

CHILDREN'S RIGHTS IMPACT ASSESSMENT

1. Describe and explain the impact of the proposal on children and young people.

The way we treat animals is an important reflection of the values of our society. 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, particularly the developing attitudes of children and young people. Banning the use of wild animals in travelling circuses will contribute to encouraging respectful and responsible attitudes towards all species. This is a key priority for the Welsh Government and is a key feature of the Wales Animal Health and Welfare Framework Implementation Plan.¹

There was a time when attending a circus would have been the only opportunity most people, particularly children, had to see exotic wild animals. That is no longer the case, and circuses have been superseded by modern, well-managed zoos where maintaining the highest standard of animal welfare is a priority. Zoos licensed under the Zoo Licensing Act 1981² are required to undertake conservation measures and to promote public education and awareness in relation to conservation, particularly by providing information about the species exhibited and their natural habitats.^{3 4} 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.

The Welsh Government formally adopted the United Nations Convention on the Rights of the Child (UNCRC) in 2004 and our work is based on delivering the core aims of the UNCRC.⁵

An eight week public consultation on the Wild Animals in Travelling Circuses (Wales) Bill was published on 1 October 2018.⁶ The Bill aims to address ethical concerns by banning the use of wild animals in travelling circuses in Wales. Children and young people were not consulted directly but we were particularly interested in their views. Respondents to the consultation were asked if they agree banning the use of wild animals in travelling circuses

¹ Welsh Government, Wales Animal Health and Welfare Framework Implementation Plan for 2017/18 <<https://beta.gov.wales/sites/default/files/publications/2018-01/animal-health-and-welfare-framework-implementation-plan-2017-to-2018.pdf>>

² Zoo Licensing Act 1981 <https://www.legislation.gov.uk/ukpga/1981/37/pdfs/ukpga_19810037_en.pdf>

³ Defra, 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>

⁴ Some zoos don't need a licence because of the small number of animals, or the type of animal, kept in them and are therefore exempt from the requirements of the Zoo Licensing Act 1981.

⁵ Welsh Government, Children and young people <<https://gov.wales/topics/people-and-communities/people/children-and-young-people/?lang=en>>

⁶ Welsh Government Consultations, Wild Animals in Travelling Circuses (Wales) Bill <<https://beta.gov.wales/wild-animals-travelling-circuses-wales-bill>>

will have a positive impact on the attitudes of children and young people towards animals. They were also asked if they had any evidence to support their view. A summary of the responses to the consultation was published on 30 January 2019.⁷ The summary of the responses to the questions concerning children and young people is included in its entirety below.

Question 2: Do you agree banning the use of wild animals in travelling circuses will have a positive impact on the attitudes of children and young people towards animals? Do you have any evidence to support your view that you would like to share with us?

Ninety-seven percent of respondents agree that banning the use of wild animals in travelling circuses would have a positive impact on the attitudes of children and young people towards animals. The reasons given for this are varied. Many respondents feel that a ban would engender more respect for animals, as sentient beings.

Catholic Action for Animals believes using animals in circuses “*gives young people the impression that they exist for our purposes whatever the cost to them. Banning them will make it clear that they exist for their own purposes, and will encourage respect for animals among children.*”

RSPCA Cymru believes teaching animals to perform “*inappropriate tricks*” does not educate the public or foster respect for animals:

“The RSPCA believes that the appreciation of animals as sentient beings and the need to provide them with a healthy and happy life are essential in the promotion and development of empathy towards them. Ensuring animals have their physical, behavioural and psychological needs met and their welfare safeguarded at all times is essential to this; as is their portrayal as such to the public. There is evidence that the way in which wild animals are portrayed has an impact on the attitude and actions of the public. Research⁸ found that, compared to people shown videos of chimpanzees in a species-appropriate natural setting, people shown chimpanzees in an unnatural, human-like context (‘entertainment chimpanzees’) had a lower understanding of how endangered they are in the wild and were less likely to say they would contribute financially to the conservation of the species. People shown them in the natural setting were also more likely to say they were unsuitable as pets.”

The British Veterinary Association (BVA) and The British Veterinary Zoological Society (BVZS) consider “*that the welfare of these animals is emblematic of the way we treat all animals under the care of humans and can negatively impact on the development of responsible and respectful attitudes towards animals. We are concerned that the continued use of wild animals in circuses has the potential to undermine the public’s*

⁷ Welsh Government Consultations, Wild Animals in Travelling Circuses (Wales) Bill, Summary of Responses < <https://beta.gov.wales/wild-animals-travelling-circuses-wales-bill>>

⁸ Schroepfer, K. K., Rosati, A. G., Chartrand, T. & Hare, B. Use of “Entertainment” Chimpanzees in Commercials Distorts Public Perception Regarding Their Conservation status. *PLoS One* 6, 8 (2011). <<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0026048>>

understanding of animals as sentient beings with complex welfare needs, instead framing animals as commodities that can be used to perform unnatural behaviours for human entertainment and promoting sub-optimal welfare practices that may be extrapolated and influence the way humans treat all animals.”

Similar views were echoed by the majority of respondents who agreed that banning the use of wild animals in travelling circuses would have a positive impact on the attitudes of children and young people towards animals. Some examples are provided below:

- *“Children learn from what they see, circuses using animals send a message that animals are for human entertainment, playthings and a means to earn money. This is not a message that we should be sending out to the children of Wales. They need to see animals as sentient beings.”* (Jayne Dendle)
- *“If children see animals used as a commodity to make money regardless of their welfare children can’t be expected to understand their responsibility to care for animals.”* (Mrs Ann Goodwin)
- *“We need to set a good example that animals are not simply for our entertainment but are beings that should be respected.”* (respondent wishes to remain anonymous)
- *“As a teacher I have seen the negative impact it has on children’s perception of animals and how it can lead to animal cruelty.”* (respondent wishes to remain anonymous)
- *“I work in conservation education. Children learn nothing about wild animals from seeing them in circuses. On the contrary it desensitises them to their real and actual needs. I also have my own children and see how much they learn about science and ecosystems from seeing animals in the wild and natural, not artificial habitats.”* (Kate Chabriere)

We asked respondents for any evidence to support their view that they could share with us. In their response, Animal Defenders International referenced research (including the research by Schroepfer *et al* on chimpanzees) to support their view that banning the use of wild animals in travelling circuses will have a positive impact on attitudes towards animals in children and young people especially, but also in people of all ages:

“Animal circus acts do not teach respect for animals or appreciation of the species with whom we share our planet; in fact, they teach the opposite. With audiences shown a caricature, often presented to make the trainer look strong and brave, animals are forced to perform increasingly bizarre acts that are neither natural movements for them nor educational for those watching.

Detached from their natural environment, research has shown that the display of animals has a negative impact on the development of respectful and responsible attitudes towards animals for children and young people, the “marginal” potential

*educational benefit “likely to be outweighed by the negative impression generated by using wild animals for entertainment”.*⁹

*Expressing concern about the negative effect on children who view them, a group of psychologists in Italy has stated that animal acts fail to encourage learning about the animals, instead creating a lack of respect and empathy.*¹⁰

*Studies on the attitudes of young people in Scotland toward wild animals in travelling circuses found that 81% of those surveyed agreed with a ban, with 57% agreeing that seeing wild animals in this way would make young people respect them less.*¹¹

Research shows that presenting animals as objects of fun and within a human environment, such as in a travelling circus, can negatively distort people’s perception of their conservation status and harm efforts to protect their counterparts in the wild. For example “those viewing photographs of a chimpanzee standing next to a human” in one study “were 35.5% less likely to categorize chimpanzee populations as endangered/declining compared to those viewing photographs with the chimpanzee standing alone”, the species’ use in entertainment hindering “chimpanzee conservation efforts.”. In another study “Viewing the primate in an anthropomorphic setting while in contact with a person.....increased likelihood of believing the animal was not endangered.”¹²

Several respondents, including organisations, expressed the view that seeing wild animals in a circus environment could desensitise children to the natural responses and non-verbal communication of animals, or lead to their objectification. According to People for the Ethical Treatment of Animals (Peta), *“experts in early childhood development have cautioned against taking children to circuses that force animals to perform after finding that such acts inhibit a child's ability to develop empathy towards both humans and animals alike by teaching them that other living beings are merely objects to be manipulated for their own enjoyment.”*

A small percentage of respondents disagree that banning the use of wild animals in travelling circuses would have a positive impact on the attitudes of children and young people towards animals. The main reason given is that some respondents believe travelling circuses provide children with opportunities to see and learn about wild animals they would not otherwise have.

⁹ Dorning, J., Harris, S., & Pickett, H. (2016). The welfare of wild animals in travelling circuses. <<https://beta.gov.wales/welfare-wild-animals-travelling-circuses>>

¹⁰ Manzoni, A. (2016). Documento di psicologi sulle valenze antipedagogiche dell'uso degli animali nei circhi, nelle sagre, negli zoo.

¹¹ Letter from the Cabinet Secretary for Environment, Climate Change and Land Reform responding to the Committees Stage 1 Report on the Wild Animals in Travelling Circuses (Scotland) Bill, 5th October 2017. <http://www.parliament.scot/S5_Environment/Inquiries/Circus_Bill_-_Stage_1_-_Stage_1_Report_SG_Response_-_RC_to_ECCLR_ctte.pdf>

¹² Leighty, K.A., Valuska, A.J., Grand, A.P., Bettinger, T.L., Mellen, J.D., Ross, S.R., Boyle, P. and Ogden, J.J. (2015). Impact of visual context on public perceptions of non-human primate performers. *PloSone*, 10(2), e0118487. <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4340917/>>

Warren Thomas Kelly was of the view that seeing animals *“in close contact with human trainers educates the children about animal keeping and training. Animal training is an art form celebrated and patronised by Royalty and enjoyed by many other children in European countries. If you instead conversed with the schools and held open mornings at the said circuses to watch the training of the wild animals you will see commitment passion and art. Wild animals in circuses well run and operated provide children with innocent nostalgia and important culture.”*

According to the Circus Guild of Great Britain, the feedback they receive from the parents is *“very positive regarding what their children have learnt and want to enjoy again.”*

Some examples from respondents who expressed similar views are provided below:

- *“Seeing the way animals are trained in the circus can have a very positive and educational value to children. Some circuses have open days where people can come along and watch the animals being trained. These serve to provide an insight to animal behaviour and psychology, and help children to understand the importance of correct care and treatment of animals.”* (respondent wishes to remain anonymous)
- *“As a mother of two, with several years’ experience helping care for the animals of a private training facility while a young teen, I can honestly say there is more to gain with than without. Children have an opportunity to be educated, empathetic, experience the awe of both the animals and the relationships possible and this will reflect on their need to conserve these in the real world (truly wild). Without this, they will fail to have that experience.”* (Victoria Simpson)

Some respondents are concerned the conservation of wild animals will suffer if children are denied the opportunity to see them in travelling circuses. Rebecca Bullock believes children, and adults, *“learn to love what they can physically see and touch. Giving them the opportunity to see these animals up close is the driving factor behind their desire to save their wild counterparts. How are we supposed to get people to want to protect actual wild animals if no one cares about them?”*

According to Dr Ted Friend, the *“first contact many world famous conservation biologists and veterinarians had with exotic animals was with circus animals. Children fall in love with the animals at circuses and the old saying that “you do not conserve what you do not know” is very true. Performances allow children to focus on the animal, what the animal is capable of doing, and draws their attention, much more so than animals on display in most zoos.”*

The overwhelming majority of respondents support our proposal to introduce legislation that would make it an offence for a wild animal to be used in a travelling circus. A ban will send a clear message that the people of Wales believe this practice to be an outdated notion and ethically unacceptable.

Children in Wales Survey

In addition to the public consultation, Children in Wales¹³, the national umbrella body for organisations and individuals who work with children, young people and their families in Wales, ran a supplementary survey on its website. The survey, which ran for three weeks in February 2019, asked the following two questions, which are broadly aligned with the first two questions of the public consultation:

Q1. Do you agree that the Welsh Government should make a law so that it would be a crime to use wild animals in travelling circuses?

Q2. Do you think that banning circuses from using wild animals will have a good impact on the attitudes of young people towards animals? Please tell us why.

A link to the public consultation document and draft Bill was provided for information.

Fifty-five people completed the survey and 98% (54 of 55 respondents) agree the Welsh Government should make a law so that it would be a crime to use wild animals in travelling circuses. The overwhelming majority also think that banning circuses from using wild animals will have a good impact on the attitudes of young people towards animals.

Comments provided by those who completed the survey echoed those submitted in response to the consultation:

- *“In this day and age, people do not need to see animals exploited in circuses. Non animal circuses are just as entertaining.” (name not provided)*
- *“Absolutely abusive to cage and move animals for entertainment. Wild means exactly that. Animals have feelings, this has been proved over and over. Circuses with wild animals are disgusting.” (name not provided)*
- *“Yes (to a good impact on children) because they are then not normalising the abuse and captivity of animals for entertainment purposes.” (name not provided)*
- *“Parch at anifeiliad o oedran ifanc yn helpu ac o hyn daw parch at bob/yr amgylchedd yn gyffredinol.” (name not provided)*

In addition to the public consultation, we undertook a screening exercise to assess likely impacts on people with protected characteristics, including children and young people. We could not find any evidence to suggest there would be a negative impact on children and young people if the use of wild animals in travelling circuses is banned. Any relevant evidence we did find, including the following from Eurogroup for Animals suggested the opposite: *“Besides animal welfare arguments, there is increasing concern that public entertainment with the use of wild animals does not have any educational value and, on the contrary, may have a negative impact on the public’s perception (especially children) of wild animals.”*¹⁴

¹³ Children in Wales <<http://www.childreninwales.org.uk/>>

¹⁴ Eurogroup for Animals, Wild Animals in EU Circuses, Problems, Risk and Solutions (2015) <http://www.eurogroupforanimals.org/wp-content/uploads/E4A-Circus_Report-Digital-OK-v2.pdf>

2. Explain how the proposal is likely to impact on children's rights.

The likely impact of the proposed Wild Animals and Circuses (Wales) Bill on children's UNCRC rights has been considered.

The UNCRC articles considered most relevant to the proposal are Articles 5, 12, 17 and 31. Details of these, including any potential impact, are outlined below:

Article 5: *“Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly.”*

Ninety-seven percent of respondents to the consultation on the Wild Animals in Travelling Circuses (Wales) Bill agree that banning the use of wild animals in travelling circuses would have a positive impact on the attitudes of children and young people towards animals.

There was a time when attending a circus would have been the only opportunity most people, particularly children and young people, had to see exotic wild animals. That is no longer the case, and circuses have been superseded by modern, well-managed zoos where maintaining the highest standard of animal welfare is a priority. Zoos are required to undertake conservation measures and to promote public education and awareness in relation to conservation, particularly by providing information about the species exhibited and their natural habitats. The same is not required of circuses and it is questionable if such requirements could ever be met in a circus environment. 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.

The use of wild animals in travelling circuses raises concerns around animal dignity. It is increasingly difficult to justify keeping wild animals in travelling circuses and requiring them to perform tricks.

Respondents to the consultation believe a ban would contribute to encouraging respectful and responsible attitudes, particularly the developing attitudes of their children, towards all species.

Article 12: *“Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account”*

The eight week public consultation on the Wild Animals in Travelling Circuses (Wales) Bill was published on 1 October 2018. The consultation was promoted widely through social media platforms. Children and young people were not consulted directly but we were particularly interested in their views and the views of the organisations that represent them. Respondents to the consultation were asked if they agree banning the use of wild animals in travelling circuses will have a positive impact on the attitudes of children and young people towards animals. They were also asked if they had any evidence to support their view. There were 6,546 responses to the consultation. Ninety-seven percent of respondents agree banning the use of wild animals in travelling circuses would have a positive impact on the attitudes of children and young people towards animals.

In addition to the public consultation, Children in Wales, the national umbrella body for organisations and individuals who work with children, young people and their families in Wales, ran a supplementary survey on its website. The survey ran for three weeks in February 2019 and included a link to the public consultation. Fifty-five people completed the survey with 98% agreeing the Welsh Government should make a law so that it would be a crime to use wild animals in travelling circuses. The overwhelming majority also think that banning circuses from using wild animals will have a good impact on the attitudes of young people towards animals.

The ages of respondents to the consultation and those completing the Children in Wales survey were not requested therefore we do not know how many of those who responded to either were under the age of eighteen.

Following consultation, and as part of wider engagement on this issue, we also contacted a number of other organisations which work with children and young people for their views on any potential impacts. None of the organisations contacted responded.

Article 17: *“Children have the right to reliable information from the mass media. Television, radio and newspapers should provide information that children can understand, and should not promote materials that could harm children.”*

Many respondents to the consultation consider the environment in which wild animals in travelling circuses are kept, and the behaviours they are required to perform, to be inherently unnatural. Respondents believe this is not an accurate or reliable way of displaying wild animals and their behaviour to children and young people.

Seeing wild animals used in travelling circuses may make it difficult for children to understand that such behaviour is not representative of the “normal” behaviour for those species in their natural state. There may even be risks to the health and safety of children and young people as a result of misinformation about human interactions with more dangerous wild animals.

Article 31: *“All children have a right to relax and play, and to join in a wide range of activities.”*

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. Domesticated species kept by travelling circuses will not be affected and neither will animals in any other form of entertainment. Children will still be able to attend and experience circuses.

The majority of travelling circuses do not use wild animals and there is little difference in ticket prices between travelling circuses which use wild animals and those that don't. According to the Association of Circuses Proprietors of Great Britain there are more than thirty circuses touring Great Britain every year.¹⁵ In 2018, the prices of tickets advertised on the websites and/or social media accounts of the two circuses still using wild animals were comparable to tickets advertised on the websites and/or social media accounts of 15 of the 30 not using wild animals.

Children would still have the opportunity to see, experience and learn about wild animals at one of the many zoos licensed under the Zoo Licensing Act 1981. Zoos licensed under the Act are required to undertake conservation measures and to promote public education and awareness in relation to conservation, particularly by providing information about the species exhibited and their natural habitats.

¹⁵ Association of Circuses Proprietors of Great Britain <<http://www.circusgb.com/index.html>>