Wild Animals in Travelling Circuses (Scotland) Bill

The Scottish SPCA is Scotland’s oldest and largest animal welfare organisation, formed in 1839. The Society’s main objective is to prevent cruelty to animals and promote kindness and humanity in their treatment. The Society runs the largest free animal welfare based school education programme in Scotland and last year presented to over 300,000 children throughout Scotland.

Qualified Scottish SPCA Inspectors are authorised by the Scottish Minister to enforce the welfare provisions of the Animal Health and Welfare (Scotland) Act 2006.

In relation to this subject, the stated policy of the Scottish SPCA is; The Scottish SPCA is opposed to the exhibition and presentation of wild animal in circuses.

Whilst the above is the Society’s stated policy we have visited every circus that has visited Scotland over the years, other than the visit of the Il Florilegio circus in the early 1990s, the Scottish SPCA has never been refused full access to any circus visiting Scotland.

The number of travelling circuses with performing wild animals visiting Scotland has declined dramatically over the last decade, or so, only two circuses with animals have visited Scotland over the last several years. Zippos’ circus (who only have domesticated animals) has for the last 7 years proactively asked the Scottish SPCA to visit and inspect prior to any performances in Scotland.

The circus community is law abiding and if this Bill is implemented it is highly unlikely that any circus would intentionally break the law.

As the Bill stands, it would not prevent a travelling circus moving through Scotland to another destination, i.e., to travel from England through ferry points in Stranraer to perform in North or Southern Ireland.

The most recent complaint involving this issue was a couple of years ago when a small number of big cats were over-wintered in Aberdeenshire; these animals did not perform as such, but were on view to the public.

These cats were inspected at the time by both the Scottish SPCA and the Local Authority.

The cats were housed in a trailer that had a secure side opening; they also had an enclosed walkway to a secure outside exercise pen. These animals were in good physical condition.
This Bill comes some years after the Radford review some years ago, it was concluded at that time that there was insufficient evidence to ban the practice on animal welfare grounds, so this Bill is presented on the ethical side of the issue, which has overwhelming public support.

While all the circus animals that have been inspected over the years by the Scottish SPCA have been physically healthy, and circus owners have been very co-operative, however, the Scottish SPCA would contend that the mental well-being of some species cannot be fulfilled in the travelling circus environment.

The way wild animals are presented in circuses is disrespectful to their wild nature, the travelling circus environment is inherently barren and does not allow animals to express their natural behaviour, any possible benefits to society in terms of education or conservation is miniscule and does not justify the use of wild animals.

The term circus is not specifically defined in the Bill, however, in practice; this is commonly understood, due to the nature of transportation / accommodation and purpose for keeping the wild animal.

In terms of enforcement, the Bill allows a Constable or authorised person under warrant to

(a) To enter premises
(b) To search for and examine an animal, and
(c) To search for, examine and seize any equipment, document or other thing tending to provide evidence of the commission of, or participation in, a section 1 offence.

In practical terms, this would allow a Constable or authorised person to gain sufficient evidence to provide to the Procurator Fiscal in view of a prosecution, but the practicality is the circus would be advised to not perform or display the animals or move out of Scotland, as there is no facilities available for the animals to be seized and held, which even if possible would be detrimental to the animals welfare.

Given the law-abiding nature of Circuses, if implemented the Scottish SPCA is of the opinion that the Wild Animals in Travelling Circuses (Scotland) Bill will act as a deterrent to wild animals being transported for performance or display in Scotland.

The Scottish SPCA supports this Bill and would welcome further registration of licensing of other species being used for entertainment / educational purposes, such as Bird of Prey exhibitions and mobile animal educational schemes for schools and children’s parties.