and that is euthanasia.

Mr HANSEN: I am not aware of whether the zoos or whether the circuses have explored those options and which options they have explored. That would be a question best directed to them this afternoon. But if there was no alternative housing option available then that does leave either allowing a phase-out, which would see a natural reduction in numbers to the point where there was no more animals of that type in captivity, or if immediate, then their euthanasia.

The CHAIR: If these companies are already doing that phase-out, and that seems to be their testimony, what would be the benefit of the Government intervening and coming over the top and legislating a phase-out, given that in a previous inquiry this week we have heard about the negative or perverse animal welfare outcomes that could come from a legislative fixed-date approach?

Mr HANSEN: I guess that is probably the key question for this Committee to arrive at a conclusion about, after hearing all the evidence. I think obviously the intent or the ambition of each of the current licensed, legally operating businesses is something that you will get to test over the course of this hearing. That might provide a clearer picture as to those commercial and business-led reductions and changes to their operating models, off the back of community sentiment change, and hence whether a government intervention is required. But that is something that is probably best tested after you collect the evidence from the commercial operators who currently are licensed to continue their businesses.

The Hon. EMMA HURST: Just going back to where you talked about different options, isn't another option which has happened quite a lot overseas to grandfather the current animals within the industry, and the legislation would be in relation to any further? Currently there is no legislation to stop new businesses, which was already confirmed before. So isn't one option to grandfather the animals? Another option is, if there is government intervention, that that can also be coupled with support. I believe the proposal by Dolphin Marine Magic is actually asking for government financial support.

Mr HANSEN: I might just get you to ask the Dolphin Marine managing director but let me just address the first one. Certainly if what we are talking about is not an immediate cessation—which, I am sorry, I took that question to be, about an immediate cessation—because immediate cessation would not enable you to grandfather and continue the operations. But instead if there was a phase, then, yes, certainly grandfathering existing operations but prohibiting new operations is certainly one option available to the Parliament.

The Hon. EMMA HURST: The financial question was: My understanding is that one of the proposals by Dolphin Marine Conservation Park is that there is Government stepping in to actually help them to retire these

dolphins from a financial point of view. Is that not another thing that is potentially on the table for both industries, really, for Government intervention where there is also an assistance package?

Mr HANSEN: I mean, Government can provide financial assistance but we still need to physically do something with the animals. That would either result in them being back to those three options or them being relocated to a fixed exhibit somewhere within New South Wales or, as an alternative, a fixed or mobile exhibit somewhere within another jurisdiction, or their euthanasia. Whether any of those three require financial assistance from the Government to facilitate, that would come down to what option was being progressed and what that solution was being presented as. For example, if a solution that was presented was the expansion of an existing fixed exhibitor's space or facilities to accommodate, then that is obviously an option but that still falls into that option of the relocation of these animals from mobile exhibits, such as circuses, to a fixed exhibit, such as a zoo.

The Hon. MICK VEITCH: Mr Hansen, can I just follow on from the facilitation of euthanasia, if that is one of the options that is on the table? Who would be responsible for euthanising the animals—the owners or the Government? Where would that be done? Mr Hansen?

Ms ROBINSON: It would usually be undertaken by the owners. They have vets that work with them and it would usually be done at the facility. I mean, you are wanting to not move the animals anymore than you need to so they have veterinarians that work with them, so it would be a veterinarian doing that at the facility.

The Hon. MICK VEITCH: The second question I guess flows on a bit from last Tuesday's—

Mr HANSEN: Sorry, Mr Veitch: I might just add to that. What was just outlined was the usual scenario. The scenario you are presenting would be a unique scenario that has never happened; hence our hesitation and our pause in answering. We would work with the facility to come up with a solution because their normal operations would not provide for the scale or size of euthanasia and disposal that you would be looking at, if that was the outcome.

The Hon. MICK VEITCH: Thanks, Mr Hansen. The follow-up question which flows from this also was picked up in Tuesday's inquiry around the mulesing bill, as it has been colloquially referred to. Would this require an industry adjustment package to assist these industries for no longer existing, I guess, or moving out of operation?

Mr HANSEN: I guess that would be a decision for Government to make and I guess a determinant in their decision-making around that would be how much of a disruption to the planned course of business was any Government intervention.

The CHAIR: One final question of any of you. Are any of you aware of where an animal from a circus has been transitioned to another facility and that transition has not, I guess, had positive animal welfare outcomes in terms of that transition to another facility. Are any of you aware of an incident?

Mr DAY: I am not aware of an incident. Probably our most recent example was the elephant that has been relocated from Victoria which was an old circus elephant to Sydney Zoo. A lot of planning goes into that and a lot of additional work to ensure that the animal is transported, relocated and cared for, recognising they come from often very different environments. I am not aware of any adverse rehoming, per se.

The Hon. EMMA HURST: Could I clarify something that was said by Ms Robinson earlier about the time line for the animal action plan? Can I confirm that the standards are being also proposed to be completed by the end of 2021, or is it just the initial stages of the animal welfare action plan?

Ms ROBINSON: Just the initial stages so the Act would be in place by the end of 2021 but then we would need to do the regulations that sit under the Act and then the standards.

The Hon. EMMA HURST: When do you propose the new standards would be put in place? Is there a time line for that?

Ms ROBINSON: Sorry, could you please repeat that?

Mr HANSEN: So I guess to your question, Ms Hurst, was: What is the likely time line for new standards to be in place?

The Hon. EMMA HURST: Yes.

Mr HANSEN: I guess that is going to vary among the standards. Some of the national standards and guidelines, for example, that have been negotiated and agreed to over the last couple of years will probably be transitioned across whilst some of the standards that are 20 or 30 years old would probably elevate up in terms of their timing for the review, the consultation with industry and community and then the resetting of those. I guess

some of them will happen quickly because of the pre-work that has already been done while others will be starting from scratch in terms of their consultation and the detailed discussion around the standards involved.

The Hon. EMMA HURST: One of those, for example, the New South Wales standards, for exhibiting bottlenose dolphins has not been reviewed since 1994. So that would be one of the priority standards?

Mr HANSEN: This comes down to where we would need to—if at that stage we still have either three or fewer of those animals being held in New South Wales, the question then becomes: How high in the priority list does the addressing of that standard versus the addressing of other standards that may reach and provide a much greater improvement in animal welfare outcomes if updated for animals across the State? So I am not sure how it would be prioritised until we get to that point in time and we are able to assess the risks associated with not changing. Obviously you would understand that if at that point in time there were only one or two animals being covered by that standard the priority given to the consultation and the redevelopment of that standard versus another standard would probably see it as a lower priority.

The Hon. EMMA HURST: Do you have a year in mind when the process for the standards might be complete?

Mr HANSEN: Complete? No, because I think they will be constantly being reviewed, updated and changed.

The Hon. EMMA HURST: Sorry, I mean as part of this review.

Mr HANSEN: Not off the top of my head and we probably will not until we know exactly what the head of power, the Act, is going to look like and what it is going to require out of both its regulations and its standards to give effect to the Act. It will probably—it will not be until we have that draft head of power developed that we will be in a better position to know how much work is going to be required in the development of the standards.

The Hon. EMMA HURST: Okay. But we are looking at at least four to five years. Is that right?

Mr HANSEN: That is correct.

The Hon. EMMA HURST: How have both of these industries been affected by the extended COVID lockdowns? Is that something you are aware of?

Mr DAY: I mean they are like every business that relies on the public—they have been severely impacted by COVID to the point that the circuses have not been able to. The zoos have gone back into operation, but are obviously still impacted. The Government has made some concessions to try to assist the industry in that. We have waived our licence fees for this financial year for all exhibitors in New South Wales. There is also a range of Federal Government assistance to workers and the like who have been impacted, through the various JobKeeper and JobSeeker programs. But they are like a range of businesses out there that we would all be aware of—they have been impacted because of the nature of their operations. The fact that with COVID around, means that they cannot cross State borders, the general access of the public to these types of events, as well being severely limited, if not stopped, because of COVID at the moment.

The Hon. EMMA HURST: You mentioned that there were some minor issues that came up in the audits. Would you mind explaining what some of those minor issues were?

Mr DAY: Yes. In terms of the audits themselves, we are keen to rate them as minor, major or critical. Obviously, any sort of major issues or critical issues would elicit some enforcement action to take care of. The issues in terms of the circuses were: a minor issue in terms of some of the enclosures needed to be repaired—these always have to be seen in context, I guess—there was a technical issue around some veterinarian arrangements that were not of the standards; food preparation not carried out indoors; an establishment not having adequate first aid, which is part of the public safety component of the standards; records of staff experience and qualifications—those types of things. Most of them were all minor issues that were raised.

The CHAIR: Can I just ask a follow-up there? Under the Exhibited Animal Protection Act, have any of the circuses that are currently in operation ever been prosecuted for what you would consider a critical issue?

Mr HANSEN: No.

The Hon. EMMA HURST: I have a lot of questions that I can quite easily put on notice. I have a follow-up question about COVID: I am wondering if the Department of Primary Industries was contacted by circuses or other displays that were not or did not seem to be covered by the Federal COVID funding? I know that the dolphinarium was covered by Federal funding but I am wondering if there were any other organisations or industries that contacted you that were struggling financially?

Mr HANSEN: We actually privately reached out to all of our licence holders at the commencement of COVID restrictions to ascertain two things: First of all, what they had on hand in terms of feed for the livestock or the animals within their care to make sure that any disruption of transport, freight and so forth was not also going to have significant flow-on impact in them being able to care for the animals that they had. We did a stocktake with all of our licence holders in regards to their ability to keep finding feed and care for the animals, and we maintained that regular contact throughout, including ensuring that if issues or problems were raised, working with them to find solutions in terms of being able to source feed supplies or to be able for the animals.

The Hon. EMMA HURST: When you do an audit or an inspection, is that announced or unannounced?

Mr DAY: Most of our audits are announced because it is important to have the relevant people there to be available to make sure that the questions can be answered on the day. If we ever received a complaint they would always be unannounced and we do retain the capacity to do an unannounced audit if required, as well.

The Hon. EMMA HURST: You mentioned in your submission a period between 1 July 2017 and 30 June 2019 that 191 audits and inspections took place. Part of those were routine, but were some of those audits in response to complaints?

Mr DAY: There were two complaints and inspections in 2017/18, one for Stardust and one for Animals All Around.

The Hon. EMMA HURST: Have there been any PINs or direction orders given in the audits or inspections?

Mr DAY: No, no PINs for circuses during that 2017 to 2020.

The Hon. EMMA HURST: And direction orders?

Mr DAY: There has been one direction issued against a circus that is basically an improvement requirement, so that gives a time frame to rectify some issues and that will be addressed and checked up on.

The CHAIR: That concludes the first session. Thank you Mr Hansen, Mr Day and Ms Robinson for appearing, in particular Mr Hansen and Ms Robinson for doubling up this week for us. Thank you very much for your answers. If you took any questions on notice— think there may have been one or two—the Committee secretariat will be in contact with you to arrange receiving answers.

(The witnesses withdrew.)

JANICE LENNON, Owner/Manager, Stardust Circus, affirmed and examined

ADAM PRESLAND, Ringmaster/Public Relations, Stardust Circus, affirmed and examined

DAMIAN SYRED, Director, Circus Royale, before the Committee via teleconference, affirmed and examined

ZELIE BULLEN, Director, Animals All Around, before the Committee via teleconference, affirmed and examined

CRAIG BULLEN, Director, Animals All Around, before the Committee via teleconference, affirmed and examined

The CHAIR: Welcome to this session of today's inquiry into exhibition of exotic animals in circuses and exhibition of cetaceans. I welcome our next set of witnesses. Would any of you like to make an opening statement. I will offer the witnesses who are present first and then I will go to those on the teleconference.

Mr PRESLAND: My name is Adam Presland and I represent Stardust Circus Australia. Stardust is the last remaining touring circus in Australia with exotic animals, namely lions and monkeys. Stardust Circus has been operating since 1993 and can proudly say that we have never had any convictions of animal cruelty in all our years of operation. We have always operated by the standards for exhibiting circus animals in New South Wales or whichever State we are in at the time. The circus has been audited twice by Department of Primary Industries [DPI] personnel and we have received an A rating on both occasions. We have also been inspected countless times by RSPCA field inspectors, who have never found anything wrong or untoward with our animals.

For many years circuses with animals in Australia have received unwanted and unneeded harassment from various extremist animal groups who oppose animals in a circus. The lies told by some of these groups are nothing short of deplorable. If the claims made by these extremist groups against the circus were true, our business would have been prosecuted and closed down many years ago. Animal rights is a movement of the most extreme form—a multimillion dollar industry often using non-factual emotive arguments and often misquoting behavioural studies or using studies that have already been rejected by actual science. This animal rights movement has infiltrated our councils and parliaments and little by little the bonds that humans share with animals are being removed.

I feel that the definition of animal rights and animal welfare are two things that are often majorly confused. Animal rights extremists believe in an ideology that there is no distinction between animals and humans. They view animal ownership of any kind as exploitation and slavery. The true goal of these groups is to work for legislation and regulations that ultimately remove animals from human care. I feel that we should be more focused here today on animal welfare. Animal welfare includes all animals and is based on a principle of animal ownership. It reflects a commonsense approach that animals should be treated well and animal cruelty is wrong, something that all circus owners in this country would wholeheartedly agree with.

Animal welfare standards and guidelines for animal use and management are based on sound veterinary and animal husbandry experience, research and practices and include but are not limited to health, productivity, behaviour and psychological issues. The victimisation and discrimination of circuses and aquariums is one that I find completely unacceptable. We cannot make hypocritical rules or bills towards one industry, race or culture and then allow others to do the very same thing. All venues with or using animals should be regulated in the same way. The regulation already exists and there is no need to change something that is already working at ensuring the welfare of its animals. In fact, I truly believe that this inquiry is an absolute waste of taxpayers' money considering we are in the middle of a worldwide pandemic and the Government has far more important things to spend money on.

In closing I must say that Stardust Circus has been a constant target for animal extremist groups over our years of operation. However, one particular person, who is now a member of the Animal Justice Party, Mr Mark Pearson, has attempted to make it his mission to defame and somehow prove that what our family does—that is, having exotic animals with our circus—is somehow wrong. Mr Pearson, who was a member of Animal Liberation Australia, decided back in 2002 that he would take our family business Janlin Circuses Pty Ltd, trading as Stardust Circus, to court for what he believed to be animal cruelty with regards to our then elephant Arna. The case was thrown out of court. However, Mr Pearson was not happy with this decision and therefore appealed. Again we went back to court and once again Mr Pearson lost. Stardust Circus won the case and Mr Pearson was to pay damages and court costs.

Then in 2018 Mr Pearson attempted to introduce the Exhibited Animals Protection Amendment (Prohibitions on Exhibition) Bill, an amendment to the Exhibited Animals Protection Act 1986, a bill to clearly affect Stardust Circus as we were the only circus in 2018 to hold exotic animals. Then in 2019 this inquiry into

the use of exotic animals in circuses and exhibition of cetaceans in New South Wales was introduced. Might I add once again that Stardust Circus is the only circus in New South Wales—and Australia, for that matter—to hold exotic animals and this is a well-known fact. So after all these years of harassment from Mr Mark Pearson the question must be asked: Is this inquiry really about the mistreatment of exotic animals or is it about something else?

The CHAIR: Thank you. Ms Zelig Bullen or Mr Craig Bullen, are you wanting to make an opening statement?

Ms ZELIE BULLEN: Yes, I am. My name is Zelig Bullen and I am the managing director of Animals All Around. Our company is committed to strengthening human-animal bonds by sharing our experiences of beautiful creatures with as many people as possible worldwide through various avenues. We supply retirement homes to animals from circuses and zoos. Our animals are largely seen in the film and television industry but we also proudly partner with other facilities to enable their animals to be involved in environmental education, public awareness, advocacy, breeding programs and raising funds for conservation. In some areas there is now a great divide between those who work daily with animals and the general public's perception of how animals in human care are or should be treated. This has been fuelled by misinformation on social media. A quote from John Webster, Professor Emeritus at the University of Bristol, sums up the situation:

It requires very little knowledge to care passionately about animals. It requires a great deal of understanding to care properly for them.

Anthropomorphism and the public's well-meaning but often ill-informed attempts to understand what constitutes a good quality of life for animals has led to the rise of radical ideologies such as animal rights and animal liberation, many of which oppose all animal ownership and any use of animals by humans whatsoever. Masquerading as conservationists, these abolitionists have created grossly misleading propaganda and exploit the public's sympathy and money, particularly relating to the care of modern day traditional circus and marine animals. We are all aware that the rapidly increasing human population has had vast unintended effects on the animal inhabitants of the planet. We humans have had a huge impact on animals in the wild by destroying and polluting their habitats. This is the reason why I wholeheartedly support the ongoing involvement of animals living in human care, including within circus venues and marine parks as ambassadors for their species.

Amongst the most important facts, something that we witness regularly in our line of work, is that up close and personal animal experiences play a vital role in igniting compassion and inspiration in inspiring people to act in ways that support both the welfare and conservation of wild living animals and their habitats. It is disheartening to note that there are still individuals who do not understand this. Animal rights and animal welfare can be complete opposites. Welfare seeks to improve the humane treatment of animals in human care. Many animal rights activists seek only to prohibit any use whatsoever of animals by humans.

Modern circuses and marine parks provide environments that focus on animals' physical, emotional and behavioural needs. They know they have a responsibility to achieve high standards of animal welfare in support of their goals as modern conservation organisations, including preventative healthcare interventions, and they present their animals in ways that encourage their audiences to respect, understand and protect animals. Given the current stringent and well-enforced government regulations, to which we all conform, and knowing that audiences still love to see animals showcased alongside their human partners I question the need for this inquiry. I firmly believe it is a waste of taxpayers' money, especially during a worldwide pandemic, when the Government is in urgent need of its resources. Thank you for your time.

Mr SYRED: Circus Royale Australia was established in 1971 and has staged performances continuously for 49 years. Circus Royale is a traditional travelling circus show that takes entertainment to all areas of Australia. Performances include acrobats, clowns and animals presented under the big top. Traditional circuses performing domestic and/or exotic animals has been part of Australian culture since 1847. Often the first entertainment New South Wales children see is a traditional circus with animals. This is especially true for children living in rural and remote New South Wales. Hello, I am Damian Syred. In February 2007 I purchased Circus Royale Australia from Frank and Manuela Gasser. The original Circus Royale was established in Switzerland in 1897 so we have a very long history of entertainment. Respect and care is shown equally to all Circus Royale performers, human and animal alike. I insist on quality of life, both in and out of the performing ring, for all of my performers.

Under the Exhibited Animals Protection Act 1986, New South Wales has had a standard for the exhibition of circus animals since 1996. Australian circus owners welcomed these standards. They fully embraced them and now frequently renew equipment and new facilities that exceed the minimum standards. In short, the standards work. Circus operators who do not comply with the exhibition standards do not operate in Australia. Animal cruelty is not tolerated. I have not ever seen it, nor would I tolerate it. The circus standards work well, as indicated by zero cruelty prosecutions. The truth is most species of domestic and exotic animals born in the care of humans,

that grow up with humans and live with humans are comfortable working with humans. There are no welfare problems in travelling circuses with animals and there is no valid basis for greater restrictions on circuses performing with animals. Should exotic animals be in circuses? Yes. Should the breeding of animals in marine parks and circuses continue? Yes.

Circus Royale is pro circus animals and supports the work done by all the pro-circus groups and associations. Many organisations worldwide advocate for traditional circuses with performing animals. Circus Royale supports the breeding and exhibition of suitable exotic species in circus and marine performances. Circus Royale supports Stardust Circus husbandry and exhibition of animals, Australian-born lions in performance. The New South Wales public has the right to decide for itself if they want to see human-exotic animal interaction, especially in an entertainment city like Sydney. I genuinely believe the decision as to whether to attend a circus with exotic and/or domestic animals should rest with the public, not be made for them by banning animals, which has nothing to do with circus animal welfare. Thank you for the opportunity to make a written submission and for the invitation to speak today.

The CHAIR: Thank you. The teleconference audio cut out a few times during some of the opening statements. For the benefit of Hansard, I ask witnesses to send in a copy of their opening statements to ensure they are fully recorded. Committee members will identify themselves before they ask a question, so witnesses will know who is addressing them. If a question is open to any witness to answer, I ask that the witness who answers states their name first to enable Hansard to attribute all comments correctly. I turn to Mr Amato for the first question.

The Hon. LOU AMATO: Thank you, everyone, for attending today's hearing. My question is to Ms Bullen. I was intrigued by what I heard from Mr Presland in evidence earlier. Your submission states:

Those of us who have first hand experience in this industry and who know the truth about the lifestyles that these captive animals lead need to speak up to combat the horrendous lies, propaganda and accusations that Animal Rights Extremists have tainted the performing animal industry with.

The submission raises that again on the next page. Similar statements have resonated in other animal inquiries that I, and maybe other Committee members, have been on. Personally I find this very concerning. I would like you to elaborate further on your experiences.

Ms ZELIE BULLEN: I am happy to answer that question. When I met my husband 20 years ago I had not had a whole lot to do with the circus industry. I was very enthusiastic and engaging within industry and I was mortified when I would see animal rights activists speaking out against circus animals when they had no experience or no personal examples of these animals at all. I was travelling with various circuses with my husband at the time and I would see activists come and make, as I said, horrendous lies and accusations against my husband and his family and other families in the circus industry, saying that the animals were tortured or that they were beaten into submission and I was mortified. I had not actually realised that people in this day and age thought that in modern circus in first-world countries. Does that answer your question?

The Hon. LOU AMATO: Yes, it does. Do these individual experiences awaken people's desire to protect and save the species in the wild? Can you tell us a bit more about that, particularly when it comes to educating children?

Ms ZELIE BULLEN: Yes, I absolutely can. A large part of our company is sharing our experiences, sharing our animals with other people and, as I said, we do that through various avenues and one of them, fortunately, is up-close-and-personal encounters with people in other exhibited parks. And it is a beautiful experience to meet people and to share these animals with people who have had no experience with exotic animals before and who instantly become engaged and passionate about how amazing it is to be around them and how fabulous it is that they can be proactive themselves and each take responsibility for engaging in conservation and donating funds.

It happens at Sea World. I know many marine mammal trainers who talk about the same thing and we have seen it happen. We see it happen on a regular basis, especially children. I remember distinctly sitting in a marine park in South Africa with my son who was only 18 months old at the time. It was the first time he had seen dolphins and he was so engaged that, from then forward, his favourite animal was a dolphin. All he wanted to do was work with dolphins for many, many years. Still, until he met marine mammal trainers here on the Gold Coast and became more knowledgeable about their experiences and what lives those animals live. And our children, to this day, are very, very engaged in marine mammals. If they had only seen that on National Geographic, if they had only been sitting watching David Attenborough, they would not have had that passion ignited, especially from such a young age, and wanting to grow up to be conservationists, as they do.

The Hon. LOU AMATO: I could not agree more. My own experience when I was young of being taken to the zoo and to circuses certainly taught me to love and respect animals all my life.

Ms ZELIE BULLEN: Beautiful, absolutely beautiful.

The Hon. LOU AMATO: Thank you very much, Ms Bullen.

The Hon. MICK VEITCH: My question is to each of you but I will start with the witnesses in the room and then go to the witnesses on teleconference. This morning we heard from the NSW Department of Primary Industries about the review that has taken place into the animal welfare legislative framework in New South Wales and how that review should result in a legislative and regulatory framework mid-to-late next year. Have you been involved in that review and, if you were, how were you involved and what are your views about the review of the animal welfare legislative arrangements in New South Wales?

Mr PRESLAND: We have not had a huge amount to do with the review, to be honest. If the review can come about and have some better conditions than there are the moment we are all for it, I think it is a great idea.

Mr SYRED: I agree with Adam Presland. To date we have not had a lot to do with the review, but we would welcome contributing to that.

Mr CRAIG BULLEN: We have had nothing to do with the review panel in New South Wales. We would welcome participating in that review and to hear the arguments for and against, that is for sure.

Ms ZELIE BULLEN: I think that all of us that work with animals do care passionately about them. I think that we would all be very receptive to being involved in any review of standards. It would be really lovely to be involved.

The Hon. CATHERINE CUSACK: In your submission you say that the families made the decision to retire and have made arrangements for the lions to retire.

Mr PRESLAND: With the lions, in the wild lions live about 10 to 12 years. In a captive environment, which they are in at the moment, 18 to 25 years is the lifespan. After they have lived out their life, no firm decisions have been made as yet, it has been spoken about with the family as to what we will do, but there have been no firm decisions. Obviously, if we do not have to retire the lions then we will certainly not retire them. They live a very good lifestyle where they are, they have everything that they want, they are looked after and they are loved. At this stage that is just one thing that is tossed around. If pressure was put on us that we could not have them anymore then obviously they would have to be retired.

The Hon. CATHERINE CUSACK: You are making the point that you have a whole-of-life commitment.

Mr PRESLAND: Absolutely. And it is a full life commitment. The lions will live for 18 to 25 years in a captive environment.

The Hon. CATHERINE CUSACK: You comment that Stardust is the only circus operating with exotics. If you were not to continue there would be no more.

Mr PRESLAND: We are the last one. It would affect us definitely in many many ways. Financially is obviously the first one because we are known right around Australia that we are the circus with the lions. People phone other circuses and the first thing they ask is, "Do you have lions?" And the answer is, "No, that is Stardust." It would affect us very very deeply in many different ways. Obviously, from a business point of view first and foremost.

The Hon. CATHERINE CUSACK: Why are you thinking of retiring lions?

Mr PRESLAND: Look, it was just something that was mentioned. Obviously, we do not want to retire the lions. We are quite happy with them and with our family, but if pressure came that we had to do something with them then obviously we would have to retire them, we would have no other option.

The Hon. CATHERINE CUSACK: How many people would have attended your circuses over the years?

Mr PRESLAND: Hundreds of thousands, if not into the millions. Around Sydney we play the majority of the time to three quarters full to packed houses. We are known for having the animals and the lions especially, that is why people come to the show.

The Hon. CATHERINE CUSACK: In our terms of reference it specifically refers to the welfare of animals with consideration of community expectation. I would suggest the views of all of those hundreds of thousands, if not millions of people who have had the unique experience that they cannot obtain any other way of seeing these beautiful animals, that their expectation is that that was a positive experience, a good interaction.

Mr PRESLAND: Absolutely.

The Hon. CATHERINE CUSACK: Would you like to comment on that issue of what is community expectation and the importance of everybody's views?

Mr PRESLAND: Absolutely. I mean the most important thing from the community is that they want to see that the animals are loved, well looked after and healthy, which they are. Attitudes have certainly changed over the years. Years ago the whole thing was whips and chairs and getting a lion revved up and that is what people expected and they do not expect that now. They do not want to see that now, thankfully. I think that is a terrible thing. They want to see that there is a bond with the trainer. They want to see that what the animals are doing is an extension of what they can do the wild, but they are doing it from command, and people want to see, ultimately, that the animals are in good condition and loved. I think that is the most important thing.

The Hon. CATHERINE CUSACK: Ms Bullen, you have had extensive experience across different species, in terms of animal psychology, if I can put it that way, how does a mistreated animal behave and is that apparent in their behaviour as a measure or ability to see whether an animal is being well treated or not?

Ms ZELIE BULLEN: The fabulous thing is that animal behaviour is transparent and in most cases I would like to think that it is transparent not only to professional animal trainers but also to the public. It is not difficult to see if an animal is nervous or apprehensive, if it is frightened, if it has been poorly treated. If it is cringing, pulling away, aggressive behaviour, cowering, that is the type of behaviour you will see in an animal that has been mistreated. I do not understand how animal rights activists can claim that people working with exotic animals in this day and age in this country, how they can claim that the animals are poorly treated when it is very clear that the animals are engaging, that they are content, that they want to perform.

Another thing that is not well-known, is within our line of work, and people like Stardust Circus, if an animal does not want to perform—and there are animals that are shy and do not feel as comfortable about engaging in performances just as there are children and people—if we come across a personality like that there is no way we can change that animal's perspective on something that it does not want to do if it really does not want to do it. As a professional animal trainer it is up to us to find ways that are engaging, that are fun for the animals during training sessions. And if it is apparent during all of our different methods, during all of our different attempts to engage the animal that the animal does not want to perform, that it may be comfortable in its pride or in its family group—you will notice that there will be animals at different times in not only circus performances but in wildlife parks or zoo facilities, there will be some animals who are not as engaging.

If we try to make them do something they do not want to do it is very apparent, it is very obvious and I would like to think that the majority of the public would be able to tell that. There are people who claim that the animals tricked into things. I have been an animal trainer for a very long time and I have never been able to trick an animal. I do not believe that is a legitimate claim, but that is the type of propaganda I'm talking about in my submission when I say that there are lies developed by people who genuinely are either trying to shut down industries or who are confused or misled by people who have undesirable intent.

The Hon. SAM FARRAWAY: I have a couple of questions. My first question is to Ms Bullen, following on from the Hon. Catherine Cusack. I should declare that before entering Parliament I was the President of the Royal Bathurst Show for 10 years, and prior to my time we had Ashton Circus there, so we did have engagement with circuses as part of regional agricultural shows. I wanted to touch on community expectation, where my colleague was going with her questioning, with the development showcasing animals. This is probably to any of the panellists here around the role circuses play in encouraging discussion and probably some education around the animals themselves and what has your experience been with that?

Ms ZELIE BULLEN: I would love to answer that also. As I say in my submission, I have made it my business to meet every animal trainer that is involved in circus in Australia over the last 20 years and I have not met any that are not willing to engage in public—sorry, I need to rephrase that, because there are some who are very worn down from animal rights horrendous lies and accusations. But, in general, I would like to make very clear that the people who are working animals in circus in Australia today are very welcoming to members of the public who are concerned or who express concern about the animals' lives and the lives they live, the way they are treated, the way they are trained. The circus trainers and the circus owners invite those people, often behind the scenes, they invite them to pre-shows, they invite them to training sessions, they invite them to demonstrations, where people can go and learn more about the lifestyles of these animals. The great thing is that anybody who is not being an extremist, anybody who is actually genuinely concerned can go and learn for themselves, and are welcomed to do so, and often free of charge.

The Hon. SAM FARRAWAY: Mr Presland, you were talking about Stardust and having the big cats, the lions, and the change in the expectation from what the community expected from a circus 10 years ago, 20 years ago to what they do today, more around education aspects and what you find in recent times your circus operating, what people get out of it.

Mr PRESLAND: Yes, sure. I present our show, I am the ringmaster of our show, Matthew is our lion trainer. At the end of our lion act I give a spiel, which goes for probably four to five minutes and I explain everything about our lions, how they are trained, how they were bred, the relationship they have with their trainer, and we invite anyone in our audience to ask any questions at the end of our show, which a lot of people do. A lot of people also do not realise some of the stuff that I tell them after our lion act, because I think it is stuff that people need to know. Again, following on from what Ms Bullen had said, so many lies are told to the public about us and about our animals and when you actually put it out there in black and white and tell people the truth, they are quite amazed by that.

I think people once they have seen our animals, they have seen them perform, they know that they are not doing anything outlandish, like riding pushbikes and jumping through hoops of fire, which is what some of these groups tell people—well, it is true—they know that the animals are just doing an extension of what they can do in the wild. They have seen the act, they have heard what I say after our lion act and then we get quite a lot of people question us at the end of the show about the lions. I think people have a far better understanding once they have seen the show and heard the spiel about our lions. People can walk away from our show knowing that the animals are happy, well and looked after.

The Hon. SAM FARRAWAY: A question for Ms Lennon. I notice in your submission, and following on from the comments, the feedback and evidence here around animal activists and this agenda around the animals are not treated in a fair condition, I notice that all the lions have reverse-cycle air conditioning in their night quarters, which they have access to 24-hours a day. That is accurate? That is true?

Ms LENNON: Yes, that is true.

The Hon. SAM FARRAWAY: Stardust was the first to install outside enclosures—

Mr PRESLAND: Outside exercise yards, that is correct, yes. Many, many years ago.

The Hon. SAM FARRAWAY: —well before it became a compulsory direction?

Mr PRESLAND: That is right.

The Hon. SAM FARRAWAY: Another question for Ms Bullen. I noticed in your submission in some of the audits that Animals All Around have had conducted on them from the RSPCA that you found that the view on the ground and the findings from the audit are completely different to the RSPCA's stance or opinion on the industry and in their submissions as well. You have raised some concerns from how the audits went and feedback from the inspectors themselves and commentary to what they have taken as a position.

Ms ZELIE BULLEN: I actually had genuine confusion and dismay when I originally heard that the RSPCA had recommended that circuses phase out exotic animals. I was genuinely confused. As a young girl I did not grow up in the circus and I spent my after-school hours if not on my pony, doorknocking to raise money for the RSPCA. I firmly supported and believed that it was a great organisation and that it had the animals' best intentions at heart. In more recent years when I realised that it had been infiltrated with some animal rights activists who did not have, in my opinion, substance to back up their recommendations, I was genuinely extremely stressed and disappointed, to say the least. As I said, I have had experience with RSPCA inspectors on site on circuses and randomly been inspected. I have been the animal trainer involved when that has happened and have gone outside, put my shoes on and welcomed them, shown them around.

There has been nothing but approval, and in fact elation and joy from many of them: Oh, it is so beautiful to be with these animals. You are so lucky. This is so fantastic that you are showing them around and that children get to see them in different parts of the country that don't have the funds or the resources to go to zoos that are obviously fixed exhibits, etcetera. As I say, one occasion in Perth when the female inspector that was with us was asking about show times and how excited the children had been as soon as they saw the circus getting put up. I do not really understand how the work on the ground can be on the one hand and their authority, and the RSPCA's management has been able to give a recommendation that is so negatively geared towards exotic animals in circus. I simply do not understand that.

The Hon. SAM FARRAWAY: Another question about circus animals raised and trained or conditioned for travelling. Can you explain what process you would go through to do that in the early stages for the animal?

Ms ZELIE BULLEN: Yes, I certainly can. The earlier an animal is exposed to anything, whether it is travel, whether it is other animals, whether it is regular condition training sessions, the earlier the animal is exposed to that sort of thing, the more normal it is for that individual animal. The circus lions, for instance, from Stardust—they were not caught from Africa and brought over here as five-year-old lions. They were born in captivity and raised by the humans. For them, their normal is being in a caravan with the children until such time as they need more room and need more play space, when they go into their own enclosures. But again, the children and the

trainers continue to go in with them on a daily basis and that is their normal. Just because they are an exotic species—it is no different to raising a puppy in your home.

What is extremely important—and what is different—is that the people who are raising and caring for and training these animals have the appropriate knowledge and understanding of those animals' needs. We cannot expect the lions to act like a puppy as they grow up and we do not expect them to do that. That is extremely important. There are fewer and fewer people who have that expertise for a whole variety of reasons, which I believe is the main factor that the exotic animal contingent in circus has reduced—not because audiences do not want to see it, because clearly audiences do. You heard Ms Presland say earlier how many hundreds of thousands of people attend their show. Why are those people going there? Why are they calling circuses and saying, "Are you the one with the lions?" They want to take their families. They want to experience these beautiful animals and they want to get up close and personal to them.

The Hon. SAM FARRAWAY: Just a question to Stardust. I know that Stardust perform in regional areas because I have seen you go through with your big trucks and all that sort of stuff. I just wanted to find out—in regional areas what sort of participation or patronage do you get through the gates? I suppose again to that community expectation about showcasing those animals and the education element to that, because there would be a lot of people in regional areas that—that would be their only exposure or education on big cats and on some of those types of animals.

Mr PRESLAND: Absolutely.

The Hon. SAM FARRAWAY: Sorry. How many locations in regional areas does—

Mr PRESLAND: We have been to hundreds and hundreds of locations. Stardust is well-known for taking our entertainment to the people, because people out in some of these areas would never have even seen a lion in their life. We have been to some towns, as an example—I cannot think off the top of my head. But some of the towns we have been to, where we have been to do two or three nights there—we have ended up staying six nights in the town because the bookings have been so phenomenal. You do not want to disappoint the people, so you extend. That has happened many, many times.

The Hon. SAM FARRAWAY: So, the marketplace is determining that people want to visit a legitimate and efficient circus operation?

Mr PRESLAND: Absolutely. Some of the towns we know now—normally we may do two nights in a town. Now, you will do three or four nights in a town because you just cannot fit the people in. So, yes. People definitely want to see the lions.

The Hon. EMMA HURST: Ms Lennon, in your submission you mentioned that you have already voluntarily stopped breeding the lions. Is that correct?

Ms LENNON: At the moment, yes.

The Hon. EMMA HURST: Okay. Are you planning on reintroducing the breeding?

Ms LENNON: We are not planning in the future yet. We may change our mind later but at this point in time we are not going to.

The Hon. EMMA HURST: So, you are undecided?

Ms LENNON: At the moment we probably will not breed any more. But when these are past their old age, I should say—time's up. We have already paid for an enclosure at Zambi wildlife park which—we have looked into the future for all this so that we are not going to be left high and dry with them. We already have the ones we have retired from Lennon circus, which is our other show, and they are 17 years old now. They are out in that enclosure that we have paid for. When they have died off, which could be five years, ten years—who knows? When ours are ready to go, that will be the enclosure they will go into out there.

The Hon. EMMA HURST: Okay. Dolphin Marine Conservation Park is also looking to get some government support—some funding—for retiring those animals. If those lions were to move into the retirement where you have already got the enclosure at Zambi, would you also be looking for government funding to help in that retirement, if other industries that are similar were getting funding?

Ms LENNON: We have not exactly looked for it, but I suppose it would be very handy if we did.

The Hon. EMMA HURST: What about the monkeys? We have talked a lot about the lions but what about the monkeys? Have they got a retirement plan set up as well?

Ms LENNON: At the moment we are just building a huge enclosure on our property for the monkeys as a retirement one, at any time in the future. We have our travelling ones that we have. And then, when we are in the one place—off-exhibit, so to speak—the monkeys will go into this big enclosure. If we are back on the road again, who knows when, they will be back in their travelling ones.

The Hon. EMMA HURST: And are the monkeys still breeding or are they not breeding either, like the lions?

Ms LENNON: No. We have not bred monkeys for a long time. We have not bred a monkey for 10 years.

The Hon. EMMA HURST: That is interesting. This morning we were just talking with the Department of Primary Industries about what are the various different options going forward. One suggestion was the grandfathering of animals that are already within industries. I am only directing this question to you two because you are the only ones with a travelling circus. How do you feel about the option of grandfathering? I know that that has happened a lot overseas.

Mr PRESLAND: Look, I do not particularly like the idea. I think we should be able to have the animals with us.

The Hon. EMMA HURST: So, the grandfathering would mean the animals are with you, but it would mean that a new business could not set up. Grandfathering would mean that the animals that you have remain with you, but no new business could potentially set up and copy your model and start a brand-new business.

Ms LENNON: No.

Mr PRESLAND: Look, that is hard to answer, really. If another circus wanted to have exotic animals in Australia I would be obviously all for that. I think it would be a fabulous idea. Really, I would have to say if someone else wanted to start a business with exotic animals—namely lions—I would think it is a terrific idea. So, probably I would have to disagree.

The Hon. EMMA HURST: I have just got a couple of questions to Zelig and Craig Bullen in regards to this morning. We were just confused about the licence. In your capacity of running the business Animals All Around are you licensed as a circus under the exhibited animals Act?

Ms ZELIE BULLEN: Yes, we are.

The Hon. EMMA HURST: And are they currently travelling or performing in shows?

Ms ZELIE BULLEN: At the moment, with COVID, none of our animals are working.

The Hon. EMMA HURST: Of course, yes.

Ms ZELIE BULLEN: Our animals have continued to be handled, worked, conditioned and pampered on a daily basis so that they can continue the lifestyle that they have lived and that we intend for them to continue living. So, yes. We intend to continue travelling our animals to work and sharing the experiences that we can with as many people as we can, to enlighten other people's lives also. I think it is important to note that circuses in particular, like the rest of the world, have evolved over time. You only have to go to Sea World on the Gold Coast to see how significantly different their show is there compared to how it was 20 years ago. Twenty years ago they did tricks and the animals did all sorts of things. I say this because we spend a lot of time on the Gold Coast also, so we are involved in that park down there. The show down there—

The Hon. EMMA HURST: Sorry to interrupt you; I am just really mindful of the time. My question is were you a travelling circus before COVID? Have you been travelling recently as a circus?

Ms ZELIE BULLEN: We have been travelling recently, not as a circus.

The Hon. EMMA HURST: I am just trying to understand how you are licensed as a circus under the exhibited animals Act.

The CHAIR: We are having some technical difficulties. Given the time, I will jump in and ask some questions while we get them back on the line.

The Hon. EMMA HURST: I just want an answer to that question that I was asking.

The CHAIR: We can come back to it. Mr Presland, in your opening statement you talked about what you believe the genesis of this inquiry was. That was that it was just—I do not want to put words in your mouth, but you can correct me. Do you believe it was to satisfy or enact some sort of revenge due to a failed court case?

Mr PRESLAND: Yes, I do. I do certainly agree with what you said there. I believe, if I can put it this way, that Mr Mark Pearson was left with egg on his face, if I can put it that way. I think it has been his little

revenge to get back at us, and he has tried in any way that he can. I think this is just another way that he is trying to get back at us. We had had many dealings with him over the time, and some of the statements that he has made to us over the time have been that he will win in the end. I think that is his little way of—this is another way of him sort of getting revenge.

The CHAIR: I asked a question of DPI, and I believe you were in the back of the room, about transitions of animals that have not gone so well. They could not cite any. But I am aware of, obviously, an elephant that you wilfully transitioned to Western Plains Zoo. I think Arna was the name of the elephant.

Mr PRESLAND: That is correct, yes.

The CHAIR: Can you just tell us about how that transition did not have positive welfare outcomes?

Mr PRESLAND: It had terrible, terrible—

Ms LENNON: I can answer that one. We decided to retire off the elephants, Arna and Gigi, to Western Plains Zoo. After a fair few weeks there, the handlers there rang us and said, "We are very worried about Arna." She had lost over 300 kilograms in weight and she just pined for the circus the whole time she was there. I did ring Taronga Zoo, Will Meikle at the time, and said, "I'm really worried that Arna is going to die, because she is fretting for the circus." All the handlers said that up there. She waited at the gate where the elephant semi went out, and the last place she had seen her accommodation going. I said, "Should we come and take them back for a little while and do this gradually?" He said, "No, we won't do that," because we had already signed them over to them. We were really, really worried that she was going to die.

We hopped on a plane from Adelaide at the time, flew to Dubbo—my two sons who were the elephant handlers and myself. We went out there to the zoo. They came flying down the hill; they were that excited to see us. We talked to them for a while and we spent two days with them. We had to go back to Adelaide then, so a few weeks later, about a month later, we went to Dubbo and we stayed there for two weeks. Every day we went down to the zoo. By the end of the time I think they had realised that we had not come to take them back, that they were there to stay. They started to settle in a little bit more then, but it did take a while for them. She eventually died and they could not find a cause of death. They said that she died of a broken heart, and that was all they put it down to.

The CHAIR: Do you have the same concerns that if government intervened and said that we are taking the lions, we are taking the monkeys, or any other exotic animals you had, and we are putting them somewhere—do you have that same fear that you would have those similar negative outcomes?

Ms LENNON: Absolutely, especially the monkeys, because they are very, very attached to my daughter and her husband, Matt, who is the lion trainer as well. They have a lot to do with the monkeys. They take them for little walks down to the river and they do all sorts of things with them, which they would not do if they were in a different place. He handles the lions every day. Two or three times a day he goes in and they play ball around their pen. They have a huge enclosure, far bigger than the requirements. He spends a lot of time with the lions and they absolutely adore him, and they play around all the time. I think they would really miss that.

The CHAIR: Do you believe you exceed the minimum standards for welfare?

Mr PRESLAND: Yes, we do. Definitely.

Ms LENNON: Yes, by far.

The CHAIR: Given that you believe you exceed the minimum standards for welfare, would you see it as unfair that you would have your business hurt and be punished for essentially exceeding the objects of the Act?

Mr PRESLAND: Doing the right thing? Absolutely.

Ms LENNON: Of course.

The Hon. EMMA HURST: Can I just confirm the issue with Arna? She was retired because she had killed one of the trainers. Is that correct?

Mr PRESLAND: No, she had not killed her trainer. She had killed her assistant who looked after her. There was Arna and Gigi, and Arna had sort of taken a bit of a liking with Gigi, and it was just one of those things that happen, unfortunately. She killed her handler and that was when the decision was made, which was not an easy decision. It was in fact a heartbreaking decision, by the family, what to do with Arna. We then decided that we would retire her to the zoo. Had we known the outcome, we would never have done that.

The Hon. EMMA HURST: Was she possibly showing some behavioural problems? For her to kill somebody—

Ms LENNON: She was very protective of Gigi, was all it was. She mistook that Gigi was getting harmed, I think, but she was not.

The Hon. EMMA HURST: Are you concerned that the lions could also attack a worker?

Ms LENNON: No.

Mr PRESLAND: No.

Ms LENNON: They have a different personality altogether to elephants.

The CHAIR: We have heard a lot of statements from the people on the teleconference and in the submissions about animal rights groups misleading the public or lying to elicit donations for causes, and you see that as a big concern in terms of pushing or attacking your enterprise and other animal enterprises. Would you support legislation if it was brought forward in New South Wales that sought to deregister groups that elicited donations via misleading tactics?

Mr PRESLAND: Most definitely. I think that all needs to be stopped. It is to the point now where it is out of hand really.

The Hon. SAM FARRAWAY: Now that we have the other participants back on the line, I would ask you to ask that question again.

The CHAIR: I just asked a question of Mr Presland. Given a lot of your submissions have spoken about the concern around animal rights groups using misleading information to elicit donations, would you be supportive of legislation being brought forward in New South Wales that sought to deregister groups that engaged in such activity? We will start with you, Ms Bullen.

Ms ZELIE BULLEN: Absolutely.

The CHAIR: What about you, Mr Syred? We have not heard from you for a while.

Mr SYRED: We would definitely be pro that.

Mr CRAIG BULLEN: Yes, 100 per cent.

The Hon. EMMA HURST: Could I just quickly jump in and finish my question. I think it was to you, Ms Bullen. I was just wondering how you are licensed as a circus under the exhibited animals Act if you are not travelling as a circus.

Ms ZELIE BULLEN: Our licence states that we have an off exhibit facility with a circus licence. Obviously we are a circus family and we intend to keep that licence to be able to allow us to go and travel with circuses if we want to, which we have done many times over the years. Although we were not doing it right before COVID hit, it is something that we have done many times over the years.

The Hon. EMMA HURST: Is that travelling more to do with the TV sets and the movies and things like that, rather than the traditional circus like Stardust?

Ms ZELIE BULLEN: At the moment we predominantly work in the film and television industry and we have done for the past 10 years predominantly, but we still engage and work with other circuses.

The CHAIR: Before you were cut off, you were speaking about your concern about RSPCA Australia. I think it is important that we provide some clarification. The submission was from RSPCA Australia and it has a different role than RSPCA NSW, which is the inspectorate. Given that it is a federated system, you see RSPCA Australia and then you have the offshoots of the different States. RSPCA NSW has often cited that it is at odds with its federated counterpart. With that in mind, do you believe that RSPCA Australia is potentially out of touch with what its State counterparts believe, and that perhaps it has diverted or strayed into an animal rights agenda, rather than an animal welfare agenda?

Ms ZELIE BULLEN: In all honesty, I do not know what to believe. As I said, I am confused by the conflicting encounters and thank you for explaining—although I had not realised—that each State has its own RSPCA counterpart. I do not know what to believe. I do believe that there are people in positions of management at RSPCA Australia who clearly do not represent the majority of the people on the ground working for the RSPCA.

Mr CRAIG BULLEN: I have been dealing with the RSPCA all my life. I can remember being 10 years old and standing next to my father with RSPCA inspectors, who were there to see the elephants, lions, tigers and monkeys—you know what. I have seen that all my life; I have been looking at it for 50 years. Yet, time and again, I see management from RSPCA making statements about how cruel and outdated animals are in circuses. Yet I have spent all my life with RSPCA coming to see our animals and nothing but praise. I do not know what the

disconnection there is, but that is all over Australia, not just in New South Wales. Many circus people will tell you the same story.

Ms ZELIE BULLEN: I want to jump in because one of the things I find very confusing is, I remember there was a time when the RSPCA had issued a statement that they did not condone or support animals wearing costumes performing in a circus as it was an undignified portrayal of animals. Yet the RSPCA organisation runs the Million Paws Walk, where all of the animals in many costumed displays are showcased there. I do not understand how that is justifiable. There are things that definitely, in my opinion, do not add up. I do not know if I can go so far as to say that there are animal rights activists in managerial positions, I just know that, in my personal experience, the recommendations in the submission that I read that have been handed over from the RSPCA did not match the experiences that I and Mr Bullen have had with the RSPCA.

The CHAIR: We have them tomorrow so we might question them on that hypocrisy about costumed animals.

Mr PRESLAND: Can I ask a question? With regards to the RSPCA, again, as I mentioned, we have had them come down countless times to the circus and inspect our animals. We have asked on many occasions if we could get a written report and we have always been told that no, they will not give a written report for fear of what would come from their seniors if they were to give us a written report. I do believe also that the RSPCA has been infiltrated by animal extremist groups—definitely.

Mr SYRED: If I could just add to that, I agree wholeheartedly with Mr Presland. Even though we do not have exotic animals, when we have had RSPCA field offices come out to inspect they have been more than happy with the facilities and they have been more than happy the animals. Yet, they are never in a position that they can give us a statement to that effect. So much so, saying that they would love to be able to come and see a performance but they would be frowned upon by the organisation if they were to attend to see what happened during the show. I think it is very hypocritical that they cannot come and witness what we actually do when they feel that it is a positive thing.

The CHAIR: Thank you. That takes us a little bit over time and I apologise on behalf of the Committee for the technical hiccup. Thank you for your answers and your time today; it was very enlightening and insightful. If any of you took questions on notice the Committee secretariat will be in touch to notify you of those questions and how long have to respond.

(The witnesses withdrew.)

(Luncheon adjournment)

TERRY GOODALL, Managing Director, Dolphin Marine Conservation Park, before the Committee via teleconference, affirmed and examined

DUAN MARCH, Veterinarian, Dolphin Marine Conservation Park, before the Committee via teleconference, affirmed and examined

STACY FAIRFAX, Team Leader and Animal Welfare Officer, Dolphin Marine Conservation Park, before the Committee via teleconference, affirmed and examined

The CHAIR: Welcome back to another session of day one of the inquiry into the exhibition of exotic animals in circuses and exhibition of cetaceans in New South Wales. Would any of you like to proceed with an opening statement before we go to questions?

Mr GOODALL: Yes. In preparing for today I revisited the submission we provided back in December. Obviously much has changed with respect to Dolphin Marine Conservation Park [DMCP] and the terms of reference since that time. We continue to remodel our business despite the hardships that we along with everybody else in the world have been going through. But in doing that we have attempted to ensure that we are addressing the shifting public sentiment with respect to cetaceans we have under our care. Obviously the terms of reference cover the welfare of the animals, the breeding of the animals, the exhibition of the animals and, of course, the regulatory actions that may or may not come out of that. Given that we have voluntarily not bred dolphins under our care for over seven years and we have publicly stated that we will not, we do not oppose any legislation that prevents future breeding of cetaceans in care. However, as far as the terms of reference are concerned, they are probably redundant from our perspective.

We are also governed by the very strict regulations from the Department of Primary Industries [DPI], which we abide by. We are accredited by the Zoo and Aquarium Association Australasia [ZAA]. We are judged under the five domains of welfare that they require all their members to conform to. We have had the welfare of our dolphins independently checked last year and we came up good to excellent in that report. So from a welfare perspective I suppose we are also finding that part of the terms of reference a bit redundant as far as we are concerned.

It is worth noting that from a public expectation which is mentioned several times through the terms of reference we could present to the Committee 1,428 Tripadvisor reviews from April 2019 to July 2020 which show that 91 per cent of our visitors rate their experience at our park as either very good or excellent. That is from Tripadvisor, which is the world's largest travel platform. So based on those reviews alone the changes that we have started to make in our business plan, which was launched in February 2018, and the changes we have had to make as a result of COVID-19, all of those have been well accepted by the public.

Our obligations and everything that we are doing here at the park is clearly stated in the submission that we put to everybody, which I presume has been read. But over the last 18 months we have been striving to transition, as I said earlier, to a not-for-profit company with a wildlife hospital and a re-focus on the rescue, rehabilitation and release of native fauna, particularly marine fauna; research into the cases of morbidity in those marine fauna; public education in conservation; and increasing our education contribution, which we do to over 2,000 TAFE, secondary school and primary school students, on marine wildlife and the ocean environment.

One of the things that we have been doing, as I also stated in that submission, is that we have been working very closely with Action for Dolphins and World Animal Protection in looking at the feasibility study for a sea pen to be erected here in Coffs Harbour. If that were the case and our dolphins were removed into that sea pen then we would have to be funded somewhere in the tune of \$3 million to \$3½ million per annum because the biggest reason people come into our park is to see those dolphins, which we cannot release because they were all born here. As mentioned in our submission, we are looking at that sea pen. One of the problems that we have had is that the sea pen in Coffs Harbour is going to be an extremely expensive one. But we have, we believe, found an alternative location, which we have not investigated, in Nambucca, about 30 minutes down the road. That would be an ideal alternative if we could not erect something in Coffs Harbour.

What I would like to do is propose to the Committee that, as we do not have the financial capacity to complete the investigations into the feasibility of the sea sanctuary, we request the Committee to recommend government support to financially contribute to the feasibility study and possible construction and ongoing operation of a sea sanctuary at Coffs Harbour or Nambucca. We would also like to request ongoing financial support to maintain the dolphins in that sea sanctuary because they would still require to be maintained medically and fed on a daily basis.

Those animals in a sea sanctuary will need to be managed daily. DMCP invites the Committee, in fact, to form a working group in collaboration with us to design welfare sanctuary publicly palatable management protocols for animals housed in a sea pen. Along with other marine wildlife, DMCP promotes and conducts the rescue, rehabilitation and release of debilitated cetaceans and so we also invite the Committee to form a working group with DMCP that will assess the initial treatment and release options for all stranded cetaceans. I am happy to open up to questions.

The Hon. EMMA HURST: Thank you so much for that opening statement. One of the submissions to the inquiry defined a sea sanctuary as "a natural body of coastal water that provides protection and oversight from qualified people" but there would be no breeding, no training, no shows, no physical interaction. However, and I note this is also in Dr Clegg's report, there would still need to be activities performed with the staff at Dolphin Marine Conservation Park because that is what the dolphins are used to—they are used to interacting with people—and that a higher welfare situation would still involve you interacting with the dolphins and ensuring that they have that level of enrichment. Is this the sort of framework that you are proposing for the sea pen?

Mr GOODALL: Yes. As I said, the three dolphins that we have were born into our complex. They have lived their lives with the staff here so it would be welfare-negative to move them somewhere where they just simply ended up swimming around in circles, given, of course, that a sea pen is still an enclosed area. It is just probably a bigger one. But they would have to continue to have some interaction with humans and that would, obviously, need to be trained people like the staff that we have looking after them now.

The Hon. EMMA HURST: Just to confirm: So that would be no more swim-with-dolphin experiences or actual show performances. It would just be the other kind of interactions that you mentioned.

Dr MARCH: We are open to suggestions and we invite the Committee to be part of designing a management protocol down there. I think a lot of the time there is this idea that animals would go into a sea pen and they would live happily ever after but I think the reality is that initially the animals would be quite scared and anxious in that sea pen. Then they would find it very enriching and they would chase fish and then, after a while, they would habituate to that environment and without daily stimulation you have got the same scenario as a kelpie in the backyard. In terms of managing those animals and making sure that welfare is a top priority, we would need to design daily management protocols. But in terms of keeping everything transparent and collaborative, yes, we encourage anyone who is interested from the Committee to put forward proposals, as long as they are welfare-centric and they can be publicly and politically palatable. That is what we are angling at.

Mr GOODALL: It is not unheard of for dolphins in the wild to interact with humans on boats and people swimming closer to shore.

The Hon. EMMA HURST: Okay. So everything is still on the table while you are nutting out how this would work. Can any one of you detail how a sea sanctuary would be beneficial to the Coffs Harbour community more broadly? What would this invite for the local community?

Mr GOODALL: I think everybody wants to answer this question but I will start. I think a sea sanctuary at Coffs Harbour would be a huge benefit to the local economy. We would see it operating in conjunction with our facility here for rescue and rehabilitation. Obviously, the dolphins would be located there. There are always strandings, there are always things happening with animals that swim by. You would have all heard about the whales and dolphins that have been entangled in fishing line just recently. So, the sea sanctuary would be a great halfway house for animals that have been fixed up, rehabilitated, put into the sea sanctuary to get used to the water again and then travel off.

The Hon. EMMA HURST: Do you think it will also bring a lot of extra tourism into the area and finances to other small businesses in the area?

Mr GOODALL: Absolutely. There are no sea sanctuaries around the Australian coastline anymore. There used to be, over in Perth I believe, but not here. It would be a huge tourist attraction but we cannot kid ourselves—a sea sanctuary is still a sea sanctuary. It is salt water, it needs continual maintenance, enormous costs of operation, and security because there are lots of strange people out there. We have 24-hour security here and we have still had people in the pool late at night—people who have jumped the fence. So, I think there are issues around it but, despite all of that, I think if there was ongoing financial support—and that would have to be ongoing financial support—then, yes, I think it would be a great addition to the Coffs Harbour community.

Dr MARCH: I will just jump in there as well. I agree with Mr Goodall wholeheartedly that that facility down there would not just be significant for Coffs Harbour or even Australia, but it has got the potential to be world-leading. To make it long-term and make it financially viable, it would need to combine providing sanctuary for the current animals but then also be equipped to provide rehabilitation to other stranded cetaceans and research in collaboration with universities, and all that sort of stuff. So I think it has massive potential. There is a lot of

work that would go into making that viable down there but I think it has got real potential as a research hub, a wildlife disease investigation hub, a tourism hub, an education hub—all of those things.

The Hon. EMMA HURST: Fantastic.

Mr GOODALL: And it would have to have those extra things. You could never justify the financial outlay for three dolphins.

The Hon. EMMA HURST: Yes, that makes a lot of sense. Mr Goodall, in a Yahoo article last year you were quoted as saying:

Having whales and dolphins and belugas, other marine mammals in captivity is not publicly accepted these days.

If another venue set up and tried to breed and start dolphins on the old model of Dolphin Marine Conservation Park, do you think they would struggle to survive?

Mr GOODALL: Absolutely. That is one of the reasons why I came in and we changed our model because the old—what has happened years ago happened years ago and the public's perception moves on and we have to move on with that public perception. Things that happened years ago, you would never dream of doing today, and that is not just associated with our place but it applies to everything. So, yes, I think something akin to what the Pet Porpoise Pool used to be would not survive today.

The Hon. EMMA HURST: I know that you said that you were not opposed to a breeding ban. Obviously, it is irrelevant to your business because you have already voluntarily stopped breeding, but would you be quite comfortable, if there was a ban or a restriction on breeding for certain purposes only, to be able to stop some of those businesses potentially that could set up and would potentially struggle to survive?

Mr GOODALL: Well, I cannot see how anybody else could set up because there is no-one—I mean, we are the last place in New South Wales to have cetaceans. You cannot take dolphins out of the wild; you have not been able to for over 20 years. You cannot import dolphins so I do not see how somebody could set up. I do not know why you would want to, for a start, but I do not see how you could, physically or practically.

The Hon. EMMA HURST: I would like to get more detail from you about the proposed working group that you are suggesting we consider. How do you see that forming and how would the relationship work between State Government and Dolphin Marine Conservation Park?

Dr MARCH: On that, we proposed two working groups. We proposed a working group that looked at the management of the collection animals in a sea pen and we also proposed a working group that looked at the release criteria surrounding rehabilitation and debilitated animals. I think the first step would just be—I mean, this is, obviously, a great first step because we are conversing—in terms of the management of the animals in the sea pen, as we said in that submission, they need to be welfare-centric. We cannot have a politically palatable management system that provides poorer welfare. I would see Dr Clegg on that working group, representing cetacean welfare. I would see DMCP and Stacy, as our welfare officer, and me, as the veterinarian, yourself or Action for Dolphins or World Animal Protection who could represent community expectations, and I guess it would be looking at the physical and psychological needs of the animal and what was going to provide the best-quality welfare, and then working out how to retrofit that to a management strategy that is politically and publicly palatable.

Unfortunately, at the moment our animals love playing with balls and that does not look great from a public standpoint, but they like to do it. So, to remove those balls would be a welfare cost to the animals. It is finding that balance to make sure that the welfare stays the priority, but seeing if we cannot keep everybody happy. That is for the management of the collection animals. The second, in terms of the rehabilitation and release criteria, there is an expectation all the time, as there should be, that all animals that come into rehabilitation are released. All animals should be. But, at some point the welfare of that animal will be compromised if they are continually released. Calamity was an example, one of our collection animals here. She was entangled in a fishing line and released and then she came back in and she was entangled again and after that she was retained and spent the rest of her life in captivity. A working group that was across the issues and the legislation surrounding rehabilitation and release and that could work through the issues, the pros and cons, the welfare costs and the welfare gains of release criteria and that sort of stuff on a case-by-case basis, that is how I see the working group for rehabilitation working.

Mr GOODALL: We have to accept that there are animals that are rescued, rehabilitated and just simply have received so much trauma that they could not survive in the wild environment. Either they are put down or they exist under human care. If the sea pen can provide that area for them to survive in then that is ideal.

The Hon. EMMA HURST: You mentioned that the first step that you are asking for is funding for the next stage of the feasibility testing. You mentioned \$3 million regarding setting up the entire project, but what is the first funding step for the feasibility?

Mr GOODALL: We have done some of the work at Coffs Harbour marina. There is a lot of work that still needs to be done down there because it has lots of boats so we need to do audiology testing. The initial testing has said that that area is a viable location, but of course there are politics and all sorts of things associated with that. At Nambucca we think we have a spot that would be ideal but we do not know enough about that area to make a real estimate. I would say if you wanted to put a figure against a feasibility study for Nambucca, it would probably be anywhere between \$50,000 and \$100,000.

The Hon. EMMA HURST: For the feasibility study?

Mr GOODALL: In Coffs Harbour the audiology test, which we have not done yet, is about \$100,000. But there is a lot of work to go into it. Nambucca would be the only other alternative location that we could suggest for our particular dolphins, because it is only 30 minutes down the road. It is still 30 minutes but it allows our team to look after the dolphins. The ideal spot would be Coffs Harbour because it is a bigger place, it is easier to get to, but there are a lot more costs associated.

The Hon. EMMA HURST: Do you have local government support, or have you spoken with the local member, Gurmesh Singh?

Mr GOODALL: Yes, Mr Singh is across that and so is Pat Conaghan. Like everybody with Coffs Harbour the politics alone are the thing that generally cause the greatest issue and with the harbour you have probably five different authorities that have a say on what goes on down there.

The Hon. EMMA HURST: Are you finding that you have a lot of local support for something like a sea pen?

Mr GOODALL: The jury is out because people say that is our space and yet you want to rope it off, are we going to be able to use it? You have to have security, as I said earlier. I did an interview with a local journalist a little while ago and I think it was probably 50-50. No, probably 50 per cent think it would be a great idea, 20 per cent had no idea and the other 30 per cent were dead against it. But, again, Nambucca I don't know.

The Hon. EMMA HURST: We are just at an early stage with Nambucca?

Mr GOODALL: Yes.

The Hon. EMMA HURST: Tell me about the relationship you formed with World Animal Protection [WAP] and the dolphin group.

Mr GOODALL: Action for Dolphins.

The Hon. EMMA HURST: Action for Dolphins, how are you working together to find a solution that everyone is happy with; how is that working?

Mr GOODALL: It has been working very well. The Action for Dolphins were probably our greatest nemesis before we shook hands. We have had, as you probably know, an horrific time with activists over the years. We have had staff physically threatened, we have had staff not prepared to tell anybody where they worked and not prepared to wear their uniforms outside of the park. But where we struck a chord with Action for Dolphins [AFD] is that we actually invited them in here and I asked the question, "Well, what do you want us to do with the dolphins? We cannot let them go." That was when we started talking about the possibility of a sea pen. It seemed fairly idealistic, but as we talked about it and as we looked at it and started the studies around it and extended out what else it could be it became something that was worthwhile working on. World Animal Protection came on board and they provided some funding to start the feasibility studies and we have been working together ever since, for 18 months.

The Hon. EMMA HURST: It sounds like there was a lot of angst between the two groups, but then you opened the doors and started to find a compromise and work collaboratively. You and I have had this conversation in the past where there is a sliding scale on where people sit in regards to animal protection. Have you found that there will still be people who will campaign against the use of animals but a lot of that angst has started to settle down as there has been a little more of a compromise and a collaborative group effort?

Mr GOODALL: With AFD and WAP we seem to get on. Because we work closely together we do not have those issues anymore. There are some things that we agree to disagree on and probably the human interaction is one of those. It has got down to a point of saying, well, what is in the best welfare interests of the animals and that is the one thing that we did agree when we started work on the sea pen was that we are happy to work with

you on this and we are happy to relocate our dolphins to a sea pen, if it ever gets built, but it has to be in the best interests of the animals. That is why we did the welfare study originally with Dr Clegg and if it turns out that moving the dolphins from the location here where they have spent their lives to a sea sanctuary is not in their best welfare or is not significantly better than what they are currently getting, then we will not be a part of it. That was the agreement all along and that is what we have worked on.

The Hon. EMMA HURST: What sort of plans do you have in place when you get down to one dolphin? Even if there was a sea pen and obviously that sea pen would be a rescue and rehab centre, what happens when two more dolphins die and you cannot have one dolphin, what plans do you have in place?

Mr GOODALL: To be honest, we have not thought that far. We have lost Calamity and Bucky, because they were older and dolphins do not live as long as us. We have now got down to three. We have invited Isabella to come back to check them and let us know that that number is sufficient. But if we had, say, Zippy die, we would be down to two, and what makes a pod? But I will let Dr March have a say.

Dr MARCH: In terms of that, dolphins are obviously a social species and the social dynamics can play a big factor in maintaining their physical and their psychological health. One of the key things that we do here is just continually assess how the dolphins are interacting with one another. That is one of the things that Dr Clegg will come back and assess as well, how those dynamics have changed now that we are down to three dolphins. Once that assessment comes back, that the remaining dolphins are in a poor state of welfare based on social dynamics, then we will have to remedy that. That will have to be moving the dolphins to a different facility.

The Hon. EMMA HURST: And that would be Queensland, Sea World?

Dr MARCH: That would be Sea World, yes.

The Hon. EMMA HURST: Have you spoken to Sea World about taking the dolphins if that were to happen?

Mr GOODALL: I obviously have spoken to Dr March, in case anything happened would they be prepared, and yes, they are happy to take them.

The Hon. EMMA HURST: How old are they? How much longer do they have to live, roughly?

Mr GOODALL: We have got three animals left at the moment. We have got Zippy, he is 32. We have got Bella and Jet, and they are both—Bella is 2009, so she is 11, and Jet is—what is Jet's date?

Ms FAIRFAX: Jet is 11 and Bella is 15.

Mr GOODALL: So we have got an animal that is 32, one that is 15, and one that is 11. The average lifespan of these animals in the wild is probably less than 30. Zippy is already long in the tooth. Saying that, based on longevity that we see here, Bucky got to 50, and Calamity was 40, so hopefully Zippy has got the best part of 10 years left in him. And the other two dolphins hopefully have got the best part of another 30 or 35 years.

The Hon. EMMA HURST: So there is still quite a while.

Mr GOODALL: Yes.

The Hon. SAM FARRAWAY: Mr Goodall, a couple of questions about your submission. I want to find out, clearly the park and organisation do a lot of specialist training from what I have read. You have trained over 120 veterinarians in specialist fields. Can you expand on that and some of the work that is done?

Mr GOODALL: I will hand over to Dr March because he runs that.

Dr MARCH: As Mr Goodall mentioned in his opening statement, we do a range of educational activities across a broad spectrum, everything from primary school kids, right through to university students. The two areas that we are focusing on at the moment that I think have got the greatest potential to achieve better outcomes at training events is training to veterinarians. Myself and the veterinarian from Sea World have provided training for vets from border to border, from the Queensland border right down to the Victorian border. We are also working practically with the Department of Primary Industries on a program called sea country custodians that is looking to build capacity for Indigenous rangers to manage sea country.

The long term goal is to provide veterinarians with the skills to appropriately manage the welfare of these animals on the beach, link those veterinarians up with Indigenous rangers so that they can promote cultural protocols and have everyone working underneath the umbrella of National Parks and Wildlife Service. That is the program at the moment and it is running quite well. The beauty of this is not only do you get better outcomes for the individual animals that strand, but we are getting much, much more data that is going to potentially inform

management decisions, we are getting causes of death and a bunch of other data that we were not getting before. It has been a success.

The Hon. SAM FARRAWAY: Excellent. You spoke in your opening statement—and there have been answers to other questions—but I wanted to go back to the business model moving forward. You mention in your submission that it has changed. Can you expand on how you see it being sustainable in the long term? Also if you get down to only two dolphins and at that point a decision needs to be made, what about the view of having a facility—because it is the only one in New South Wales, the only other alternative is Sea World—in New South Wales that can take in dolphins in the future if they get into trouble or need to be put into captivity? Is it worth having a facility? Whilst you may have three dolphins now, down to two, there is the possibility that you could get an influx at some point and need to care for others. What is your business model in terms of sustaining it in the long term and can you expand on that?

Mr GOODALL: The business model; we put in a plan back in 2018 to move back to the original reason for the Pet Porpoise Pool setting up, which was basically a rescue and rehabilitation centre for local marine fauna. Since then we have started in education, we have been involved in lots of research programs. Moving forward, we want to focus on that rescue, rehabilitation and release, but also be a sanctuary for animals that cannot be released that come into our care. We are also part of the Australian Species Management Breeding Program. However, none of that really pays the bills and if we were to move forward, we were to move away from—we do presentations at the moment.

We have changed the presentations dramatically to be more around what the natural behaviours of the animal, what the dolphins are, how we care for them, husbandry techniques, et cetera. I think we would need to be a government-run facility, because that business model I think from a financial perspective—ultimately, if we can, a fee plan would be a great idea, but a fee plan attached to the facility that we have got here as a rescue, rehabilitation operation and education operation, would be absolutely ideal. I think that model would be more sustainable because you would bring in sponsorship, you would bring in regular government grants, et cetera. I think it would be worthwhile, certainly, very worthwhile for the area.

The Hon. SAM FARRAWAY: I have read in your submission that you have developed a syllabus, a specific program and it is presented to about 2,500 students each year. Moving forward, irrespective how many dolphins would be in the park, how important do you think it is to have a facility or a park in New South Wales that tailored syllabus and education to people in the State, in particular students?

Mr GOODALL: I think we have proven that is more than acceptable and it is highly supported by the likes of TAFE. We have a very close association with TAFE. We do educate over 2,000 students every year, so it is a very viable education facility. The fact that we have it and it is working, and has worked for many, many years, we bring in \$15 million into the local area with tourism, et cetera. Even over COVID, once we were able to bring people back in from COVID and were just doing tours around the park and talking about the animals, we were getting some fantastic reports back. That is a very viable direction and that is the one we have chosen to take.

Dr MARCH: Just expanding on what Mr Goodall said, in addition to the importance to students and the broader community of having a facility like this, there are so many knowledge gaps at the moment in our understanding of what is happening in the marine environment and causes of stranding that a facility that we have been discussing that could really get its teeth into this and investigate some of the causes would put us in a much better position. Fortunately, at the moment we have not had any unusual mortality events like they see in the Northern Hemisphere but potentially it is a matter of time. If we were to have a mass stranding at the moment New South Wales would be grossly under equipped to deal with it.

Mr GOODALL: I think from a geographic perspective Coffs Harbour is an ideal location because we are not far to Sea World. We are not far to Taronga. We work with both those institutions pretty regularly.

The Hon. SAM FARRAWAY: I put this in the context of—I am sure over the years in recent times you must get a lot of activists and a lot of people that push an agenda on what the park does and are maybe not understanding what it is trying to achieve. How do you as an organisation and a park justify exhibiting your dolphins—especially the importance of the human interactions with the dolphins?

Mr GOODALL: We have three dolphins that, as I said earlier, were born into this complex. We cannot let them go. We have to keep them enriched and occupied. So, they play a fantastic role in being—I know it is a bit of a cliché—advocates for their species. If you see the look on the people's faces who meet them and can get up close to them, it is priceless. Because we have gone down this road of being very educative with the people that come in, they leave with a much, much greater appreciation of not only the dolphins but also the ocean in general. Particularly kids—they are the next generation, so I think they play a very, very important role. I think

the fact that we exhibit them like that is—I do not see anything wrong with it. The people that come here and see it, even the people who come here with—we had a family here not long ago who were moving toward that activist end of the spectrum. Even they were more than complimentary about what we did with them. I am not sure whether that answered your question.

The Hon. SAM FARRAWAY: Thank you, Mr Goodall.

The Hon. PETER PRIMROSE: I notice—and you have alluded to it already on page 11—that the exhibited cetaceans help to fund your significant marine rescue and rehabilitation work every year. If the exhibitions were to cease, can you give us some idea about the estimated subsidies you would be looking for from the Government? Have you put in a funding submission to the Government that may be available to us so we can get some idea of the cost? Or could you take that on notice so we could have some idea about the funding that you might be looking for?

Mr GOODALL: We have put in a proposal to the Government, which I think I also sent to the Committee. It was not a funded one. It was simply more designed to get some sort of understanding as to whether it was worth going down that road because there is a fair bit of work involved. Our current turnover in a reasonable year is \$3 million. That is what we bring in—our income. Now, the majority of that, I believe, comes from the fact that we have dolphins. So, I would suggest that we would have to be looking around those sorts of figures. If we lost the dolphins a good chunk of that money would walk out the door.

Dr MARCH: Just on the rescue and rehab side of things, like Terry was saying the business generates around \$3 million a year and we would spend in excess of \$100,000 each year doing the rescue and rehabilitation work. That budget—you could easily quadruple that in terms of increasing testing and sample analysis and that sort of stuff. At the moment the rehab program costs about \$100,000 a year but it would be good to put a bit more into that as well.

The Hon. MICK VEITCH: This morning we heard the Department of Primary Industries that there is currently a regulatory review of the legislative framework for animal welfare in New South Wales underway, looking to be delivered at some stage mid to late next year. Have you been involved in that process and, if not, would you like to be involved in the process?

Mr GOODALL: No, we have not been asked. We would be more than happy to be involved in that process.

The Hon. MICK VEITCH: Yes, I think you should.

The CHAIR: On behalf of the Committee, we did have some dates allocated in September for this inquiry. Obviously, with the pandemic, that has just gone out the window in terms of a site visit. In line with your push to have government funding for the sea pen and this new business direction, would you be open to a virtual tour of either the proposed Coffs Harbour site, or perhaps the Nambucca site, so the Committee can get a better understanding of what you are trying to achieve with that sea pen or sea sanctuary?

Mr GOODALL: Yes, absolutely.

The CHAIR: We might have our Committee secretariat work with you offline to facilitate that. Thank you very much.

Mr GOODALL: We would be happy to.

The CHAIR: Excellent. That concludes our questioning. Thank you all very much for your time. We really appreciate your insights and the information you have provided the Committee.

Mr GOODALL: Thank you very much.

Dr MARCH: Thank you.

Ms FAIRFAX: Thank you.

(The witnesses withdrew.)

MICHAEL DONNELLY, President, Animal Care Australia, affirmed and examined

JASMINE STRAGA, Public Relations Representative, Circus Federation of Australia and Board Member, Oceania Fédération Mondiale du Cirque, sworn and examined

NICOLA CRADDOCK, Executive Director, Zoo and Aquarium Association Australasia, affirmed and examined

MAIGAN THOMPSON, Communications Manager, Zoo and Aquarium Association Australasia, affirmed and examined

The CHAIR: Welcome to our next session. Would any of you like to make an opening statement?

Ms CRADDOCK: As the peak body, the Zoo and Aquarium Association of Australasia represents the collective voice of the zoos, aquariums and sanctuaries across Australasia that operate to the highest standards. It does not represent circuses or mobile exhibitors and so we are strictly addressing the terms of reference in regard to exhibition of cetaceans only. The association runs a welfare accreditation program and has a progressive approach to animal welfare. We support 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.

Evidence under the four domains—nutrition, environment, health and behaviour—provide insight into the animals various experiences, which make up for the fifth domain, the mental domain. There are currently only three cetaceans in human care in New South Wales—at Dolphin Marine Conservation Park—and these have been assessed under two different frameworks as having positive welfare. The Zoo Aquarium Association Australasia [ZAA] has validated five domains assessment of these dolphins under our accreditation program. In addition the New South Wales Department of Primary Industries confirmed that the park operates to New South Wales regulatory standards for animal welfare.

The purpose of exhibiting cetaceans is to connect people with nature in an emotive way, advocate for protection of our marine environment, support marine wildlife rescue and rehabilitation and contribute to the vital conservation research. If exhibiting of cetaceans in New South Wales were phased out, there would be a missed opportunity for community education, science and advocacy and a facility equipped to care for unreleased rescue dolphins. There are currently no plans to breed cetaceans in New South Wales and no additional facilities can be granted a licence to exhibit cetaceans. However, ZAA believes that if positive animal welfare and appropriate genetic diversity can be supported and the animals are bred for the purpose of both welfare enhancement and conservation, that is, advocacy, education and research, then breeding is acceptable. Thank you.

The CHAIR: Does anyone else have an opening statement?

Mr DONNELLY: Yes, if I can, thank you. Firstly, could I ask the Chair to permit that this statement be tabled along with the additional attachments provided by Ms Straga? I think you have just had those handed up. I am the president of Animal Care Australia [ACA]. Joining me today is Ms Jasmine Straga. I will ask her to give a brief introduction following mine. ACA is a national incorporated association established to lobby for real animal welfare by those who keep, breed and care for animals. Our goal is to promote and encourage high standards in all interactions with the animals in our care. ACA encourages continued development of animal welfare standards and codes of practice for animal husbandry, breeding, training, sale and sporting exhibitions for a wide range of animal species including pets, companion animals, animals used for educational or entertainment purposes or kept for conservation. To encourage responsible pet ownership and the respectful treatment of all animals in our community, ACA continues to promote welfare education over restrictive regulations.

ACA contends that the community has an expectation that the welfare of all animals kept in our care is of a high standard and no less than the standards legislated, regardless of whom the carer may be—pet owner, zookeeper or circus. There is no expectation that through greater education and regular review of those standards any and all improvements to husbandry and welfare techniques are implemented constantly, improving welfare standards for all animals. Therefore in response to this inquiry ACA finds the community expectation is being met and to a high standard. There is no substantiated reason to call into question whether the welfare needs can be met in a circus environment or in a marine park. The ACA supports the continuation of breeding of animals as long as those overseeing their care meet the standards as legislated or raise those standards. The ACA opposes the need to phase out the ongoing care of animals in circus or marine parks.

The concerns raised within the terms of reference are not shared by ACA. However, ACA does have concerns relating to definitions within the terms of reference. Currently the Exhibited Animals Protection Act does not provide a definition of a circus; rather, it refers to a mobile establishment as outlined in section 22 of the

Act. That section provides a list of mobile establishments which include circus. Our question to this panel in reference to exotic animals held in a circus is: What defines a circus? Is it the intention of this inquiry to act under the definition proposed by the Hon. Mark Pearson in his 2018 proposed Exhibited Animals Protection Amendment (Prohibitions on Exhibition) Bill? That definition can and will encompass most animal exhibitions—both public and private. Mobile petting zoos, mobile educators, agricultural shows, local fairs, the film and television industry and even animal shows and expos would all be affected.

We question whether there is a broader goal at play prohibiting any exotic animal to be held within circumstances fitting that definition and not solely aimed at just Stardust or the Dolphin Conservation Marine Park—instead, one that would have a far-reaching impact on the community and all who are involved in any form of animals used for entertainment. This brings ACA to question the definition of exotic animal cited in the terms of reference: "any animal that is not native and is not a stock or companion animal." ACA notes there is no existing definition of an exotic animal in the Exhibited Animals Protection Act. Additionally the *Standards for Exhibiting Circus Animals in New South Wales*, published by the Department of Industry in 2019, has no inclusion of that definition. There is, however, the definition of a domestic animal recorded as being: "any of the various animals which have been domesticated by humans, so as to live and breed in a tame condition". For us this draws into question the validity of the terms of reference, given there are currently no animals or cetaceans held within Australian circus or marine parks that are not living in a tame condition.

Animals are no longer taken from the wild for the use in Australian circus, raising further doubt as to the authenticity of the use of the term exotic — unless this Committee is intending to draw down on the non-native element, which, if so, would then include, camels, water buffalo, macaws, foreign marine animals such as seals and the list would go on. Inclusion of the latter marine animals would immediately prohibit the capacity of the marine park to give sanctuary to any of those species deemed un-releasable, resulting in them needing to be euthanised. Stardust has publicly stated all their lions have been spayed and the Dolphin Marine Conservation Park has also publicly stated their dolphins will not be bred in the future. The community expectation there is that there will be no future breeding or exhibiting of these particular animals and as such ACA must question whether there is an underlying motive to this point of reference.

Should this Inquiry find it appropriate to phase out the ongoing care of exotic animals, whichever they are deemed to be, what is the proposed method of care for these animals? Ongoing animal rights social media posts state the animals should be moved to sanctuaries. Is the Committee aware the marine park is already recognised as a sanctuary for animals deemed un-releasable and that Animals All Around is already the home of retired zoo and circus animals—yet that is licensed as a circus, not as a sanctuary. Is this Committee willing to acknowledge a sanctuary for any retired animals still requires enclosures, requires cages, requires care of the animals and requires funding?

If animals are being well cared for and loved in their current spaces ACA asks: What is the point of uprooting the animals, forcing them to undergo higher stress during transportation, during quarantining, leaving behind the carers that they know and trust and the stress of being introduced to new surroundings, new carers, and potential new local environmental factors, such as polluted ocean that could not be filtered to levels they are already accustomed to? This action would most certainly be an animal welfare issue and not in the best interest of the animals. The focus on the caring of our animals should not be based on who or where they are being cared for, but how the welfare is maintained. Interference by those who anthropomorphise the agenda more often than not leads to negative animal welfare consequences.

It is our contention those who do not have experience in training or a realistic understanding of how any animal can or should be kept should not be involved in or influencing the care of animals. The determination of standards within any legislation must be influenced by the experts—that being those who care for, breed and maintain animals. We would like to thank the Chair and the Committee for allowing us to appear here today.

Ms STRAGA: I am on the board of directors of the Fédération Mondiale du Cirque whose patron is Her Serene Highness Princess Stephanie of Monaco. Our goal is to promote and protect circus globally with our history and our culture. We feel that this bill is discriminatory to a cultural minority and is based on anthropomorphism and not science. Our circuses around Australia have spent the majority of the last nine months under immense stress from the cancellation of tours due to floods, fires and COVID-19 that have plagued our country. As the Department of Primary Industries [DPI] already protects the welfare of our circus animals this bill is placing unnecessary further stress on small family-run businesses at a time when they need to focus on survival. The United Nations Educational, Scientific and Cultural Organisation [UNESCO] and the Parliament of the European Union [EU] already have shown their support to circus culture and history through the recent protection of tangible cultural listings and financial support through these difficult times. I ask for the New South Wales Government to do the same. Thank you.

The Hon. MICK VEITCH: Thank you for your attendance today. My question is probably directed to Mr Donnelly. Your opening remarks are pretty damning of the terms of reference. Would it be incorrect for me to deduct from your opening statement that you think there is a broader agenda here around more than circuses and dolphinariums?

Mr DONNELLY: No, that would not be incorrect at all. That is our assumption.

The Hon. MICK VEITCH: So animals and agricultural shows—that sort of thing?

Mr DONNELLY: Correct, yes. If those definitions remain intact as they are defined in the terms of reference, that would affect far more than just a circus or a marine park.

The Hon. EMMA HURST: Can I just confirm, are you referring to the definitions in a bill that was tabled in the last term of Parliament, or the terms of reference for this inquiry? There seems to be a lot of confusion.

Mr DONNELLY: There is a lot of confusion and that is actually a good point. The terms of reference that were put into the e-brief statement for this inquiry included the same definition that was taken from Mr Pearson's 2018 bill. Our question is: What definition is this inquiry going to be following? Because there seems to be a lot of confusion. Judging by that e-brief statement and that previous bill, our interpretation is that this inquiry is looking at Mr Pearson's definition for a circus.

The Hon. CATHERINE CUSACK: There is common language between the two. I am confused, too.

The Hon. MICK VEITCH: I want to ask a second question. Again, from your written submissions to the inquiry and your opening statements today, just to be clear, you do not see any need to ban breeding within circus environments or dolphinariums—would that be true?

Ms CRADDOCK: At this point there are no plans to breed cetaceans in New South Wales; however, as per my opening statement, we feel that breeding is acceptable in the context of conservation and positive welfare—if those two things are supported.

The Hon. MICK VEITCH: Okay, thank you. Mr Donnelly?

Mr DONNELLY: Yes, we would also support breeding. We do not see any reason why breeding cannot—in fact, our contention is that one of the primary welfare requirements for any animal kept in care or captivity—or even in the wild—is to breed. It is a part of their welfare. If they are not permitted to breed that is actually against the welfare needs of those particular species.

The CHAIR: Mr Donnelly, if we look to the definition that was in the e-brief and also in the Act, part of that definition states that an exotic animal means any animal other than a companion animal, within the meaning of the Companion Animals Act. Is it true that there are also circuses that have what would normally be considered companion animals, such as dogs and other animals that people can also have as pets? Is there not also potentially a danger that those animals in the circus that would normally be considered a companion animal outside of the circus may get caught up under that definition as well?

Mr DONNELLY: That is correct, that is true; that is the interpretation of this current definition. That is why Animal Care Australia is calling into question the definition and asking this inquiry to define it more clearly and tell us exactly who or what establishment this inquiry is going after or trying to prevent from existing, within that definition of a circus. Because, right now, when I read that, it states:

... fair, fun-fair, amusement park or similar place of public entertainment.

That incorporates a lot of things, including the film and television industry, bird expos, pet expos—you name it. At any pet expo or any reptile bird show that our members hold, we would have in the middle a centrepiece of whatever those species are on display for children to be able to associate with, to mix and mingle with and to meet and greet. That is an animal for entertainment purpose. If this definition is allowed to continue in its form there, that would stop.

The CHAIR: So, potentially, mobile reptile parks that you see at some country shows, where they serve an educational purpose about different venomous snakes and other reptile species, will be caught up under this definition?

Mr DONNELLY: They are. It specifically says there, "mobile exhibition" and they are mobile exhibitions.

The Hon. SAM FARRAWAY: Just to follow on from exactly that point—and I should declare, Mr Donnelly, I was the president of the Royal Bathurst Show for 10 years before entering Parliament, so I know a little bit about shows. If you think about a regional agricultural show or even the Royal Agricultural Society of

NSW [RAS] out at Homebush, so much of the principles behind what the agricultural movement is, is showcasing the best of their region, but exhibiting livestock—dog shows, cat shows, goats, anything. It is in a form of exhibition and competition. You could easily see, from what you are saying, that ag shows, broadly, could be caught up in this very easily with those definitions.

Mr DONNELLY: Absolutely. If you have a television industry that is relying on non-native animals as a part of that industry, they get caught into this as well. So all television shows that want to have any animal such as a hawk or any Asiatic bird species—a Burmese python, we have all seen people walking around with those lovely albino coloured snakes around their necks. They are not all native snakes when it comes to mobile exhibitors. Some of those mobile exhibitors have licence to hold exotic reptiles for the purpose of introduction and education to what is an exotic reptile—and what is not permitted to be kept in this country.

The Hon. SAM FARRAWAY: And it keeps going because, I suspect, you could find educational programs caught up in this because they exhibit animals, which can be drawn into the companion animals as well. I have seen educational exhibitions by ag students at an agricultural show that are used, and it is an exhibition and some form of competition because it is paid at the gate to go in. Do you think that the vagueness of the definitions and the push by some in parliament—maybe some outside of parliament in animal activist groups—that this is their ultimate aim and goal? To bring down the entire exhibition of any animal in this country?

Mr DONNELLY: I would have to say yes. Particularly if you went to any of the websites and looked at the policies around the keeping of companion animals there are lines and statements to prohibit the breeding of and a long list of all different types of animals that it follows through with. This certainly fits that same agenda of those particular policies, without question.

The Hon. CATHERINE CUSACK: On the topic of country shows, my dad used to exhibit stud cattle—put them in a truck, drive them to a show and exhibit the animals. There is a grand parade at every show, so all these farmers are exhibitors. Could they be caught by this, going from show to show to multiple locations?

Mr DONNELLY: Again, I would need to draw back to the other definitions. What you are talking about are cattle, which do not fit the definition of "exotic".

The Hon. CATHERINE CUSACK: Well, they are not pets.

Mr DONNELLY: They are not pets, so they are also not companion animals. Do they then fall under as a stock animal, if it is a cow that is being kept for the purpose of show?

The Hon. CATHERINE CUSACK: It is not accommodated in the language, is it?

Mr DONNELLY: That is correct. That is the vagueness, that is the ambiguity. Perhaps that is the intention of that ambiguity.

The Hon. CATHERINE CUSACK: I do not know if a camel could be a stock animal or a—

Mr DONNELLY: A camel is listed in the listings there—

The Hon. CATHERINE CUSACK: —feral animal, maybe?

Mr DONNELLY: Yes and no. Again, a camel is not actually necessarily clear within these listings. Is it a stock animal? In some circumstances, yes—the same as alpaca and llama are deemed as stock animals if they are being kept by a farmer for the purpose of breeding, et cetera. But if you are a person in a backyard not breeding—not keeping that llama—is it then still a stock animal or is it actually a companion animal? That is not clear either because if you look at what the Companion Animals Act states, it only states it is a dog or a cat or "any other animal that is prescribed by the regulations"—as an authority for the purpose of the Act—"as a companion animal". When you go on and you read that regulation, it provides a very long list of regulations that are surrounded by—if your animal is a voluntarily microchipped animal prior to a set date, it falls under this schedule and there are a list of regulations that you are allowed to or not allowed to use this animal with. If it is after that same set date, it is a different list of regulations. That then only means that if it is a microchipped animal could it be considered a companion animal.

The Hon. CATHERINE CUSACK: And these are all in different Acts of Parliament, aren't they?

Mr DONNELLY: Yes, they are all in different Acts of Parliament. Just from this one definition we are jumping three or four different Acts to try to find what this inquiry is investigating.

The Hon. CATHERINE CUSACK: Can I ask you about other States' regulatory environments for circuses and for the exhibition of animals compared to New South Wales? Do you have any observations?

Mr DONNELLY: I personally do not have that knowledge in front of me. I could take it on notice or perhaps Ms Straga might know how other States—

Ms STRAGA: I would have to take it on notice. There are certain different rules regarding what is considered exotic or domestic but apart from that I would have to take it on notice. There are only very small definition differences but the welfare regulations are pretty much the same.

The Hon. CATHERINE CUSACK: It seems to me in Queensland, because I live up near the border, that there are many great attractions—the Currumbin birdlife park, they have Sea World, they have crocodiles. There are multiple opportunities for visitors to Queensland to interact, often with wildlife—I will admit that. But it seems to be they will have things open in Queensland, whereas I only ever hear about things closing in New South Wales. It just does not seem as easy here. Do you see New South Wales as—

Mr DONNELLY: I was going to ask you, "Is that a question or is it just an open statement?"

The Hon. CATHERINE CUSACK: Well, it is an observation I have made. I am wondering, what is the difference in the approach? Is it a—

Mr DONNELLY: I would have to say on a personal level I would agree with you. I make the same personal observation. On behalf of all of the members I would literally have to go back and ask them how much they have struggled under any of these things and why they have closed or not closed.

The Hon. CATHERINE CUSACK: In terms of a circus, say, my common understanding of a circus, just to proceed with the question, can it travel across the border—it cannot now, but could it have travelled across the border to another State? Do they need different licences to do that?

Ms STRAGA: Yes, they do. They need different licences in each State that they go to and they also have to make sure that they adhere by the different welfare in each State. Just to answer your question before, I think one of the biggest factors of shows running in Sydney and New South Wales is the expenses are a lot higher here for land rental and things like that and a lot of councils have pushed circuses out of their land. They do not have many options of where to go due to a lot of the building and things like that that has been happening around. So I think it is a lot more difficult to be here but then you have a lot of shows that are from New South Wales and so they want to spend the majority of their time—this is essentially their home even though there is not a static position, I guess.

The Hon. CATHERINE CUSACK: I did want to ask about that campaign for councils to ban circuses in their local government areas. When did that occur and how did that manifest itself across different councils? Lismore council up my way has a ban on it but it is fine in other council areas. It seems so random.

Ms STRAGA: I am under the belief that a lot of the animal rights companies in Australia have a lot of representatives that are actually sitting on council. We have seen a lot of crossover between these groups. We believe that they are using those positions and coming in with a biased point of view to be able to judge local businesses that are trying to enter. Unfortunately because circus does not have a physical location or a physical business they usually fall through the cracks with a lot of things and they are always the first one to be affected by new legislation.

The Hon. CATHERINE CUSACK: They are not a massive industry with a big lobbying arm or association, are they? They are family owned businesses.

Ms STRAGA: They are all family run, yes.

The Hon. CATHERINE CUSACK: When people are attacking them in courts with legal actions and in councils is there any capacity to counter that political force?

Ms STRAGA: It is extremely difficult because they do not have a huge income and we are not in Europe so we do not have cheap labour like in Europe. Everyone is paid quite high wages. So to be able to set the show up, to bring everything to fruition there is such a huge expense in time and financial expense as well that there is not a lot of time to be fighting all of these people. If you can put it into perspective, too, we are fighting this today in New South Wales. We fought another one in Queensland not so long ago. So we are constantly on the defence to protect our culture and our traditions. It is not just in government. It is also when you are showing, because these animal rights extremist groups are organising protests. We might have a full house on these shows but when you have got these protesters there screaming at children and creating what I consider a very unsafe or a not very nice environment for these kids—often promotional materials are torn down, things are set on fire, things are stolen. And these are all by extremists, so they are constantly affecting the business. There is a lot of expense associated with those.

The Hon. CATHERINE CUSACK: Thank you.

The CHAIR: Ms Craddock, in your submission you cite another issue around definitions in the terms of reference. It is around the definition of welfare. Would you like to expand on that and on what you see as the problem with not really having a clear definition of what welfare is in the terms of reference? With the fact that there is a bit of subjectivity in the community around what people consider as welfare, do you see that as detrimental to rational debate?

Ms CRADDOCK: Our position on this is to have, a little bit like Mr Donnelly, a clear definition on what we are speaking to. "Welfare" we find can be very easily interchanged between welfare and ethics. So in heading up our submission we wanted to be very clear on the definition of welfare that we follow—it is the definition that is adopted by the World Association of Zoos and Aquariums as well—and position our statement against that. Very clearly we are talking about a science based assessment of welfare for animals in human care within the context of our zoo and aquarium members, not on an ethical position.

The CHAIR: I note in your submission you drew questions around the construction of the questionnaire that we had up on the website. I think you posed some questions about how that was formed and what have you. I thought on behalf of the Committee I would explain that process. The questionnaires are a new evolution of how we elicit responses from the community. It is also in response to a high number of proforma letters that we get with some of these inquiries. It was a way of diverting people away from those stock standard proformas that people just copy and paste and essentially spam inquiries more to an individualised approach in terms of people putting their thoughts through. How the questions are devised comes from this Committee. I guess it is a collaborative approach in terms of developing what questions, what things we want to tease out of participants. Just for your benefit and your association's benefit and for anyone watching, that is how those questionnaires are formed. I note that someone else also raised it in another submission as well.

Ms CRADDOCK: Can I comment on it?

The CHAIR: Yes, for sure.

Ms CRADDOCK: The purpose of raising that was to understand how you had gathered the information of community perceptions under which you were launching this inquiry, so it is good to understand that. Some of the questions we have in addition to that are how you are targeting various different demographics. If you are relying on information coming in it is coming in from one source of opinion rather than you having the opportunity to go out in a scientific way and measure data of people's opinions, the community's opinions across a broader demographic.

The CHAIR: Obviously that is something the committee secretariat and all inquiries can probably take on board and move forward with. Thank you.

The Hon. EMMA HURST: I have a couple of questions for Ms Craddock and Ms Thompson. We have just heard from Dolphin Marine Conservation Park and they have talked a bit about a proposal to move the dolphins into a sea pen, which is kind of like a semi-retirement of these dolphins. Are you aware of that proposal that they are putting forward?

Ms CRADDOCK: Yes, we are.

The Hon. EMMA HURST: Are you supporting of that proposal? I understand, obviously, it is at the beginning stages of the feasibility studies and there are still welfare studies to be done but what is your general position?

Ms THOMPSON: We support that feasibility study. If that were to find that the welfare would be enhanced for the dolphins and that security and biosecurity could be well supported in those circumstances we would be supportive of that.

The Hon. EMMA HURST: They have also asked for government funding to help build that into something much bigger, to make it a sanctuary for any animal that becomes injured. Are you supportive of that on behalf of Dolphin Marine Conservation Park?

Ms THOMPSON: Again, if for those different species the welfare, the biosecurity needs and the security needs were supported and that also feeds very well into one of the core purposes of many of the organisations we work with around wildlife rescue and rehabilitation.

The Hon. EMMA HURST: The current standards for exhibiting dolphins have not been reviewed or updated since 1994. As an association that is dedicated to ensuring animal welfare, does that concern you?

Ms CRADDOCK: At the Zoo and Aquarium Association we have our own accreditation program, which is very centric around animal welfare. Our program, we feel, requires higher standards in a lot of instances. So the fact that those regulations have not been updated, to be a member—which Dolphin Marine Conservation

Park is—they need to perform and be able to provide evidence of positive welfare that sits above those standards in any case.

The Hon. EMMA HURST: I understand that you cannot speak on behalf of circuses but there were some comparisons earlier this morning with regard to some of the differences between zoos and circuses. In the current zoo standards, the minimum enclosure for a lion, for example, is 300 square metres. Are you comfortable with that size of enclosure for a lion kept at a zoo?

Ms CRADDOCK: The members that we represent—the Zoo and Aquarium Association—I would say it again: They do adhere to our accreditation program where we look at the welfare, or the promotion of positive welfare, from many different aspects, so it is based on an individual animal and the environment, in the instance of your question, of an individual animal and the provision of evidence to demonstrate that that animal is being able to perform and live through its natural behaviours.

The Hon. EMMA HURST: With regard to the size of the enclosure, do you think 300 square metres is adequate, as far as where the standards sit?

Ms CRADDOCK: If those are the standards that have been decreed by the New South Wales Government, then those are the standards that are decreed by the New South Wales Government.

Ms THOMPSON: I would add perhaps as well that there is a lot more that goes towards the environment outside of the space as well, so things like refuge, different substrates and things like that so that the animal can engage with its environment in a positive way so it is not simply about size.

The Hon. EMMA HURST: Mr Donnelly, is Animal Care Australia supportive of Dolphin Marine Conservation Park's plan to move into a sea pen?

Mr DONNELLY: Animal Care Australia will always put the welfare of the animals first, so we would concur with the answer that has been provided by ZAA because, for us, they are the experts in that particular field.

The Hon. EMMA HURST: You spoke about breeding and said you had concerns about stopping breeding. Why do you think both the circus and Dolphin Marine Conservation Park have both stopped breeding voluntarily?

Mr DONNELLY: Because of the way in which the animals are actually being held. I mean, the lions themselves have been spayed and the dolphins are all related so it is not in the best welfare interest of those particular dolphins to be interbreeding, for starters, and that is just me, as an amateur, answering that from that perspective. I do not think that stopping breeding in a circus is actually what we are agreeing to either, though.

The Hon. EMMA HURST: No, I understand that.

Mr DONNELLY: Yes, because, as I have pointed out, Animals all Around sanctuary—circus that is sitting outside western Sydney has animals. They do have the welfare right to continue breeding.

The Hon. EMMA HURST: Where did you get that information? When we spoke to Jan Lennon this morning, they said they were undecided about whether they were going to stop breeding the lions. They said they have not been breeding but they were undecided about whether they wanted to continue to breed in the future.

Mr DONNELLY: All we are relying on is public statements that have previously been made by Stardust that the animals are currently spayed and that they are not breeding and that they had at that time no intention to continue breeding them then, when they made those public statements. It is not to say that we were saying that they are going to continue to stop. They are their lions. It is their decision, not ours.

Ms STRAGA: If I can just jump in: Yes, the regulations do say 300. The circus often exceeds those regulations. Even up to 800 square metres, they had in Penrith at one stage, as well. They have an indoor facility as well that they can freely roam in and out of, that also has reverse cycled air conditioning. With the breeding thing, I will agree with Mr Donnelly but I also think that the main reason why that statement was made originally is because they have been bullied non-stop.

The Hon. EMMA HURST: In regard to stopping the breeding?

Ms STRAGA: Yes, they have been bullied by animal rights extremists. They were under a lot of stress and that was how they felt at that time when they made that statement.

The Hon. EMMA HURST: Earlier we heard from Dolphin Marine Conservation Park. They talked about trying to get some government funding to help them change their business model so that they could retain the animals but have them in a high-welfare situation. Jan Lennon told us that they already had retirement plans set up for the monkeys and the lions if that had to happen. I put the question to her, and I put it to you and ACA:

Would you support government funding of those industries to help with that retirement plan if that was the avenue that they went down?

Ms STRAGA: I cannot speak on behalf of Jan Lennon, I am sorry. It is her business and they are her animals.

Mr DONNELLY: Again, ACA would refer to the owners of the animals and what they feel is in their best interests. They are their animals. We would support their decisions.

The CHAIR: Thank you for making submissions to the inquiry and for appearing before the Committee today. It has been insightful and helpful. I do not think any of you took questions on notice but, if you did, the Committee secretariat will contact you and advise you about that.

(The witnesses withdrew.)

(Short adjournment)

ISABELLA CLEGG, Cetacean Welfare Scientist, Founder, Animal Welfare Expertise, before the Committee via teleconference, affirmed and examined

The CHAIR: Would you like to make an opening statement?

Dr CLEGG: First of all, I might sound a bit muted, I came out of hospital yesterday. Nothing serious, apologies if I am not as tenacious as I would normally be, but I really wanted to take part in the inquiry. I am a welfare scientist and have founded Animal Welfare Expertise, which is an independent consultancy which advises and does welfare assessments for not just cetaceans in captivity but all different types of animals, mostly zoos and aquariums, but other animals too. I have degrees in animal welfare, marine mammal science and my PhD was on assessing dolphin welfare in captivity, which as far as I know is the only one in the world at the moment. After my PhD I set up Animal Welfare Expertise. I use "C-Well" framework to assess the welfare of dolphins and cetaceans specifically.

I sent around a copy of methods of that to the Committee before this hearing. In 2019, I conducted this welfare assessment on both the dolphin marine conservation park dolphins as well as the Sea World dolphins up in Queensland. Since late 2019 up until now I have also been doing some long-term consulting with Sea World to help improve and implement the recommendations from my assessment. The last relevant bit to the inquiry is that since 2018 I have also worked with the Beluga whale sanctuary project, which at the moment is the only sanctuary—at least until recently they had some with bottlenose dolphins—that has two Beluga whales living there in Iceland. I have been assessing the welfare of the Belugas before they went to the sanctuary and now will do so after they get there and as they acclimatise and I've been having some of the same conversations that you will be interested in about welfare in a different type of environment.

The Hon. EMMA HURST: Thank you for calling in for this inquiry after having just had an operation, considering your circumstances. You conducted a welfare assessment on the three dolphins at the Dolphin Marine Conservation Park using the C-Well model and from what I understand this model is used to evaluate the welfare of dolphins already in captivity but it does not determine whether the dolphins would have been better off living in the wild or captivity, it does not make that comparison, is that correct?

Dr CLEGG: Yes, that is true. It assesses the welfare of the dolphins in front of the assessor. We did do a prospective assessment that is based on theoretical assumptions about what the sanctuary would be like but I went to each of the measures and gave a prospective score for each of them if they were to be living in a sanctuary environment. That is very hypothetical at this stage.

The Hon. EMMA HURST: You assessed Zippy, Bella and Jet, the three remaining dolphins, and you said that they were good candidates for a move to a pen. You stated in your report that you believed their welfare would be improved as long as they had sufficient time and training in advance. Can you talk a little more about how that welfare would be improved if they moved to a sea pen?

Dr CLEGG: Yes, of course. I think the first thing to say, and Terry and everyone agreed, is that everyone knows that the Dolphin Marine Conservation Park facility is quite old and quite small relative to what some of the modern facilities are like and what it could be. That is the obvious first parameter that would be improved, is that the dolphins would have more space and that is not just so they can swim around physically, it is so they can avoid each other if they want to, they have more areas of the enclosure to do different activity, they have more depth, which is always great. That would be an undeniable positive. The enrichment side of things as well. Obviously, having live fish and a difference of topography on the bottom of the enclosure would be more stimulating than a uniform pool that they have at the moment. I still think, as was touched on earlier, training sessions and enrichment would need to be added to the pool such as structures for them to play with, puzzle feeders, things for them to do. Because Duan was saying that after acclimatising they will definitely still need to be occupied during the day.

But, the baseline environment that they will have will be more stimulating than the one they are in now. I made the point in the report that I do think they would be good candidates and there is no reason to say why their welfare should not be improved but it is very dependent on what that enclosure is going to look like. In the report I was basing it on the information that was given to me which was that there would be a seawall and it would be protected but there were a lot of unknowns regarding the noise and the water quality in the harbour and if there was another site there is the same kind of questions. It is also good to remember that it is a very conservative judgement. There are a lot of unknowns.

The Hon. EMMA HURST: There are a lot of feasibility studies to do before anything is decided?

Dr CLEGG: Yes, I think another prospective assessment would be really useful once we have the final sanctuary location and set up, the enclosure walls, the water quality and the noise assessment; if we could do all that as well as another prospective assessment it would be much more accurate.

The Hon. EMMA HURST: I know you said that the dolphins would need to have continued enrichment, even in a sea pen, the use of balls and interaction because that is what they are used to. What is your position on continuing public shows and performances or swim with dolphin activities if that was in a sea pen?

Dr CLEGG: Firstly, at the moment, there is no research either way on whether it is damaging to the dolphins or whether it is beneficial. From my experience working with them and around this problem it can be beneficial as long as it is variable and not repetitive and the dolphin always has a choice to participate in the interaction or not. There is no reason why it should not be included and if it is part of that viable business model I think if it is done properly there is no reason why it would decrease welfare. However, I have definitely seen in other places around the world where it is repetitive five times a day and it is the same routine every time and the dolphins do not have a choice to not participate. There is not enough evidence to say that equivocally shouldn't be done, but it would slightly depend if it brings in important revenue that could then be spent on the dolphins, otherwise I think it would be valuable.

The Hon. EMMA HURST: This morning when we spoke with Dolphin Marine Conservation Park and we were talking about possible issues if the dolphins are not moved to a sea pen and able to interact with other rescued wildlife that eventually there would be two dolphins and then one dolphin and the only proposal at that stage is that the dolphins would be moving possibly to Sea World. Would that be an improved welfare situation or a negative welfare situation if they were introduced into Queensland?

Dr CLEGG: I think if there was only two of them left it would be an improved welfare situation because at that point they really do not have the choice of social partners or variability that way. Three animals—as Mr Goodall was saying—is just about on the border and I think it would depend about how they seem to be getting along now. If I go up and do another welfare assessment—which I think is in the books to happen—that will hopefully give us a bit more information about how they are doing now. I think it is on the borderline. I would make my decision based on what behaviour we are seeing in the dolphins, especially it is great we have got the data from last year when there were five of them, so now we can see when there is three of them is their welfare level significantly lower or not. If it is not dropping I would say then it might be best to keep them where they are for the moment because, as Mr Goodall says, this is all they have known and as long as their welfare is not getting worse—and even hopefully getting better with the improvements that the Dolphin Marine Conservation Park have been making—then that would be my first flat judgment of it, but definitely I would want to base it on what behaviour I am seeing.

The Hon. EMMA HURST: Your report also found a number of health issues and practices that concerned you. Can you give the Committee any detail about some of the issues that you found?

Dr CLEGG: Yes, sure. I think the main one, the health issues were the animals' iron and teeth problems. Teeth-wise they had all quite worn down teeth. Bucky especially had a few more cracked teeth than the younger animals. It seems to be that although the teeth wearing down is not a health problem, such that it is not causing them pain because there was no infection mostly, it is an indicator of how much they were playing with the balls in the pools. That then linked to the other main recommendation or concern that I had was the variability and enrichment, which suggested that really they were mostly just playing with balls, that there were not many other different objects or puzzles or cognitive challenges for them to do in between those sessions. That was really my main recommendation, to become more inventive and innovative with all these different ideas and objects that you can put in the pool for the dolphins to interact with.

Some of the other concerns were anticipatory and attention-seeking behaviour. A lot of the time when the trainers are walking around the pools and it is not during the training sessions, or even just if there is no-one around the pools, the dolphins were waiting a lot for the training sessions to happen. That is sometimes a sign of them not having enough to do in between the sessions. That was also linked to providing them with more enrichment, possibly making the training sessions more dynamic and variable. In the case of Calamity, she was being held out from a few training sessions for some other reasons, so I was suggesting that she actually be included in more training sessions and more public interactions because she was getting frustrated at not being allowed in there. They were the main problems.

The Hon. EMMA HURST: You also highlighted some stereotypic behaviours. Why do stereotypic behaviours concern you?

Dr CLEGG: Yes. That was Zippy in stereotypic circle swimming. This was something I did not see really—you have it in the report the actual percentage, it was not seen for that much of the time. I saw it for a

percentage of the time that he was swimming around. He was swimming around in these repetitive circles. This is notoriously hard to define, stereotypic circles, especially in a small pool because if the animal does not want to stay stationary, if it wants to keep moving, and it is a circular pool, that is really the only pattern he can do. The question is whether he is performing it like a mantra, like a repetitive behaviour, or whether he is just trying to swim normally around the pool. I did not have enough information really to say why he was doing it. I flagged it as a concern, and again I think the key there is to keep things variable and interesting in between those sessions and to get him moving to different pools and interacting either with different dolphins or different trainers. Because without food the trainers interacting with the dolphins outside of sessions is also really important and something that I would definitely recommend for—still in the sanctuaries—having those trainer-animal bonds.

The Hon. EMMA HURST: You also found the dolphins had keratitis or eye pathologies. Why would this be?

Dr CLEGG: Yes. I cannot diagnose that with my own—I did not have the eye equipment, but that was what it looked like. Then I had seen a report also from another eye expert who had assessed it as likely because of not enough shade around the pool and also sometimes a light-coloured pool covering can increase the amount that the light is reflected back into the animals' eyes as well as sometimes water quality issues. I am saying all those because we do not yet know which one of those and how they interact, which of those factors really causes those kind of eye problems. It is also something that could have happened ages ago and does not directly link to the environmental conditions at the moment. But, yes, definitely there were eye problems and more shade is always recommended. The parameter that I use for the C-Well assessment is: Is there enough shade for all dolphins to occupy at the same time if they wanted to? And there was at Dolphin Marine Conservation Park. But there are other things that you can do to reduce eye problems, like not having the trainers always standing up above the dolphins so that the dolphins have to look into the sun, having them maybe at a low level, or obviously shade above the bit where they get fed.

The Hon. EMMA HURST: Were the kinds of problems that you found at Dolphin Marine Conservation Park unique, or would you expect to find similar kinds of problems in other dolphinariums due to the nature of these establishments?

Dr CLEGG: No, they were not unique. Calamity's behaviour, she had an abnormal—they call it a fluking behaviour, where she would hit her tail on the side of the pool. That was not something I see the whole time, but she has a very unique history. As Mr Goodall was saying earlier, she had been entangled by her tail twice and had this traumatic start to life really, start to her life in captivity. I do think that that could have played a big part in her behaviour. In terms of the other dolphins and the other problems; no, the issues were not unique. I would say it is still hard to say sometimes whether these problems come from practices that happened 10 or 20 years ago, or whether they are coming from practices now. That is something to be aware of and probably that will apply if the animals do move to a sanctuary or a sea pen some of these problems, like eye problems, might continue to occur.

The Hon. EMMA HURST: It might be long-term health issues from being in captivity, which may not necessarily improve, but some other areas might improve?

Dr CLEGG: Yes, exactly. I also mean that there will be the same challenges to face when they are in the sea pen, like with the sunlight in their eyes, the dolphins will still have to look upwards during training sessions. If that is how they are continued to be held, then we have to think about shade over the bit where they are trained or training them from slightly lower down. Circle swimming, that could also still take place. It would have to be ongoing room for assessment to see how and if their welfare is actually improving.

The Hon. EMMA HURST: Are you familiar with the 1994 dolphin standards in New South Wales?

Dr CLEGG: Yes, I am.

The Hon. EMMA HURST: Do you think that they are sufficient to ensure good animal welfare under your C-Well model?

Dr CLEGG: I do think they are a bit outdated. They were at the time—and even up until 2010—as far as I remember they were the leading standards in the world, but I do think they could be updated. I was going over them again today. Especially there were a few bits on keeping animals together, like social behaviour and things like that. I think largely they cover all the different domains—the five domains of the animal's life—but I do think they need updating.

The Hon. EMMA HURST: I have just got one more question before I hand over to the Hon. Mick Veitch. Dolphin Marine Conservation Park suggested as one of the recommendations for this inquiry that a working group is put together on this particular issue to look into a sea pen. I think he mentioned your name as

being somebody that should sit on that working group, which is kind of a collaboration with Government. Would you be open to being on that working group?

Dr CLEGG: Yes, of course. I would be happy to.

The Hon. EMMA HURST: Great. Thank you.

The Hon. MICK VEITCH: I hope you can hear me because we have had issues along the day with technology.

Dr CLEGG: Yes.

The Hon. MICK VEITCH: We have heard today about a plan or a suggestion of relocating the dolphins to sea pens either at Coffs Harbour, near the sea wall, or further into another location. Could you just explain to the Committee what would be the transition time frame and some of the issues that might occur or that should be considered in relocating the dolphins?

Dr CLEGG: Yes, of course. I will speak from the dolphins' side of things and getting them ready for the move. I think I put in my report that at least a year would be good, from the time when they first start to get trained to—so, to move the dolphins from one site to another they will have to be put into a stretcher and then put on a truck or transport. Especially considering a couple of these dolphins—Zippy, the older one, in particular is quite neophobic, in a way. He is only used to that environment that he lives in and is not comfortable with a lot of new things. I think it will take a long time to build him up slowly, to get him used to that whole process of getting in a stretcher and being able to be moved—and increasing the variability he sees in the environment anyway, in the Dolphin Marine Conservation Park [DMCP], so that he is more comfortable with it out in the sea pen. So, I would say about a year. That is not including all of the other work that would need to be done to get the sanctuary ready and do all the tests and water quality stuff. But, dolphin-wise, that is what I would say.

The Hon. MICK VEITCH: Would it be fair to say it would be a high-risk exercise?

Dr CLEGG: I am not sure about high-risk. I think if you did have the time and could build the dolphins up slowly to be more comfortable with the whole thing, I think it can be done. They have just done it with these belugas in Iceland, where they moved them from China to Iceland. It was a huge, long journey. They have been in an indoor pool for a year and now they have just moved to the outdoor pool. Obviously in Iceland the water is much colder. Transport networks are much less set up and easy to get belugas around. They have managed to do it, so I do not think it is impossible at all. I think as long as there is a protocol in place—you say "high risk". Obviously the dolphins could be moved to the sea pen but if there are any real problems they could be moved back to Dolphin Marine Conservation Park. That is a real bonus in this—it is not that far away. It is not hours or countries away from where they originally started, so you do have a backup plan in place.

The Hon. MICK VEITCH: And how long would you suggest that backup plan be put in place for? How long will it take for the dolphins to acclimatise or settle into their new environment?

Dr CLEGG: I think that is hard to say. Each of those dolphins will have different thresholds for what their plan B should be. If one of them starts showing certain stress-related behaviours, that is where the DMCP and the trainers will be key because they know those animals and they know what they look like when they are stressed. Dr Duan March and the vets will be monitoring them health-wise. They will be checking their bloods and stuff. I think each dolphin will probably have a different threshold. If nothing goes drastically wrong—i.e. if they carry on eating and they are interactive with their trainers—I would say, completely off the top of my head, maybe three months until they are getting comfortable enough to start exploring the rest of that pen. I imagine there will be a smaller, almost medical pen within the sea pen, and then a larger pen around that. So, they will probably first be put into a smaller pen within it. Hopefully within three months—yes. You would hope that they would be comfortable enough to explore but it could be longer. It could be shorter.

The Hon. MICK VEITCH: So, are you saying that the medical pen or the initial pen would be of a similar size or slightly larger than the one they are currently in?

Dr CLEGG: Yes, and it could be within the sea pen itself. You could have a larger sea pen and just a smaller, netted-off area as a medical pen. This is just so that at the beginning when you first put those animals in you can—if something goes really wrong and one of them completely freaks out and decides to stop breathing or something, you can go in and get it. If you put them straight away in the larger pen and something goes wrong, you have got no way to really quickly be able to get the animal back. Of course, for the future, to be able to have them well-trained to come back into the pen so that they can easily be taken out of the water is vital. For example, it is a long shot, but if there is an oil spill or something—a red tide, which means that the animals have to get out of the water and go back to DMCP temporarily—they need to be able to get them out of the water safely and

quickly. Usually having them within a medical pen—having that area conditioned so that the animals know if they come in there they are going to be taken out and they are well-trained for that.

The Hon. EMMA HURST: I have just got one more question. One of the things that Dolphin Marine Conservation Park put forward was that the next stage would be to ask the Government for some funding just for those next stages of the feasibility study. Is that something that you support as well?

Dr CLEGG: Yes, I definitely would.

The Hon. CATHERINE CUSACK: Given your international expertise, how do our animal welfare laws compare with those of other jurisdictions that you have worked in?

Dr CLEGG: I can more closely speak for the zoo animals. I have also met Ms Craddock and the Zoo and Aquarium Association Australasia [ZAA]. Looking at what they are doing as well as the legislation, in my opinion they are pretty high up—especially how ZAA are choosing to assess welfare in relation to the legislation. It is really advanced. As far as I know there is no other association that is looking at such animal-based measures of welfare, but I am not as well acquainted with the actual legislation for New South Wales and for Australia. But in terms of how zoos are talking about it—how charities and animal activists are talking about welfare and are aware of all the different ways to measure welfare and what it means—I think you guys are pretty advanced.

The Hon. CATHERINE CUSACK: You have worked with Sea World. We do not have Sea World here in New South Wales so I do not think they have given any evidence to our inquiry, but the fact that they are engaging you as a consultant suggests that they are trying to get some best practices and expertise. Can I understand your position in relation to the exhibit of dolphins? Are you saying that it is possible to humanely have these exhibitions and that there are best practices that can be achieved, where the wellbeing of the animal is something the community would be happy with, or do you believe that is an impossible mission?

Dr CLEGG: It is a great question. My position is that I believe that it is possible to keep cetaceans under human care and for them to have good welfare. It is still not common, I do not think. It is a hard thing to attain for lots of different reasons—because of the way the industry used to be, because of the money that is needed to be put in there, because of public perception. Lots of places are spending all their money on defending themselves or lobbying as opposed to—they do not have enough money to spend on animal welfare. It is my personal position that I do think it is possible.

In my own personal interactions with the public on this and sharing my work, that is something that people are very surprised about. Obviously it is seen as a very black-and-white debate; either you are very pro-zoo or pro-dolphins in captivity or you are anti. I do think there is definitely a middle ground. It is also my position that I think as much as I do believe that zoos are educating the public, I also think that there is a real chance they might have to be refuges for species going extinct in the next decades with the way that we are going. I think it would be a waste of all our expertise and experience as well as all the progress that we have made to shut down zoos and aquariums now and to not have that almost Noah's ark option if we need it for animals in the future.

The Hon. CATHERINE CUSACK: Many of these businesses are financed, I guess, by the tourism aspect of their operations but there is in fact a lot of research and knowledge-gathering, is there not, in organisations like Sea World that would not be taking place without that complete operation.

Dr CLEGG: Yes. Do you mean taking information from visitors?

The Hon. CATHERINE CUSACK: Yes and just how you care for injured animals. They are very involved in rescues. I know that.

Dr CLEGG: Oh, yes.

The Hon. CATHERINE CUSACK: There just does not seem to be another organisation like Sea World with that expertise in relation to caring for injured wild animals. Everybody gets very distressed, including me, to see beached whales and these events in the ocean.

Dr CLEGG: Yes, exactly.

The Hon. CATHERINE CUSACK: It seems to me beneficial to have expertise and a body of knowledge.

Dr CLEGG: Yes.

The Hon. CATHERINE CUSACK: I cannot see how that can be maintained if there is not this tourism/public education role that they perform as well to finance all of that work.

Dr CLEGG: Yes. I think that is something that I have seen that is different in Australia to other countries in the world in relation to dolphins in captivity—Sea World especially now, but obviously the Dolphin Marine Conservation Park [DMCP] that also had two dolphins rescued from the wild. You guys have much more dolphins being stranded and non-releasable on your coast than other countries seem to. As Mr Goodall mentioned this morning, I really think that has to be a viable or relevant part of the conversation, what happens to DMCP, as is what would happen to stranded dolphins who for most of them obviously it is our human causes by which they are becoming stranded and injured and not being able to be released. Would the public be happy with them being euthanised? For example, in the UK where I am from there is no dolphin in captivity and any dolphin that strands on the beach, whether it can survive in captivity or not, even if it can be rehabilitated it has to be euthanised. There is no option for it.

Yes, I totally agree that both the DMCP and Sea World are massive hubs for doing good and rescuing animals like that. Apart from the welfare side, which I think with all of the animals we have gone so quickly with how we are measuring and improving welfare in captivity, it is just that the public perception side has swung the other way. In my view, it really is not in line with the work that is being done. I think that is what people want sanctuaries to be—a different approach or a different attitude to keeping cetaceans in captivity. They are not money-makers or whatever. Sure you can collect money from people coming to see them but it is more like what Mr Goodall has been setting up. It is more of an NGO or a non-profit model. Really it is more visible that the money the tourists are paying gets put straight back into the environment and conservation and all that.

The Hon. CATHERINE CUSACK: I appreciate all your work emphasises this point that it is not a black and white issue. Have you given some thought to how we should be bringing together good science into this issue? Your work is unusual, as you have mentioned. I am not sure if you have colleagues or if there is any sort of an association, but if there is some way that this type of research and thought could be brought together to have a better informed public policy? I wonder if you have thought about that, given the variety of locations that you have worked in.

Dr CLEGG: Yes. It is a great question. I guess you would be talking about are there welfare scientists who are ready to engage with these kinds of debates and share their expertise and, I guess, getting expert roundtables together. There are a few groups who I am aware of—some of them are in Australia and some of them are international—I am sure it would be great to engage with one of them. One of them is the Animal Welfare Collaborative, which is seen to be collaborative between the University of Queensland, Melbourne and a few others. I can put you in contact. Their mission really in all animal industries is to provide basically that welfare-science voice, which, similar to this debate, basically makes people think again and provides that middle ground. Even for animal exports or lab animals to take it back, I guess, to that objective welfare data which can help better inform both activists as well as the zoo community. So, yeah, definitely. I do not know if people are as cohesive as one group that always meets together and can give one opinion but there are definitely a few groups around which I would be happy to put you in contact with.

The Hon. CATHERINE CUSACK: Thank you. One last question: In terms of transfer of knowledge, which you referred to in answer to an earlier question, how is that best done in terms of people who are actual carers—like, getting their hands wet caring for the animals. How do you learn to do that? Is it all based on the actual facility itself where they have their own internal training, or are there programs or standards in relation to animal care?

Dr CLEGG: I think that is something which also has changed massively in the last 20 even 10 years where people and keepers used to be trained only on science and health and they used to learn what people taught them at the facility. Now, first of all I think lots of facilities are requiring that trainers have degrees in some kind of animal science and certainly there are lots of animal care colleges and courses that trainers can do. I am slightly new to Australia. I only moved here earlier this year but I think a TAFE program does amazing animal care and there are lots of students at the DMCP I was talking to who were doing their own animal behaviour studies. I think that is one way that the knowledge gets transferred. So, yeah, there are more and more colleges that teach people how to look after animals. Of course those are then also are being more and more informed by welfare science and the more objective ways to consider welfare as opposed to just the more emotional, "Oh I think that animal is happy", or not.

The Hon. CATHERINE CUSACK: So there some ethical component, is there, in that kind of training that you are aware of?

Dr CLEGG: I would imagine so. I could not speak for it because I have not done it myself but for my undergraduate course, which was animal behaviour and welfare, that is something that you would imagine maybe a trainer would do as an undergraduate degree. If there was an ethical component, yes, obviously you have your

objective welfare information and then the public perception, and then that all mixes together to determine how we think ethically about these things. So, yeah.

The Hon. CATHERINE CUSACK: What about veterinary services? Is it a very specialised area for vets? Are there enough vets?

Dr CLEGG: Also a really interesting question, I think, about something that is just being realised now. That is something that all types of vets, small animal vets too, have not traditionally been that concerned with, animal behaviour or animal welfare. This is not a slight to vets at all—I think they do an amazing job—but it is just how the different fields have evolved. Obviously you evolve only in your field. Welfare is something that encompasses veterinary, cognitive and behaviour as well. I think slowly more and more vets are becoming aware of the impact and advantages of looking at the medical issues and the behavioural side of it and the welfare side of it. I think more vet practices are working with either behaviourists and sometimes with scientists. Certainly at the zoo I have always worked closely with the vets. I am sure in Australian zoos that happens too.

The CHAIR: Dr Clegg, that concludes our time with you this afternoon. Thank you very much for all your time and your valuable insight.

(The witness withdrew.)

The Committee adjourned at 15:42.