

BIODIVERSITY IMPACT ASSESSMENT

The number of travelling circuses using wild animals and the number of wild animals in those travelling circuses has greatly declined in recent years. According to Animal Defenders International, in 1997, there were 124 'exotic' animals touring with UK circuses, including a rhinoceros, 16 elephants, 15 lions and 16 tigers¹ in 20 circuses². In 2005 the number of 'exotic' animals had reduced to 47. According to a Defra 2012 Impact Assessment there were 40 wild animals in three travelling circuses in the UK that year.³ There are now just two travelling circuses touring with wild animals; Circus Mondao and Peter Jolly's Circus. Both are based in England but regularly visit Wales. According to their touring itineraries (see Table 8.9 and Table 8.11 of the Regulatory Impact Assessment), they are fairly loyal to the same locations which are usually green field sites.

According to a Department for Environment, Food and Rural Affairs (Defra) Review, Circus Mondao and Peter Jolly's Circus have contained a total of between 16 and 28 wild animals at any one time since licensing requirements for travelling circuses using wild animals came into force in England in 2013.⁴ Species kept include zebra, camel, zebu (a type of cattle originating in south Asia), reindeer, raccoon, fox and macaw, in addition to domesticated species.

The International Union for Conservation of Nature (IUCN) Red List of Threatened Species, which is a critical indicator of the health of the world's biodiversity, classifies reindeer as being vulnerable and zebra species as being either vulnerable, near threatened or endangered.⁵ Macaw species range from least concern to critically endangered (it is not known what species of macaw is kept). The remaining species are classified as least concern. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement between governments which aims to ensure that international trade in specimens of wild animals and plants does not threaten their survival.⁶ Two species and one sub-species of zebra, and a number of macaw species, are included in the CITES appendices which list species according to the degree of protection they need. CITES import and export permits are required to move

¹ Animal Defenders International (2006). *Animal in Travelling Circuses: The Science on Suffering* <http://www.stopcircussuffering.com/wp-content/uploads/2014/08/UK-Science-on-Suffering-low_020311.pdf>

² Animal Defenders International (2004). *Animal Circuses and the Animal Welfare Bill* <<http://www.stopcircussuffering.com/wp-content/uploads/2014/08/circusesawblowres.pdf>>

³ Defra, Ending the use of wild animals in travelling circuses, Impact Assessment (2012) <http://www.legislation.gov.uk/ukia/2012/41/pdfs/ukia_20120041_en.pdf>

⁴ Defra, The Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012: Post Implementation Review 2018, January 2018 <<https://www.gov.uk/government/publications/the-welfare-of-wild-animals-in-travelling-circuses-england-regulations-2012-post-implementation-review>>

⁵ The International Union for Conservation of Nature's Red List of Threatened Species <<https://www.iucnredlist.org/>>

⁶ Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) <<https://www.cites.org/eng>>

specimens into and out the EU. Although currently there is free movement of specimens within the EU this would change post EU Exit. The EU Wildlife Trade Regulations (EC No 338/97 and EC No 865/06) also prohibit commercial activities in those species listed on Annex A of the aforementioned Regulations, unless an exemption has been granted by way of a certificate known as an Article 10, issued by the UK CITES Management Authority.

It is likely that all the wild animals kept by Circus Mondao and Peter Jolly's Circus were born in captivity. A ban on the use of wild animals in travelling circuses in Wales is unlikely to have any direct impact on the trade in these species or in the survival of these species in their natural environment.

It is presently possible for circuses from mainland Europe to visit Wales.⁷ In many European countries the tradition of the travelling circus remains strong; both the number and the range of wild animals involved is greater than in the United Kingdom. Some of these circuses still use animals traditionally associated with circuses such as elephants, lions and tigers; all species which are classified on the IUCN Red List of Threatened Species as being vulnerable or endangered and are listed in the CITES Appendices.

There was a time when attending a circus would have been the only opportunity most people had to see exotic wild animals. That is no longer the case, and circuses have been superseded by modern, well-managed zoos. Zoos licensed under the Zoo Licensing Act 1981⁸ must promote public education and awareness in relation to the conservation of biodiversity, particularly by providing information about the species exhibited and their natural habitats (the measures should be proportionate to the size and type of the zoo)⁹. The same is not currently required of travelling circuses. It is questionable if such requirements could ever be met in a circus environment and the Welsh Government is of the view that using wild animals in travelling circuses adds little or nothing to the understanding and conservation of wild animals and the natural environment. This view was corroborated by the British Veterinary Association (BVA) and The British Veterinary Zoological Society (BVZS) in a joint response to the consultation on the draft Wild Animals in Travelling Circuses (Wales) Bill: *"By the extremely restricted nature of facilities for wild animals to exhibit their natural behaviours, circuses serve no educational value either in terms of normal behaviour for the species concerned, or in providing context for their place in the natural environment."*

Some respondents to the consultation claim that travelling circuses make a contribution to conservation. The Welsh Government considers these claims to be unconvincing compared to the resources and expertise modern zoos are able to devote to these

⁷ Defra, Register a travelling circus or animal act to travel in the EU <<https://www.gov.uk/guidance/register-a-travelling-circus-or-animal-act-to-travel-in-the-eu>>

⁸ Zoo Licensing Act 1981 <https://www.legislation.gov.uk/ukpga/1981/37/pdfs/ukpga_19810037_en.pdf>

⁹ The Secretary of State's Standards of Modern Zoo Practice <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69596/standards-of-zoo-practice.pdf>

activities. In addition to the opportunities to see wild animals in zoos, world class wildlife documentaries are engendering an increased respect for the intrinsic value of wild animals in their natural environments.

Harris *et al*, in their review of the welfare of wild animals in travelling circuses concluded the overall contribution of travelling circuses to conservation and/or education is likely to be marginal, and any potential benefits are likely to be outweighed by the negative impressions generated by using wild animals for entertainment.¹⁰

The Welsh Government is concerned about the impact seeing wild animals perform in travelling circuses, purely for entertainment, has on the attitudes of people towards animals. By banning the use of wild animals in circuses the Welsh Government hopes to contribute to encouraging respectful and responsible attitudes, particularly the developing attitudes of children and young people, towards all species. This in turn may lead to an improved understanding of the importance of biodiversity.

The Wild Animals and Circuses (Wales) Bill makes it an offence for a wild animal to be used in a travelling circus. A “wild animal” is defined in the Bill as being an animal of a kind that is not commonly domesticated in the British Islands. The Bill will not affect the use of domesticated animals in circuses, nor will it prevent wild animals being used for entertainment in other settings. Travelling circuses have toured the United Kingdom for over two hundred years and will continue to be welcome in Wales, provided they do not use wild animals. Following a period of transition, the two circuses currently using wild animals should be able to continue to successfully tour in Wales. The majority of travelling circuses do not use wild animals. According to the Association of Circus Proprietors of Great Britain there are more than thirty circuses touring Great Britain every year.¹¹ This suggests there is no ‘premium’ to be had from using wild animals and circuses are able to successfully operate without them.

¹⁰ Harris *et al*. (April 2016). *The Welfare of Wild Animals in Travelling Circuses*
<<https://beta.gov.wales/welfare-wild-animals-travelling-circuses>>

¹¹ Association of Circuses Proprietors of Great Britain <<http://www.circusgb.com/index.html>>