

**Bil Anifeiliaid Gwylt a Syrcasau (Cymru) | Wild Animals and Circuses (Wales) Bill
WA 08**

Ymateb gan : The Self Help Group

Evidence from : The Self Help Group

The SHG response to the inquiry into the general principles of the Wild Animals and Circuses (Wales) Bill.

The Self Help Group for Farmers, Pet Owners and Others experiencing difficulties with the RSPCA (The SHG) has been in existence for nearly 30 years. People contact us with their problems and concerns relating to animal welfare issues. Our primary area of working is in England and Wales but we are regularly consulted by people and organisations from countries around the world. This places us in a unique position in that we are made aware of issues that arise in other jurisdictions and how they have dealt with them.

The general principles of the Wild Animals and Circuses (Wales) Bill and whether there is a need for legislation to deliver the Bill's stated policy objectives

Hopefully the primary intention of the Bill is to ensure the welfare of circus animals as opposed to instituting a ban because a small but vocal group demands it.

There have been various reports on animals in circuses. Most have stated that there is no evidence of abuse or suffering as a result of being in the circus or performing. The Westminster government has stated that they implemented their ban on ethical grounds only.

The Harris report claims that the life of circus animals is not a "life worth living". The difficulty is that Professor Harris has been accused of manipulating evidence, "cherry-picking" studies, allowing him to "ignore or misrepresent the science that had been contrary to the activist agenda".

<https://www.telegraph.co.uk/news/2018/08/11/foxhunting-prosecution-professor-misrepresented-science/>

The welfare of animals in circuses is well protected by the Animal Welfare Act 2006 (AWA) and other legislation listed in the Explanatory Memorandum.

The AWA has been law for long enough that if circus animals were suffering either mentally or physically those responsible for them could have and would have been prosecuted. Circuses are on show to the public wherever they travel. Animal Rights groups visit them openly and surreptitiously. They are inspected regularly. It is difficult to see how any suffering or lack of care could have been hidden.

It is wrong for government to implement restrictive or prohibiting legislation without clear evidence that existing legislation has failed to prevent harm and, most importantly, that harm actually exists.

Government should be confident enough in its own judgement to ignore what has been done in other jurisdictions if it seems to it to be unfair or unjust.

Whether there are any unintended consequences arising from the Bill

The stated policy objective is to prohibit the use of wild animals in travelling circuses in Wales, but the effect of the Bill as worded goes much farther than that. It effectively prohibits the legal keeping of such animals as pets by the class of people who work in circus.

The definition of 'use' in the act is that the animal performs or is exhibited.

The Animal Welfare Act 2006 (AWA) stipulates that an animal's need must be met. It needs exercise and stimulation. But if it can not go outside for fear of falling foul of the prohibition on exhibition because people would see it then it can not live with the people who care for it.

If the animal is one that would walk on a lead or interact with its owner in other ways and it is in an outside pen then again the animal can not be allowed such interactions for fear of being accused of it performing.

But failing to do these things breaches the AWA. The inevitable result is discrimination against those people who travel with the circus for a living. It breaches their right to own and enjoy their property. It limits their ability to work. If the animals are family pets it interferes with their right to family life.

These are human rights issues and it is difficult to see how the Bill in its present form can avoid breaching them.

There are proposals to run tours taking in animal circuses in other countries. What this Bill will achieve has already been seen in the dog breeding world where dog breeders in England and Wales have given up due to regulations being too prohibitive both in terms of bureaucracy and cost leading to massive increases in the imports of puppies from countries where the UK has no jurisdiction and welfare standards are substantially lower.

The Bill is exporting jobs, business and the animals themselves out of Welsh control.

The Financial implications of the Bill

The people who wish to visit animal circuses will do so in other countries. Welsh people will go abroad and spend their money there. Those who would visit a circus while on holiday in Wales will now reconsider their holiday destinations. Their money too will be spent abroad instead of in Wales. This will have a far

greater impact on Welsh businesses than the loss of the fees for a circus site. They will not spend money on hotels or other accommodation. They will not buy meals or gifts. They will not visit other entertainment venues in Wales. They will do all these things elsewhere and the circuses in other countries will benefit along with all of the associated businesses in those countries.

The Bill is exporting money abroad that would have been spent in Wales with little gain to show in terms of animal protection because the animals themselves will be performing elsewhere with fewer protections than they had in Wales.