

From: [REDACTED]
To: [REDACTED]
Subject: [REDACTED] FW: Draft Exhibited Animals Bill 2015 - CIRCUS COMMENTS
Date: Wednesday, 15 April 2015 7:06:00 AM
Importance: [REDACTED]

The following background and comments on the Draft Exhibited Animals Bill 2015 are submitted from a circus perspective for the committee's deliberation.

BACKGROUND:

Steve Robinson.

- The writer is currently a zoo owner and has separately submitted comments on the Bill from the perspective of the Darling Downs Zoo.
- However, the writer was a circus owner and animal trainer for over 30 years and is still in daily contact with the circus world.
- The writer is also the only person on the industry working group who has had hands on experience in every field of animal exhibition - circus, zoo, wildlife park, film, television and wildlife educational demonstration.
- The writer is a member of the Zoo and Aquarium Association [ZAA] and a founding member of, and former secretary of, the Circus Federation of Australia.
- The writer was formerly a participant in the NSW Exhibited Animals Advisory Committee – the body which advised the NSW government on matters pertaining to exhibited animal legislation.
- The writer has been approached by a number of circus owners and animal trainers to make this submission on their behalf. Due to the itinerant nature of their business it is often difficult for some of them to find the time and the resources to add a burden such as this to their workload.
- The writer was involved in the first ever Circus Standards to be developed in this country – self regulating standards developed by the Circus Federation of Australia.
- The writer was then involved in the development of those industry Standards into law in NSW .
- The writer has been involved in the formation of this Bill since 2006.

Australian Circus Industry.

- Traditional Australian circus is the oldest continuous form of entertainment still extant in this country.
- It's cultural and heritage significance in this State is acknowledged by the Queensland government.
- Throughout it's history the Australian circus has featured performing animals. Initially these were horses and dogs but, when they became available in this country, exotic animals were added as well.

- Exotic animals have featured in traditional Australian circus for over a century.
- Throughout that time there has never, repeat never, been an instance where a feral pest species has become so as a result of a deliberate or accidental release from a circus.
- This blemish free record exists even though the circus industry was relatively unregulated during it's earlier years. Tighter regulations that have been adopted over the past 25 years or so should ensure that the industry maintains this enviable record.
- **There is no demonstrated biosecurity risk posed by keeping exotic animals in traditional Australian circus.**
- Traditional Australian circus features exotic animals that are hardy and are suited to the itinerant lifestyle. These include Primates such as Macaques and Capuchins, Carnivores such as Lions, Tigers and Bears as well as Ungulates such as Elephants, Camels, Llamas, Alpacas, Zebras, Bison etc.
- All of the specimens of these species, except for elephants, are captive born from many generations of captive born stock. In many cases animals, such as lions, are selectively bred for conformation and temperament.
- Circuses do not seek to keep species, or specimens, which are not suited to the itinerant lifestyle.
- No animals are taken from the wild to be exhibited in circuses with the historical exception of the last few remaining elephants.
- Exhaustive scientific studies have been conducted on the lifestyle and training of circus animals.
- These include work by ethologist Dr Marthe Kiley-Worthington, Professor Theodore Friend of the University of Texas and the Radford Report in the UK which was compiled by a committee which included animal rights advocates.
- All of these studies have concluded that animals living, travelling and performing in a circus are no worse off than animals in any other form of husbandry.
- Circuses are not exempt from any of the Animal Welfare legislation – they can be prosecuted if cruelty is genuinely felt to exist.
- It is significant that neither the RSPCA, nor anybody else, has ever felt the need to prosecute a circus for any reason in this State.
- It is relevant to note that there have only ever been two convictions of cruelty against circuses in the history of Australia and neither were in Queensland. Both of these were several decades ago. This record compares very favourably with any other field of animal husbandry.
- It is also relevant to note that the Australian circus industry led the way in the development of animal welfare Standards for the species in their care. There were circus Standards before there were zoo Standards. The Australian circus industry itself initiated the development of these Standards in a self regulatory move back in the 1980s. They were then modified and adopted by the NSW State government and enacted as law in that State in the 1990s. Some other States have since adopted them as secondary legislation.
- There have been no convictions of circus people for cruelty anywhere in Australia since the adoption of those Standards. This, despite the intense scrutiny given the industry by people and groups that are philosophically opposed to animals in circuses.
- **There is no demonstrated animal welfare risk resulting from the keeping of exotic**

animals in traditional Australian circuses.

- Traditional Australian circus has long featured animals that are potentially dangerous to humans. These animals have always been kept in mobile accommodation and regularly transported between venues.
- Despite this itinerant lifestyle, the number of incidents involving injury to humans is far less than has been the case in contemporary zoos, or animals in sport or any other form of entertainment.
- The number of such incidents has also diminished markedly since the introduction of industry self-regulation and enforceable Standards.
- Similarly, the number of incidents involving risk to the animals themselves is negligible. One reason for this is the fact that circus animal carers live in close proximity to their charges for 24 hours a day, every day. They don't clock on and off as do animal carers who are employees in other animal related industries.
- Circus animals are constantly monitored by their experienced carers and have regular veterinary monitoring. There have been no recorded cases of zoonoses between circus animals and humans – either carers or members of the public.
- Insurance premiums are lower for circus public risk policies than they are for some wildlife parks. Insurance brokers say that the reason for this is that the insurance industry gets very few claims from circuses, despite the perceived added risk generated by their itinerant nature. However, they do get a lot of claims from people injured by macropods and ratites in walk-through enclosures in wildlife parks.
- **There is no demonstrated risk to human or animal health, safety or wellbeing resulting from the keeping of exotic animals in a traditional Australian circus.**

RELATED MATTERS:

- Traditional Australian circus has a well documented history of showcasing human/animal interaction to audiences throughout Queensland.
- This form of entertainment has traditionally visited regional areas of the State as well as the more populous coastal centres. This is important for the recreational and socialising opportunities that it provides for remote communities as well as for the opportunity for people in regional areas to gain first-hand knowledge of animal species that would otherwise be denied them. Two dimensional videos and movies are no substitute for the real life experience.
- The economic benefit to regional communities cannot be underestimated either. Circuses do not bring all of their supplies with them – they buy them as they go.
- Opponents of traditional Australian circus often claim overseas video footage of animal abuse to be relevant to their argument against keeping animals in circuses in this country. It is important to understand that the Australian circus, to some extent, has developed in isolation. There are some practices that occur overseas that would never be condoned in traditional Australian circuses. These practices do not happen in this country and Australian circus people are as horrified as anyone else at some of the graphic videos that have been circulated.
- Opponents of traditional Australian circus sometimes use very old incidents as justification for their push to ban animals in Queensland circuses. It is important to realise that traditional Australian circus has evolved over the years – just as have zoos,

farms and other forms of animal husbandry. As part of that evolution, Australian circuses voluntarily developed Standards and Codes of Conduct long before such Standards were developed by some other forms of animal husbandry. The circus of today is not the same as the circus of 20, 30 or even 50 years ago, just as the zoos, and other forms of animal husbandry, have evolved as well.

- Opponents of traditional Australian circus often claim “scientific” evidence to back their claims. The most commonly claimed evidence is a report published by Bristol University in the UK. This “report” is a sham. It is not a “report” at all but a series of statements, taken out of context and selectively edited. Some of the people who have been misquoted, such as Dr Theodore Friend from the University of Texas, have taken great umbrage at having been so misquoted. It is very pertinent to be aware of the fact that the Bristol University group that has put out this “report” is, in fact, a pressure group partly funded by the RSPCA UK. Their “report” is dodgy and is not relevant in any way to traditional Australian circus operating practices.

COMMENTS ON THE BILL:

- The writer has been involved in the development of this Bill since 2006.
- During that time many, many meetings have been held, initially with DNR staff and subsequently with DPI BQ staff. Those meetings have been held, formally and informally, both in Brisbane and at the Darling Downs Zoo.
- As a result of those meetings, and others, the department has taken on board many of the concerns of the zoo industry and the wildlife demonstrator sector.
- However, the department has consistently refused to act on the concerns of the circus industry.
- When challenged about this inaction at the July industry working group meeting we were told that the government intends to phase out exotic animals in circuses in response to “community expectations”.
- I have shown earlier in this document that exotic animals in traditional Australian circuses do not pose a risk under any of the criteria used in the development of this Bill.
- “Community expectations” has never been one of the criteria for the development of this Bill.
- “Community expectations” is a term that is open to misinterpretation. It is wrong to interpret the number of postings on an internet or social media site as a true reflection of community expectations. Experience has shown that these sites can be manipulated and that the majority of postings come from regions and countries beyond the jurisdiction of this legislature.
- The real Queensland “community” votes with it’s feet and pays to attend circus performances with exotic animals. If it did not, then there would be no need for this submission. Traditional Australian circuses are not funded by grants from the public purse – they have to be viable in order to survive. The fact that they are surviving, and regularly visiting Queensland, is testament to the fact that a large number of Queenslanders do support them.
- Currently, parts of the Bill are flawed, illogical, discriminate against, and are unworkable for, the traditional Australian circus industry.
- In it’s present form, the Bill will effectively constitute a ban in this State on traditional Australian circuses with performing exotic animals.

CONCLUSION:

- The circus provisions in this Bill are based on false premises and are thus flawed.
- The circus provisions in this Bill are discriminatory.
- The true facts, both historical and contemporary, demonstrate that the traditional Australian circus industry poses no concerns to the biosecurity risk, animal welfare risk and human safety risk obligations addressed by this Bill.
- There is no groundswell of public expectation that this Bill should regulate traditional Australian circuses to the point that this Bill seeks to do.
- To the contrary, Queenslanders overwhelmingly support traditional Australian circuses with animals in this State – they vote for them by buying tickets to attend them.
- Legislation and Regulations for the circus industry are industry specific and cannot be achieved by attempting to fit them into a “one size fits all” piece of exhibited animal legislation.
- Traditional Australian circuses welcome workable regulations and, once again, seek to collaborate with government to achieve this end.

Steve Robinson

