

**P-05-796 Calling on the Welsh Government to Ban The Use of Wild Animals in Circuses in Wales – Correspondence from the Petitioner to the Committee, 28.06.18**

**To the members of the Petitions Committee of the Welsh Assembly.**

**Re the submission by the Circus Guild of Great Britain in relation to my petition calling on the Welsh Government to ban the use of wild animals in circuses in Wales.**

Thank you for asking me to comment on the above. May I first state that this will be a short response, due to me only receiving the above submission yesterday morning. I have covered many of the issues raised in my two previous submissions to the Petitions Committee in support of my petition and also in my contribution to the Welsh Government Consultation on MAE last year. I know many members have kindly taken the time to read these. I understand my submissions are in the public domain should Rona Brown or others wish to read them.

As the Welsh Government have now said they are "exploring opportunities " to ban the use of wild animals in circuses in Wales I feel the issues around the licensing system ( which only applies in England not Cymru ) are not really relevant to this debate at the present time.

The two animal circuses currently licensed by DEFRA to tour England, Peter Jolly's Circus and Circus Mondao do use wild animals not "exotic " as Rona Brown of the Circus Guild states. This is confirmed by the documents she herself supplied when two LA Public Protection department's chose to visit both the above animal circuses in Wales last year. Both have:

1. A licence to keep Dangerous wild animals. (1976 regulations )
2. A licence to tour England granted under the regulations of 2012 which is known as a travelling circus licence for the welfare of wild animals.

I covered this very subject of LA Public Protection departments in one of my previous submissions and my response to the consultation by the Welsh Government on MAE. I explained I had met with Ms Mai Roberts the Public Protection Manager from Cyngor Gwynedd Council and Councillor Dafydd Meurig who is the Cabinet member responsible for such matters on Cyngor Gwynedd Council. They both very kindly took time to explain to me the challenges and difficulties a visiting circus that uses wild animals present to them.

I would like to state that in Wales the Welsh Government or Welsh Assembly have no authority to act in this matter at the present time. The people who attended the two random inspections sited by Rona Brown from the Welsh Assembly did so as observers. I am puzzled by the fact that the said documents have "Draft " printed throughout their pages.

For clarity I would like to state that the consultation carried out by the Welsh Government on Mobile Animal Exhibits of 2017 received almost 1,000 responses out of this 892 respondents chose to answer only one question on banning wild animals in circuses in Wales. This consultation concluded that **"the majority of respondents believe the use of wild animals in circuses should be banned and that wild animals cannot be cared for appropriately whilst in a travelling environment "**.

I am simply staggered by the phrase Rona Brown uses "administration error " to explain the findings of the Inspector from DEFRA that resulted in Circus Mondao having their circus licence to tour England suspended in December 2015. I provided the link to the relevant documents from DEFRA in one of my previous submissions. However today please find the attached pictures of the license suspension notice to Circus Mondao from DEFRA. May I draw your attention to the serious issues the unannounced inspection flagged up around the animals welfare. Including a Camel being denied veterinary treatment, the size of the enclosures the animals where kept in, poor record keeping around the care plans of the animals. Together with the issues Rona Brown herself admits to of members of the public being left unsupervised with Circus Mondao's animals. The said document clearly shows this has been a longstanding concern to the DEFRA Inspectors.

Rona herself admits to the fact that there has "some welfare issues during the last five years ".

At this time I have no more pressing points I wish to add in relation to the above document from the Circus Guild of Great Britain. However I know I may be able to add more at a later date if I wish to.

For clarity I would like to state that I have no links with the animal entertainment industry. I have never been a member of any political party. Once again thank you for inviting me to comment.

Linda Evelyn Joyce-Jones Caernarfon, Arfon Constituency 27/6/18.



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02 December 2015

Dear Ms Macmanus

### **Notice of Suspension of a licence issued under the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012**

As you know, an unannounced inspection under the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012 (the "Regulations") took place on 25 November to ensure your ongoing compliance with the Regulations. As I said in my letter of 16 November, although the scheduled inspections planned for your circus for your current licence had finished, the Department retain the power to undertake further announced or unannounced inspections during the remaining period of your licence. Additional inspections could be required in response to concerns raised about the wild animals in your circus.

In summary, the inspection found a number of matters which cause concern. However, the matters of most immediate concern found during the inspection were that:

1. The two reindeer and the camel 'Kachana' were not adequately supervised whilst the public had access to them. The public were allowed unsupervised contact with the camel and were allowed to feed the reindeer and camel unsupervised. As has been made clear to you several times previously in writing, unsupervised access to licensed animals is restricted to authorised persons and any access by the general public requires direct supervision. Given it's medical history, we have also required you to maintain additional monitoring of the camel's well-being.
2. The camel 'Kachana' was found to have a hoof condition which had not been seen by a vet and did not appear to be being treated appropriately. It was the view of the inspector that the animal was not fit to be on display.

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3. The display enclosures were also found to be inappropriate. The size is smaller than that required in the circus guidance for animals including reindeer. Further, none of the animals on display, given that they appeared to have been on display all day, have been provided with a place to retreat to, out of public gaze.
4. Animals were reported to not be receiving sufficient exercise as they are been kept in the display enclosure for most of the day and the on-site facilities only enable them to have short walks
5. Care plans did not include any risk assessments for the display work undertaken and individual records did not record the amount of extra food being fed to the animals by the public, which is clearly taking place and being encouraged.

#### **Decision of the Circus Licensing Panel**

The Inspector's additional findings have been considered by a panel of officials on behalf of the Secretary of State and the panel is satisfied there is a clear breach of conditions 4, 5, 7, 8 and 9 of the licensing conditions. The panel has recommended that your licence be suspended with immediate effect.

During the suspension period you must not operate a travelling circus with wild animals. You will need to ensure that your wild animals do not perform and are off display at all times. Under the Animal Welfare Act 2006, the maximum penalty for operating a travelling circus with wild animals without a licence is 6 months' imprisonment or an unlimited fine or both. If your wild animals are dangerous wild animals within the meaning of the Dangerous Wild Animals Act 1976, they will need to be licensed under that Act which is administered by local authorities. It is your responsibility to ensure that you are compliant with any other laws that are relevant to the keeping or displaying of wild animals.

#### **Measures required to secure compliance with the Licensing Conditions**

Before your licence can be reinstated we require you to undertake the following measures:

- Provide Defra with evidence that the camel 'Kachana', has been seen by an appropriate vet as instructed by the inspector during the inspection on 25 November and that the camel is now undergoing a suitable course of treatment. We would expect to see this evidence, in the form a signed letter from the vet, within one week of the date of this letter.
- Provide Defra with a signed letter from the vet stating that, in their opinion, the camel 'Kachana' is now fit to be used in a display. The animal is not to be used in a display until such time as it is fit to do so and, if you are unable to confirm its fitness, you should remove the animal from your stocklist.
- Ensure that the environment that any animals are to be displayed in is appropriate, both in terms of size and security. Further details can be found in the section on

Environment (pages 18 to 25) in the guidance on the Regulations. Also, if the animals are to be displayed during all the opening hours of the Garden Centre, the environment provides ready access to a place for the animals to retreat to, out of public gaze.

- A clear commitment from you that, if the public are to be allowed access to any of your animals, it will only be under direct supervision by someone from your list of authorised persons.
- Care plans are revised to include a risk assessment of the display work being undertaken, and that individual records will include details of all extra food being eaten by the animals on display.

If you do not provide the Secretary of State with sufficient evidence to demonstrate that the conditions on which the suspension was based, points one to four above, have been rectified by 28 days after the day following the date of this letter your licence to operate a travelling circus using wild animals may be revoked.

#### Right of appeal

You are entitled to appeal this decision to a magistrates' court by way of a complaint but must do so no later than 28 days after the day following the date of this letter. The Magistrates' Courts Act 1980 will apply to the proceedings.

The magistrates' court may on application permit you to continue to operate a travelling circus, subject to the conditions in the Schedule to the Regulations, pending an appeal.

S. G. Ellis.

(Issued on behalf of the Secretary of State)