

## CIRCUSES, PERFORMING WILD ANIMALS

### *Grievance*

**MR QUIGLEY** (Innaloo) [9.51 am]: I raise a grievance concerning the continuing practice that allows circuses to tour Western Australia with performing wild animals. I had the pleasure this morning of presenting to the Chamber a petition on behalf of 13 500 citizens of Western Australia, who were petitioning against the continuation of this practice and were urging this Parliament to adopt the recommendations of the committee that looked into animal welfare in Western Australia. That committee recommended the cessation of this practice. I am proud to be part of the backbench of the Gallop Labor Government which has brought the Animal Welfare Bill 2001 on as a matter of priority. The legislation was originally drawn up during the tenure of the previous Government, but had not been given such priority as to introduce the legislation into Parliament. It has now been introduced and the second reading speech has been delivered. However, the Bill does not specifically ban circuses. I will perhaps address this issue during debate on the Bill. The Bill prescribes a penalty under clause 19(2)(a) based on the fact that it is an offence if a person -

... tortures, mutilates, maliciously beats or wounds, abuses, torments, or otherwise ill-treats, the animal;

A defence provided under clause 23 of the Bill is conduct that is carried out during training of the animal. This would leave magistrates in an invidious situation. It could be argued that the inclusion at the end of a big cat performance of a section in which the cats go up on their haunches and roar and grizzle is not a result of training, but of torment by an animal trainer who uses a whip to encourage the animals to perform. That could constitute an offence. I will perhaps deal with that during the debate on the Bill. The purpose of this grievance is to raise the concern of many Western Australians at this practice. I note that the Royal Society for the Prevention of Cruelty to Animals has listed its policy on the use of animals in circuses on its web site. It notes that -

In the UK more than 200 local authorities have already placed a ban on performances of circuses using wild animals, including London. This is almost half the total number of Councils in the UK. This number will grow, as research indicates that the majority of people in the UK are opposed to circuses with wild animals.

I think we have moved on from this point, but it goes on to say -

In Australia during 1994, Rark Research conducted a national survey for the RSPCA to determine peoples' attitudes to wild animals in circuses. More than 1,000 people across the 5 capital cities were interviewed.

The survey was conducted to specifically identify the following:

- Agreement with the use of wild animals (such as lions, tigers, bears, monkeys, elephants etc) in circuses.
- Acceptability of caging wild animals.
- Indications of future attendance to circuses without wild animals.

The key findings of the survey were that -

- 61% of people disagreed with caging wild animals
- 56% of people disagreed with using wild animals in circuses
- Over half the sample interviewed (58%) indicated they might or would attend a circus without wild animals.

I suggest that society has moved on somewhat from that and that more weight has been given to the last finding. A number of spectacular circuses have performed in Perth that have not included wild animals. They drew the largest circus crowds that this city has seen. I refer in particular to Cirque du Soleil and its show Saltimbanco, and the great and internationally renowned Circus Oz. None of those circuses uses wild animals, but all feature spectacular performances of acrobats, gymnasts and the like. Those circuses are the growth industry in that field.

One concern about the use of wild animals in circuses involves the nature of circuses, which is to travel. Those animals are confined in what could only amount to inhumane conditions - small cages. They are transported over vast distances, in extreme heat, across the Nullarbor Plain to Western Australia. The development of the zoological gardens in Perth has included the wonderful savanna plains, great apes and great cats exhibits. There has been a movement away from caging animals in inhumane conditions. Those animals are available for research and international breeding programs. Perth Zoo must be congratulated for its great apes breeding

program. As far as possible, animals are being contained in roomy enclosures that replicate the conditions within which those animals are found in the wild.

There is another important matter. No-one in this Chamber would go to a circus just to watch a wild animal exhibition. Those performances are principally designed for children under the age of seven. I note from the example of my own children that they have moved beyond that once they have passed the age of seven. They go to school and can understand the abhorrence of those performances, which are only designed for very young children. It is said that children are taught standards for life when they are young. We are appalled when people grow up and use animals for entertainment, like dog fights with pit bull terriers and the like. Those offences are abhorrent and big penalties are sought for people involved.

Mr Johnson: And quokkas.

Mr QUIGLEY: And quokkas and the like. People who commit those acts were shown the wrong standards in their formative years - between the ages of two and seven. There is a compelling argument in the twenty-first century to further the Animal Welfare Bill that is before this Parliament to include a prohibition on the use of wild animals in circus performances.

**MR McGOWAN** (Rockingham - Parliamentary Secretary) [9.58 am]: I am responding to the member for Innaloo on behalf of the Minister for Local Government, who has carriage of this issue. He is in the upper House and so is unable to respond personally to the member for Innaloo's concerns. He has asked me to present the Government's position on this matter. I congratulate the member for Innaloo for presenting the 13 500-signature petition. I also congratulate all the citizens who collected the signatures for that petition, because I know a little about collecting signatures for petitions on animal welfare. It is a long process, but I know that there is enormous public sympathy and support for this issue in the wider community, whether that be the metropolitan area or rural and regional areas of Western Australia. People care about the issue of animal welfare.

That is why I was very pleased yesterday to introduce on behalf of the Government the Animal Welfare Bill 2001, which will do more for animal welfare in Western Australia than any other action of any Government since 1920, when the last laws relating to animals were passed. This Bill, when it becomes law - and the Government is hopeful this will happen very quickly - will substantially strengthen the laws on the treatment of animals. The new animal welfare laws will apply to more animals than did the Prevention of Cruelty to Animals Act 1920. The new legislation will apply to all animals, with the exception of fish and some invertebrates, both domestic and wild. The kinds of animals referred to by the member for Innaloo - lions and tigers in zoos - are in fact wild animals, and were not covered by the previous legislation. More than that, the new Animal Welfare Bill will protect animals by prohibiting cruel, inhumane and improper treatment; regulate the use of animals for scientific purposes; promote and protect the welfare, safety and health of animals; ensure proper and humane care and management of animals in accordance with generally accepted standards; and reflect the community's expectations that people who are in charge of animals will ensure that they are properly treated and cared for.

The new legislation will reflect widespread change in community attitudes and expectations relating to the care of animals. This Government has made a number of improvements to the Bill that has been kicking around for a number of years, but was not passed by the last Parliament. Penalties for people who commit offences of cruelty to animals have been increased; a wider range of offences has been defined; provisions have been introduced for the issue of infringement notices for simple offences to simplify dealing with these offences; and inspectors have been given wider powers to detect and prosecute offences. The RSPCA, the world's foremost organisation for the protection and care of other living things, has been integrated into this approach, and will receive all the support it needs. That organisation is very supportive of the Government's legislation, and is pleased that action is being taken at last. New regulations have been introduced for the licensing of scientific establishments and animal ethic committees, and the regulation of businesses that supply animals for scientific purposes. The legislation has been totally rewritten, and will deal with some of the issues raised by the member for Innaloo.

The member for Innaloo has made some good points on the specific issues of circus animals. I personally have a great deal of difficulty with the use of animals in circuses, and I do not attend circuses because of that. I find it cruel, and not at all entertaining, to see what sometimes goes on in circuses. To see the small cages in which these magnificent animals are held and transported reminds me a little of those horrific advertisements in the newspapers about the bears in China, which are kept in small enclosures and used for human entertainment.

The minister has given me an undertaking, in the light of the petition presented by the member for Innaloo, and the activities of the people who organised it, to personally examine this issue and look towards bringing a recommendation to Cabinet. Under the cruelty provisions of the new Animal Welfare Bill, section 19 makes provision for dealing with people who confine or restrain animals in this manner. Under this legislation the minister can refer such matters to Cabinet, and make sure that the Government responds to concerns in the community. In the light of the experience in other States, the minister might consider fostering a national

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approach. I can assure the member for Innaloo that this Government treats animal welfare seriously. It has the runs on the board in strengthening the legislation and dealing with it quickly in Parliament, and has made sure that provisions are contained in this Bill for dealing with the issues raised by the member for Innaloo. The general public can be very happy that the Government has been able to do that.

The SPEAKER: Grievances noted.