



# **An Investigation Into the Use Of Animals in Irish Circuses in 2006**



The Captive Animals' Protection Society

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All photos in this report were taken by CAPS investigators in Irish circuses during 2006, unless otherwise stated.

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## Executive summary

- In 2006, there are 7 Irish-based circuses using animals
- These circuses have a total of 102 animals – 43 of wild / exotic species, 59 of domestic species
- Some of these animals are imported from across Europe, facing gruelling journeys of up to 1,000 miles. In a few cases, the animals are transported back to their source country at the end of the touring season in Ireland, only to be brought back to Ireland a few months later
- The touring season may last ten consecutive months, during which time the circus may travel the whole of Ireland (Republic and North), sometimes performing at two venues in the space of a week
- Evidence obtained by CAPS has revealed that many animals used in Irish circuses are suffering physical and behavioural welfare problems
- A significant number of animals in circuses in Ireland live restricted lives, with temporary and inadequate accommodation, constant transportation and unnatural social groups
- CAPS' research has found that few attempts are made by the circuses to provide suitable environmental enrichment for the animals
- Conditions at each site will vary. While some venues may have space to allow the circus' elephants a small amount of exercise, other sites will not and the elephants will remain chained by their legs
- The public often only see how the animals are treated in the ring performance and may not get to see how the animals are housed or transported. All training goes on out of the view of the public and animal welfare organisations
- There are many health and safety risks to the public and circus staff by the use of animals. There are reported cases of serious injuries and investigations by CAPS has catalogued a series of potential risks
- The law is inadequate to protect the animals used in circuses
- Some countries have already taken the only possible step that will safeguard animal welfare and public safety, by banning the use of animals in circuses
- CAPS calls for the use of all animals in circuses in Ireland to be banned – for the benefit of animals and the public

## Introduction

The use of animals in circuses has come under increasing criticism around the world. In some countries, including Austria, Israel and Singapore, governments have banned the use of wild animals in performances, and there are similar calls in many other countries.

Since 1957, the Captive Animals' Protection Society (CAPS) has campaigned for an end to the use of animals in circuses. Our investigations have taken us across Europe to examine how animal circuses operate, and for several years we have investigated animal circuses in the Republic of Ireland, often at the specific request of concerned residents and tourists.

This report discusses the current situation concerning animal circuses in the Republic of Ireland, mostly based on investigations by CAPS in July 2006.

In 2006, CAPS carried out several investigations into animal circuses in Ireland. In January 2006 a rhino and hippo were transported from Italy to Ireland for use in the American Three Ring Circus (better known as Circus Vegas) and the vehicle was involved in an accident and a breakdown during the journey (see pages 28 - 29). Following this, CAPS carried out investigations into conditions for animals at this circus and Circus Ozzz (now called Circus Sydney).

During these visits we were particularly concerned about the housing conditions for the rhino, hippo and elephants at Circus Vegas and the physical condition of one of the elephants at Circus Ozzz.

In July 2006, CAPS investigators returned to Ireland and visited five different circuses. Samantha Lindley, a veterinary surgeon experienced in animal behaviour also visited three circuses on behalf of CAPS and compiled reports on the conditions the animals were housed in (where these were seen), the treatment of the animals in the ring and the behaviour of the animals.

*Samantha Lindley, BVSc MRCVS, currently holds the position of Honorary Fellow at the Royal (Dick) School of Veterinary Studies, Edinburgh University and Honorary Clinical Lecturer at Glasgow University Veterinary School, where she lectures in animal behaviour therapy to veterinary undergraduates.*

*Samantha lectures and writes extensively to veterinarians, veterinary nurses and welfare organisations on the subject of behaviour, clinically related behaviour problems and the welfare of captive wild animals.*

*She has acted as consultant to a variety of welfare organisations including Zoocheck Canada, WSPA Canada, Care for the Wild International, Animal Defenders, Born Free Foundation, Animal Aid, the Irish Society for the Prevention of Cruelty to Animals and the National Canine Defence League.*

*Samantha is the Honorary Veterinary Advisor to the Captive Animals' Protection Society.*



## Circuses in the Republic of Ireland

The number of circuses in Ireland using animals fluctuates annually. While there are some long-standing circuses that tour each year under the same name, others change their names regularly. At the time of our investigation in July 2006, the following Irish-based circuses were all on tour:

- 1 Tom Duffy's Circus
- 2 Fossett's Circus
- 3 Circus Gerbola
- 4 Circus Hoffenburg (occasionally using the names Vladimir and Russian Style Circus)
- 5 Royal Russian Circus
- 6 Circus Sydney (started its 2006 tour under the name Circus Ozzz until the threat of legal action by the established Australia-based Circus Oz)
- 7 Circus Vegas (occasionally using the name American 3 Ring Circus)

Circus Hoffenburg, Royal Russian Circus, Circus Sydney and Circus Vegas are all owned by members of the Courtney family.

The number and variety of animal acts in these circuses varies. For example, Fossett's Circus had just one animal act in 2006, while Circus Sydney had six animal acts.

Many of these circuses also visit Northern Ireland at some point during the circus season, which often lasts ten consecutive months each year.

Fossett's Circus Christmas show in Dublin during December 2006 and January 2007 was completely animal-free. The circus has reportedly dropped its wild/exotic animal acts for good and in its 2007 tour will have horses as its only animal act [1].

At various times during 2006 at least three other circuses performed in Ireland - Circus Circus, Circus Holiday and Bulgarian State Circus. These circuses appear to have closed after a brief tour. While no further information is available on these circuses, it is thought that none of them had animal acts.

### Number of animals in all Irish circuses in 2006

(NB. These figures were collated in July 2006. The number of animals in circuses may fluctuate during the season).

#### *Wild / exotic animals:*

Alligators – 4  
Camels – 7  
Elephants (Asian) – 3  
Elephants (African) – 3  
Giraffe – 1  
Hippopotamus – 1  
Llamas – 10  
Ostrich – 1  
Rhinoceros – 1  
Snakes – 4  
Tigers – 4  
Wallabies – 4

#### *Domestic animals:*

Dogs – 19  
Donkeys – 2  
Horses and Ponies – 38

*Total number of wild / exotic animals – 43*

*Total number of domestic animals – 59*

Total number of all animals – 102

## **CAPS investigation**

In July 2006, CAPS investigators visited five circuses:

1. Tom Duffy's Circus
2. Fossett's Circus
3. Royal Russian Circus
4. Circus Sydney (visited three times)
5. Circus Vegas

CAPS investigators visited the circuses to obtain video and photographic evidence of the treatment and housing of the animals. A veterinary surgeon experienced in animal behaviour, Samantha Lindley, also visited the Royal Russian Circus, Circus Sydney and Circus Vegas and compiled reports based on her observations.

As the visits were made incognito, without alerting circus staff to the identity of the investigators and vet, it meant that the vet was unable to carry out a thorough physical examination of the animals. However, in many instances, sufficient evidence was available for an overview of the animals' physical and behavioural health, along with an assessment of the handling of the animals in the ring, and of their housing, to be made.

NB:

During our visit to Tom Duffy's Circus, observation was only of the housing quarters for the animals, not the performance, so comment on this circus is limited.

No visits were made to Circus Gerbola or Circus Hoffenburg. As such, no comments in this report should be applied to these two circuses.

## **Observations on the treatment and housing of animals**

Rather than look at each of the circuses in turn, this next section of the report examines the use and housing of each of the species used in these shows.

Quotes given are taken from the reports written by the vet Samantha Lindley, unless otherwise stated.

As this report explains, conditions for animals in circuses can vary greatly from site to site. Unless otherwise stated, comments in this report relate to conditions at the time of the visits by CAPS investigators and the vet. Conditions could be better – or worse – at other venues.

Three separate visits were made to Circus Sydney in July 2006, the first and third by CAPS investigators, the second by a CAPS investigator accompanied by the vet.





Elephants at Circus Sydney

## Elephants

Of all animals used in circuses around the world, elephants are perhaps the species that raise most concerns about their welfare.

Samantha Lindley:

"Now consider the elephant – non domesticated, complex, intelligent, physically massive, with a requirement for the company of its own kind (more than one), ranges of space, access to water and dust bathing, surfaces to rub against for skin health and a variety of surfaces for foot health. It is hardly surprising that they are prone to diseases of captivity such as osteoarthritis of the foot and skin problems, and that they almost inevitably develop the signs of behavioural conflict which appear as functionless, repetitive behaviours otherwise known as stereotypic behaviours. These animals are singularly inappropriate to be subjected to circus life.

"Elephants range widely in the wild and should be given acres in captivity in which to explore and move in search for food. They require water in which to bathe, dust in which to dust bathe and scratching posts to keep their skin in good condition. They are highly intelligent animals who require the company of their own species and form strong bonds within their own family units. Communication is complex and achieved through infrasonic rumbles, trumpeting, ear flapping and foot lifting, to say nothing of pheromones and other chemical excretions. Man cannot hope to be a realistic substitute for elephant company, however much they may care for their charges. In my experience, elephants in circuses and, often in the zoo environment, perform stereotypic behaviours. ...

"Elephants are singularly unsuited to circus life. Their complex social life, high intelligence and massive size speak for themselves. The conflict created by this life has erupted from these apparently gentle giants, with fatal consequences, all too often already. Circuses, the councils, the ministries and the public have been warned."



Maya doing handstand (above) and walking across pedestals (below)



### Royal Russian Circus

Two elephants performed in the circus – one Asian, named Maya, the other a young African named Baby. The latter, according to the vet, "looked uncertain and insecure and spent as much of the time as it could tucked closely in to Maya."

Samantha Lindley: "Both elephants were asked to do the usual balancing routines, but only Maya had to balance on her front legs (a sort of elephant handstand). This act and the practice of this act puts unnatural and dangerous weight on the front legs. Since elephants in captivity are so notoriously prone to osteoarthritis of the feet, this performance is unwarranted and potentially dangerous."

"Maya also has to walk across a series of pedestals in a straight line. This is a highly unnatural act and is obviously quite difficult to do."

During the interval Maya was brought into the ring (and fed two sticks of candyfloss by her handler) so that parents could pay to have their children photographed sitting on her back or the crook of her front leg. The safety risks associated with this are discussed below, in the section on health and safety.

After the show visitors could see the elephants and have close contact with them. Rather than being chained, the elephants had about half an acre of field to use. This at least provided the opportunity to move about unrestricted.

Samantha Lindley: "It was interesting to see them attempt to dust bathe from the grass and to use a couple of posts stuck in the ground as scratching posts in an attempt to perform a few natural behaviours. However, there was also nowhere else for them to go but this enclosure or the lorry. There was no shelter or shade."

The fence surrounding the elephants did not appear to be electrified as children could clearly be seen leaning across it as they pushed through it to touch and feed the elephants (see the section on health and safety, below).



Baby and Maya in their outdoor enclosure



## Circus Sydney

There are two African elephants at the circus, Max (male) and Kenya (female), owned and presented by the German family Scholl. The acts involved walking with one leg raised, rapidly moving the head from side to side, swinging the trunk, sitting on a podium and lifting both front legs.

Samantha Lindley:

"The elephants present a pathetic sight. The male has a deformed left hind foot, but is still made to perform in the ring [including sitting on a podium and lifting a young boy on his tusks] and obviously to travel long distances frequently. The other elephant is made to hop around the ring on three legs, putting unnecessary strain on the front right leg (bear in mind that this must be done in practice as well as performance). After standing on the podium it has to thrash its trunk around. This is an entirely unnatural behaviour and runs the risk of damaging the trunk musculature and even nerve supply. It is a possible contributing factor to 'trunk paralysis' since this is a condition of unknown aetiology. Then it moves its head violently from side to side [as if 'dancing'], putting unnecessary strain on its neck muscles and cervical spine. These are not normal behaviours for an elephant; they represent potential injury and suffering and should be stopped."

During the interval, the male is brought into the ring and made to lie down so that children can have their photograph taken alongside, or astride, him.

Visitors could observe the elephants before and after the performance, in a small tent next to the box office.

During two visits (the first and third of three visits) the two elephants were chained to a wooden platform approximately 5 metres by 5 metres, with chains attached to a front and back leg, the standard way of restraining elephants in a circus. Both elephants were displaying typical stereotypic behaviours of weaving and head bobbing.

During our second visit, the circus was packing up to move to the next venue immediately after the show and the elephants were temporarily held behind an electric wire.

Samantha Lindley: "The younger elephant, Kenya, was stereotyping by head bobbing and weaving, but the circus was packing up and the fence was released despite the fact that numerous members of the public were no more than ten feet away. Kenya decided to head off in the opposite direction to the calls of the young man in charge. Eventually she was restrained and guided round to the lorry by the other young keeper, but she was reluctant to get in, although the male was already in."



Kenya and Max, chained to the floor



Close up of Max's deformed leg

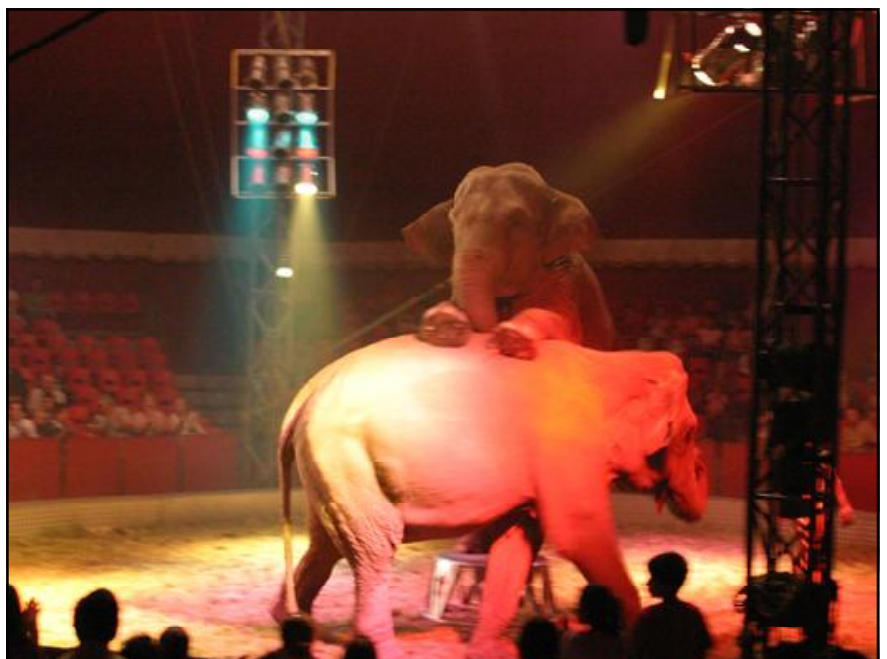
## Circus Vegas

Two Asian elephants, imported from an Italian circus, are used at this circus.

Samantha Lindley: "The elephants were of great concern: one, who appeared older, looked a little underweight and stood with her left elbow turned out. This may be nothing, but it may indicate problems with that leg, but of course that cannot be judged without examination."

She had to be told repeatedly "to perform a particular trick which, when she eventually and reluctantly did it, turned out to be a sort of handstand followed by a headstand - a dangerous and taxing thing to ask such a massive animal to do. Her foot showed a distinct tremor as she prepared to do the trick. The other elephant refused to get on the podium and when she finally complied had to be asked repeatedly to spin. Both elephants had to then sit on the podiums and then sit up in a begging fashion; the older one had considerable difficulty in lowering itself onto the podium."

After the show the elephants were not chained but were in a grassed enclosure surrounded by an electric fence. Samantha Lindley: "One was barely reacting at all and the other was head bobbing and weaving as it ate - an advanced manifestation of stereotypic behaviour. Concerns about these particular elephants have been described above. Their reluctance to perform their tricks should be considered with deep concern for the public, the handler and the animals themselves. Their lack of response to the stimulus of the public being so close is also of concern, especially as they had the opportunity of a small enclosure to explore."





## Elephants moved to Germany

Following media coverage obtained by CAPS and the Dublin-based Alliance For Animal Rights, in July 2006, about the conditions for the two African elephants at Circus Sydney, the circus agreed to allow the Dublin Society for the Prevention of Cruelty to Animals to arrange a veterinary examination of the male, Max. This was due to take place on 22nd August 2006 by a vet from the Veterinary College at University College Dublin. The results of the examination, including x-rays of Max's leg, would have been made public.

We were particularly concerned about Max's deformed leg and the fact that he was still made to perform in the ring.

The animals' handler did not keep the arranged appointment and the ISPCA went to the circus in Naas, County Kildare, to check on Max.

The ISPCA discovered that both elephants had been transported back to Germany a few days previously by their German owner, who had been touring with the Irish circus.

The circus told the ISPCA that Max had been sent to Serengeti Park, a safari park near Hannover, to be used for breeding purposes. The safari park confirmed that Max was there.

Inquiries by CAPS have revealed that Max is likely to be at the safari park for just 18 months while he is used for breeding with the zoo's female elephants. It is not known whether he will then be used in travelling circuses again.

The ISPCA were initially told that Max's companion elephant, Kenya, had been sent to a 'sanctuary', although CAPS believed that she was actually in a circus holding centre in northern Germany. However, Kenya reappeared with Circus Sydney shortly after, fuelling suspicions that she may not have left Ireland at all or had been transported to Germany and back to avoid the DSPCA inspection.

CAPS has called on the circus and the safari park to allow both elephants to be moved to a specialised elephant sanctuary where they would be able to live the rest of their lives in more appropriate conditions and not be exploited for entertainment.



Kenya and Max in the tent at Circus Sydney

## Rhino

Circus Vegas is the only circus in Ireland with a rhino, named Hulk, imported from a circus in Italy.

His arrival in the ring followed a long delay behind the scenes, which was either designed to add to the suspense or may have been the result of some difficulty in getting the animal into the big top. Once inside, the rhino walked around the ring before running around with the presenter standing on his back.

Samantha Lindley: "rhinos have extremely sensitive olfactory (smell) sense and poor eyesight. The overwhelming noise, flashing lights and competing smells will have been alarming to this animal."

The living quarters for this animal consisted of a small pen, slightly oval in shape and approximately 8 metres by 8 metres at its widest points. He also had access to his travelling vehicle, which provided shelter. It would be possible for people to reach over or through the barrier of the animal's pen to touch the rhino, although we did not observe people doing so. There was more supervision of the public by circus staff at this circus than at others we visited.

Samantha Lindley:

"Ideally, a rhino should be given long views of its terrain so that it is not alarmed by sudden movements and sights, but this animal has a small enclosure and the public can get very close."

"There are no scratching posts provided; these are important for skin and behavioural health. Rhinos require both wet and dry wallows, but this enclosure has neither. These are essential for skin health and are required daily. Ideally rhinos should have the choice of spending time with their own kind or being solitary; this rhino has no choice and its existence is limited to a small pen and a dark lorry, interspersed with the potentially alarming environment of the noisy, bright circus ring and the crowding public.

"In short, it is disgraceful that one of the world's most endangered species, the white rhino, is travelling in a circus and being shunted back and forth across Europe."

"The rhino is deprived of basic behavioural and physical needs."





## Hippo

This animal, named Jeddi, is the only one of his species in an Irish circus, again at Circus Vegas and imported from a circus in Italy.

Samantha Lindley: "Leaving aside for a moment the welfare concerns arising from taking any hippo on tour, the 'act' consists of the hippo running in to the ring, standing on a podium and opening its mouth to have food thrown in."

There was little to the 'act' itself. "That is likely to be because it is difficult to get a hippo to do much and not safe to have it loose in the ring for long."

After the show, "the hippo was mostly, but not completely, submerged in a tank of filthy water, smelling of, and clearly laden with, faeces." The tank was approximately 5 metres long, 2.5 metres wide, 1 metre high. A 1997 report into animal circuses by the Office of the Environmental Commissioner of the City of Vienna stated that: "the body of water provided for hippopotami must be deep enough to enable them to completely immerse themselves in. Keeping them in too small or too shallow basins for too long will entail articular injuries" [2].

Samantha Lindley: "Since it is normal for hippos to defecate in the water, they require an adequate amount and frequent changing and/or high volume filtration of water. The conditions this animal was seen in represent a serious compromise to its welfare and health. Dermatitis, an inflammatory skin condition, which is serious in hippos, can result from this kind of poor management. I could not examine the hippo closely so could not establish whether the animal was suffering from dermatitis, but poorly filtrated water is a recognised cause of the problem. The pool is of a rectangular metal, flat-sided design, but the recommendation for hippos is a sloping sided pool. There was no evidence of any play objects or vertical surfaces for trail marking and, most significantly, this hippo is solitary. The sounds of, and contact with, other hippos is important for fulfilment of normal behavioural needs and this animal is deprived of that most basic commodity: company of its own kind."



Above: The hippo's tank does not allow him to fully submerge



Below: 'exercise' cage for tigers

## Tigers

Tom Duffy's Circus has four Bengal and Siberian tigers, presented by Tommy Chipperfield.

Although we were unable to attend a performance, only seeing the animals in their housing area, information from other sources shows that the tiger's acts include jumping between pedestals, all four sitting up and lying down and a hind-leg stand.

Outside of the ring, the tigers are housed in a 'beastwagon' – a traditional circus lorry with cages built into it. The tigers have access to an 'exercise cage' which is simply a small cage (approx 12 metres by 6 metres) attached to the lorry. While this meets minimum recommended sizes, the 'exercise' area provides no real opportunity for exercise and has no obvious enrichment. Simple enrichment such as the ability to climb and areas for scratching and marking should be provided for captive tigers. The lack of such provisions could lead to displacement behaviours, where the animals show abnormal behaviours due to the inability to carry out normal behaviours.





## Giraffe

The Royal Russian Circus has the only giraffe in an Irish circus; in fact this species is rarely used in circuses around the world.

Shakira, around three-years-old and belonging to a German animal trainer spent the 2005 season with two other Irish circuses.

She was walked into the ring on a halter and the audience in ringside seats was provided with bits of bread to feed her with. One boy was brought into the ring and put bread in his mouth, with Shakira then taking it from his mouth. The act's presenter gave the boy a 'helping hand', holding the boy's head while Shakira took food from his mouth.

After the show, visitors could see the animals in their living areas. Shakira was confined to a small pen, approximately 10 metres in diameter. Children crowded around the pen to feed grass to the giraffe. The safety risks associated with this are discussed below, in the section on health and safety.

Samantha Lindley:

"Giraffes require, as the minimum, a large space (certainly in excess of half an acre) and a variety of habitats. A variety of substrates including sand, mud and a hard packed surface are essential, along with shade and pools. Overhanging browse is the minimal requirement for delivery of feed.

"Visual and auditory senses are most vulnerable, so over stimulation should be avoided by keeping background noise to a minimum. Rubbing posts should be available, as should a continuous variety of browse at various levels.

"This giraffe is solitary and appears to be maintained in a small lorry which does not appear high enough to accommodate the giraffe when standing fully erect: this presumably encourages lying during transport, which is safer, but precludes the giraffe having anywhere comfortable to escape from the public, from noise, or from heat, wind or rain. The outside enclosure is approximately 10 metres in diameter consisting of a grass substrate and bars. There is no browse apparent, nor water, although both may be available inside. There is no space to escape from noise or visual stimuli and no means to run away if alarmed (although the lorry would provide some shelter). There are no rubbing posts and no choices for this animal apart from in the lorry or outside exposed to the weather and whatever stimuli the immediate surroundings offer - this could easily be too much as well as too little.

"There is ample reason for this animal to be frustrated in any attempt to behave normally. What is described above is the minimum requirement for a captive environment; this falls far short of that and this giraffe cannot fail but to feel conflict and frustration. It cannot escape, it cannot retreat, it cannot control its own environment in any way. Being able to control an environment is an important factor in an animal's welfare, where the definition of welfare is 'an animal's ability to avoid suffering and sustain fitness'.

"This giraffe paced and neck stretched, both signs of abnormal behaviour. The pacing was evident at times even through the distraction of offered food. She paced in front of the open lorry from one side of the enclosure to the other, neck stretched over the bars, turned in an identical manner on each occasion and returned to the other side. Neck stretching occurred randomly at other times: this is a behaviour that is obviously normal in giraffes as they reach for browse, but which can occur in the absence of browse (as here), in which case it is deemed abnormal (performs no useful function) but fills a behavioural vacuum.

"This giraffe is not coping with this environment or life and should not be kept in a circus of any description."



## **Alligators**

Tom Duffy's Circus has four alligators, used in an act that includes a display of large snakes. The alligators are taken into the ring in wooden boxes and allowed to walk around the ring.

When not used in the circus ring the alligators are housed in small enclosure built into a lorry. A member of circus staff told CAPS investigators that this was the permanent living quarters for the animals, even when the circus is not touring. This clearly restricts their movements and natural behaviours such as hunting prey and building burrows.



## **Ostrich**

Circus Sydney also had the only ostrich, named Kylie, in an Irish circus. A single ostrich – a South African rather than Australian species – was ushered into the ring.

Samantha Lindley: "Its 'trick' is to lie flat on the ground. This is the natural behaviour of the threatened ostrich and would hardly need much reinforcing."

Ostriches are known for being aggressive around people and can seriously injure or even kill with a powerful kick, and, as the vet noted, "whilst their natural instinct is to run away, in the confined space of the ring this animal cannot do so. Ostriches tend to be nomadic and live in groups of 5 to 50 individuals – again this animal in living in unnatural isolation in this circus."

As with the wallaby, the ostrich was not on public view outside of the ring and we were unable to see the housing for the animal.

## **Wallabies**

On our first two visits to Circus Sydney, the show's Australian theme appeared to come solely from an act involving a two-year-old wallaby named Jack who, the vet stated "had to be carried into the ring and was clearly frightened by the noise and keeps trying to leave, but is restrained by a harness. Kangaroos of any species are prey animals and are not normally solitary. There is no excuse for carting this frightened animal around the country and exposing it to the sights and sounds and deprivations of a circus existence."

Children were actively encouraged to reach over the ringside barrier and touch the wallaby.

A third visit to this circus by CAPS at the end of July 2006 found that there were now four wallabies. As far as we could tell, these animals were not with the show at the time of our first two visits.

We were unable to see the housing conditions for these animals on any of our visits.



## Camels



Camels at Fossett's Circus



Camels are social animals, normally living in herds of up to ten individuals. Guidelines regarding keeping camels in captivity usually suggest that they should not be tethered and that sand or earth substrates, branches and rubbing posts should be provided for enrichment.

### *Fossett's Circus*

At the time of our visit the only animal act at Fossett's Circus consisted of three camels, although we understand that they have been waiting arrival of a horse act.

The camel act was basic, with the animals being walked around the ring and standing on pedestals. While the animals appeared to be generally in good health, one did have bandaging on both rear legs, but without conducting a veterinary examination it is unclear why.

There was no opportunity to see the animals or their housing before or after the show.

### *Royal Russian Circus*

This circus has two camels, running around the ring a few times with one then standing with his front legs on the ringside barrier leaning over the audience. Samantha Lindley: "There was no restraint and nothing apart from the power of whatever training it had received to stop it continuing onwards into the crowd."

The camels were observed after the show, one tethered to a pole, the other loose.

## Horses

It is a common misconception that circus acts involving domestic species pose no problem for animal welfare.

### Circus Sydney



(Above) Horse walking on hind legs

(Below) Two frightened horses escaped from the ring



The 'stallions' at Circus Sydney were actually geldings, but since, according to the vet, "real stallions would have been even more uncontrollable than these frightened and tense geldings" this was probably a good thing.

During our first two visits to this circus the horses appeared frightened in the ring, with their presenter having little control.

Commenting on the performance during our second visit, Samantha Lindley noted:

"This is an appalling accident waiting to happen and those in the ringside seats were particularly vulnerable had a horse gone crashing into the ringside barrier. The horses had a coloured and ostensibly decorative sash between the left ear and the right side of the muzzle at the side of the bit. This obscured the view medially from their right eye (very unnerving when turning and in close proximity to other horses). There was obvious aggression, tension and fear amongst all the horses, but most particularly from the middle black and the rear grey. Horses do not like being in such close proximity to each other without choice and are likely to bite, kick, rear or buck. The black bucked and reared repeatedly. At the end of the performance two of the greys broke free and ran around the back of the front row and had to be retrieved. During the performance the horses had to be controlled with the whip by the performer and by someone in the background. This was a dangerous display which caused distress and fear to the animals."

The presenter had lost control of the horses so much during our second visit that she had to abandon an act where one horse would jump over a rope attached to another horse.

The same presenter returned with a single horse act, the equine put through a 'dancing' routine to rock music. The vet commented that this act "put even more unnecessary strain on a horse's musculoskeletal system than occurs with normal riding or even dressage. Look at the performance of the Quarter horse (often used in rodeos and western-style events) to see how this kind of movement causes early break down of horses - and these horses are bred for such movement. Muscle strain, joint injury, ligament and tendon damage are all possible with this kind of performance when repeated on a regular basis."

The horses were not on view to the public outside of the ring although CAPS investigators did observe them at one of the venues in a tent behind the big top. As there was no public access to the animals it was not possible to see the animals clearly.

Pony rides available before the start of the show would be seen by many to be an innocuous form of entertainment for children, yet on our first two visits we saw a pony being handled in a way that risked causing injury.

The pony was held very tightly by the handler, chomping and trying to toss his head.

He was forced into a position where his neck was turned to the left (i.e. into the ring). If this happens regularly, according to Samantha Lindley: its is likely "this pony will have evidence of muscular neck strain on examination by someone practiced in examining for such problems. This can cause significant suffering."

### Circus Vegas

Samantha Lindley:

"The performing ponies were a pathetic sight. Tightly reined, they were unable to look to either side or use neck movement to balance. Standing on their back legs and standing with hooves on each others' backs is bad practice from a behavioural and physical point of view. One of the ponies was smaller than the rest, had a stilted gait and poor musculature. ... This animal should not even have been in the ring as it did not appear to be fit to perform the kinds of tricks required of it.

"On closer examination after the show its skin was covered in lesions, at least down to subcutaneous level, which were white - this may indicate either treatment or disease. Animals under treatment should not perform or be on display so as to give them optimum opportunity to recover."



Pony with lesions on side

"From the smell and sight of obviously wet straw in the pony tent, these ponies were likely to have been housed in the same area since the circus arrived six days previously. Instead of being cleaned out, they are being kept on 'deep litter', i.e. more straw is put on top of old. While 'deep litter' is a husbandry technique more commonly used in poultry farming, it is not standard or desirable for horses, who would usually be mucked out daily in normal livery yards /stables.

"If this is the regular environment for these animals, it can predispose to foot, skin and respiratory problems. One of the dappled ponies had very forced respirations (breathing). They had no fixed water supplies and the bucket in the pen of the pony with the skin lesions had tipped over, depriving it of water and adding to the dampness of its environment."

"The ponies should be simple to manage competently; even this husbandry is substandard and poses a risk to the health and welfare of the animals."



## Dogs

### Circus Sydney

It is often claimed by circuses that dogs enjoy performing, but some of the acts seen here raised welfare problems. The dogs were a mixture of breeds and each carried out different acts, culminating in three of them riding on the back of a pony.



Samantha Lindley:

"The lurcher had to walk for some distance on its hind legs - this puts unnecessary and unnatural strain on the hind legs and potentially the stifle (knee) joints; it also looked stressed on the back of the horse, having difficulty balancing.

"The spaniel had to crawl in a supplicating manner that put pressure on both front and back legs (a highly unnatural posture and behaviour for dogs). Most worrying was the terrier - it was either in pain or sedated (other explanations for this behaviour could be that the dog was clinically depressed, frightened or very ill, but these are not likely). It had to be carried into the ring and carried to its tricks. As a veterinary surgeon one can recognise an animal that is centrally depressed (by chemical, disease or behaviour) and this animal was depressed. It had been lively

enough four nights before [on a previous visit by CAPS investigators] and had to be restrained from jumping off the horse and jumping down from its tricks. Now it appeared spaced out, vacant and slow. This dog was not fit to be used in this performance and questions should be asked about the use of veterinary or other sedatives.

"The pony that was brought on for the dog-on-pony rides had its neck so tightly arched by an attachment between headcollar and chest strap that it could not raise its head nor look to either side. As well as causing neck strain this is a highly stressful position to put any horse in."

### Tom Duffy's Circus

Dogs at Duffy's Circus were housed in small pens, approximately 3 metres by 2 metres that did not allow exercise within the pens. Some of the dogs were chained within the pen, restricting movements even further. It is not known if the dogs are given regular exercise apart from their time in the ring.





## Quality of circus sites

With circuses mostly moving venues once or twice a week, touring the whole of Ireland (Republic and North), sites on which the circus sets up will vary enormously in terms of size, facilities, etc.

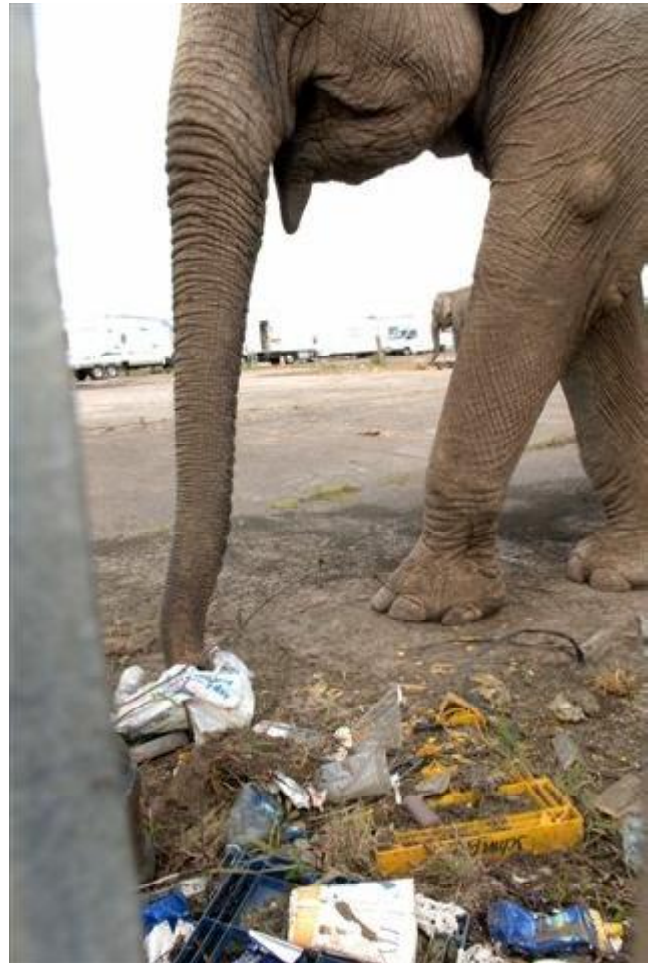
It is possible that some sites will have the facilities to set up a fenced area to allow horses to graze or elephants to exercise. However, not all sites will have such facilities. Even if they do, the animals do not always get to use them – it may be dependent on the weather (poor weather means animals are more likely to be housed indoors), whether circus staff have time to set up fenced areas, or other similar factors.

Even where exercise areas are made available they are sometimes simply a concrete ground, wasteland or other unsuitable site.

Incidents reported in 2006 and 2005 reveal the public concerns over inadequate conditions animals in circuses can be subjected to.

In June 2006, a Belfast resident made a formal complaint to the Police Service of Northern Ireland (PSNI) about conditions for the two elephants at Circus Vegas. The animals were kept on wasteland near the Harland and Wolff shipyard, on a concrete ground and amongst rubbish. The circus responded by saying the animals were well cared for. In October 2006, the PSNI reported that they were not taking any action as the elephant keeper had produced a certificate issued by Belfast Zoo's vet [3].

In April 2005, members of the public complained to the press about the DareDevil Circus where, due to the circus site in Sligo being in a poor state because of bad weather, the animals were confined to the transport trucks with nowhere for them to exercise or graze. A circus spokesperson told the press that due to the bad weather “the site was in a terrible condition. The amount of rain that fell meant we couldn't move onto the site. Usually there is another place for the animals to go. Here, once the site was unfit to enter, there is nowhere else for them to go” [4].



Elephants with Circus Vegas, Belfast, June 2006

Photos: Irish Sunday Mirror



Both photos: Elephants at the Royal Russian Circus (see page 22)

## Health and safety

The health and safety of the visiting public and of circus staff is of serious concern to CAPS and this investigation has highlighted many issues that we encourage the relevant authorities to take action on.

Some health and safety concerns are directly related to the welfare of the animals; animals who have physical or behavioural health problems or who are frightened become unpredictable, which can have disastrous consequences. They could, for example, become aggressive and cause serious injury to circus staff or members of the public.

Circuses pose a particular problem with health and safety due to the hands-on nature of training the animals and performing with them in the ring and the fact that the public are very close to the animals both in the ring and in the circus 'zoo' before or after a performance.

In the circuses we visited that had large animals, barriers around the ring were inadequate to prevent some of the larger animals escaping into the ringside audience if they had become frightened. The barriers were low in height (approximately one metre). Those audience members in ringside seats are particularly vulnerable.

Conditions in zoos are bad enough for animals and CAPS investigations in several countries have exposed many serious health and safety problems. However, zoos, because they are subject to regulation, cannot run some of the risks associated with circuses, such as allowing members of the public to have physical contact with four-ton elephants.

Health and safety problems highlighted by our visits in July 2006 are listed below for each circus. However, given the particular concerns about the use of elephants, this species is described separately.

### Elephants

Not surprisingly, given their sheer size, elephants are a species that pose a particular risk to humans in a circus. Samantha Lindley: "However well trained, these animals are essentially wild and therefore unpredictable."

Since 1990, CAPS has recorded the deaths of over 70 people and injuries of 140 others, caused by elephants in circuses, zoos and other captive environments around the world.

One of the most notorious incidents occurred in Florida in 1992. An elephant named Janet, carrying six people on her back, ran amok, injuring 12 people. Police officer Blayne Doyle was called in to deal with the situation. Given the seriousness of a rampaging elephant, a decision was made to shoot the animal dead - 57 bullets were pumped into Janet, but it required the use of armour-piercing bullets, specially designed by the military to penetrate steel, before she finally died.

Officer Doyle described it as the most frightening experience of his life and realised that the only way to prevent a similar tragedy is to stop using elephants in circuses and travelling shows altogether. He has since lobbied extensively across the USA for a ban on the use of elephants in circuses [5].

Regarding incidents such as this, Samantha Lindley comments: "There is nothing anyone can do to prevent this happening to any captive elephant and no reliable signs to warn of its imminent occurrence."

In addition to risks created within the circus itself, circuses in Ireland appear to take their elephants for walks on public roads and beaches. For example:

I A circus magazine in December 2006 published a photograph of the Royal Russian Circus' two elephants 'assisting' at a wedding. They are pictured next to the bride, groom and guests without any obvious safety barriers [6].

I In November 2006, two elephants from the Royal Russian Circus were walked down roads in Carlow town. According to one witness the animals were petted by children, stepped into a fountain and walked amongst cars on the road. The circus had not alerted police or the local council to their stunt. Carlow County Council's Road Safety Officer told the press that he was "very, very concerned". He told CAPS that, after hearing of the incident, he reported it "to all Senior Local Authority officials in Carlow County Council and Carlow Town Council. The matter was reported to the Gardai who also monitored the circus during the remainder of its run in the area to prevent a repeat of the incident" [7].

I In October 2006, Circus Sydney took 5-ton elephant Kenya walking in a busy high street in Cork city centre, to promote the circus. A newspaper report shows a young child feeding an apple to Kenya [8].

(continued)



(continued)

I The Irish Times reported in March 2006 that two elephants from Circus Ozzz (now called Circus Sydney) led a parade through Sligo [9].

I In July 2005, three elephants from Circus New York were pictured on the front page of the Irish Daily Star bathing in the sea at Tramore, County Waterford, a day after one of them seriously injured a circus worker (see page 25). The caption stated that “a large crowd of holiday makers gathered to watch” and people are pictured in the sea behind the elephants [10].

I Two photographs on the website of Tom Duffy's Circus in 2005 showed three elephants walking down what appeared to be a city or town centre street. No details of the publicity event are given but the circus was known to have three elephants in its show during 2005. Although the pictures show that standard ‘crowd control’ barriers separated the public from the elephants, people can be seen leaning over to touch one of the animals.

### Royal Russian Circus

Elephant Maya was used in the interval for children to have their photo taken with her (see photo on page 20). Those sitting on the crook of her front leg were, in the words of Samantha Lindley: “within easy reach of her trunk, which swept around from time to time and she could easily have risen with a child on her back. For the most part her handler was at some distance taking photographs. On the one hand, the degree of trust they have in this animal is touching, on the other it is irresponsible to a high degree to allow children such contact with a large wild animal because of the risk of unpredictable and dangerous behaviour.”



Maya walking across pedestals

Samantha Lindley: “Maya also has to walk across a series of pedestals in a straight line. This is a highly unnatural act and is obviously quite difficult to do. If Maya misses her footing during the act or the practice it could have disastrous consequences such as falling onto someone in the ring.”

“Outside enclosures: the elephants have clearly been trained to the visual signal of an electric fence. However, when we visited the current appeared not to be switched on. The few strands of wire surrounding the elephant enclosure will fool the animals for a while, but they will only need to brush it once or twice and not get a shock to learn that the current is only there sometimes. They could then walk through this barrier without even noticing. Children spent fifteen minutes crowding around the fence, feeding the elephants, leaning across and through the fence and

at one point Maya had her trunk over the fence amongst three toddlers. Only after about twenty minutes did the worker overseeing the elephants start to move them away and discourage further feeding. This all went off safely, and there were no signs that the elephant was distressed by the situation, but nevertheless, in allowing the public such contact with such an animal there is always a risk of a dangerous incident occurring.”



### Circus Sydney

During our first visit to the circus, children went in to see and touch the elephants while they were chained in a tent next to the box office after the show. There was no circus staff supervising the elephants and no barrier to prevent public access or signs warning people to keep away. Although the elephants were both chained by a front and back leg, people were still at risk of injury if hit by the elephants' trunks or the tusks of the male.

After the performance on our second visit the elephants were in the outdoor tent surrounded by electric wire.

Samantha Lindley: “the circus was packing up and the fence was released despite the fact that numerous members of the public

were no more than ten feet away. Kenya [*the younger and smaller of the two elephants*] decided to head off in the opposite direction to the calls of the young man in charge. Eventually she was restrained and guided round to the lorry by the other young keeper, but she was reluctant to get in, although the male was already in. It was highly irresponsible to drop the fence with the public, especially young children, around.”

### Circus Vegas

After the show, the elephants were in a grassed area surrounded by a line of electric fence wire.

Samantha Lindley: "It was not clear as to whether the electric fences [surrounding the elephant and hippo enclosures] were live, but if they were, there were no warning signs to protect the public from an electric shock. Whilst animals will mostly respect electric fencing, they can still walk or run through it when aroused.

"If they were not electrified, then there was nothing protecting the public but a fragile conditioning of the animals to the sight of white tape."



### Other animals

#### Royal Russian Circus

The giraffe posed a risk both inside the ring and in her outdoor pen. In the ring she took bread out of the mouth of a boy from the audience who was physically prevented from moving back by the giraffe's handler putting his hand on the boy's neck. The giraffe was also encouraged to lean over into the ringside audience to take bread from people. Outside, children and other visitors were feeding and touching her through the bars, without supervision and without being encouraged to wash their hands.



#### Circus Sydney

Samantha Lindley: "The ostrich, a bird which is potentially aggressive when aroused, is loose in the ring ... Its 'trick' is to lie flat on the ground. This is the natural behaviour of the threatened ostrich and would hardly need much reinforcing. These animals can deliver a powerful kick in self defence and, whilst their natural instinct is to run away, in the confined space of the ring this animal cannot do so."

The 'stallion' act already referred to posed a risk to public safety as the trainer / performer was clearly unable to retain control over the horses.

Samantha Lindley: "This is an appalling accident waiting to happen and those in the ringside seats were particularly vulnerable had a horse gone crashing into the ringside barrier. There was obvious aggression, tension and fear amongst all the horses, but most particularly from the middle black and the rear grey. Horses do not like being in such close proximity to each other without choice and are likely to bite, kick, rear or buck. The black bucked and reared repeatedly. At the end of the performance two of the greys broke free and ran around the back of the front row and had to be retrieved. During the performance the horses had to be controlled with the whip by the performer and by someone in the background. This was a dangerous display which caused distress and fear to the animals, as well as putting the audience in danger."





## Circus Vegas

Given that the rhino at Circus Vegas weighs 2.5 tons and the hippo 3 tons, there are obvious risks to safety of public and staff.



Samantha Lindley:

"Hippos are notoriously dangerous (they are known as one of the most dangerous animals in Africa) ... The 'barrier' used to herd the hippo into the ring and presumably stop it escaping, consisted of a wooden gate of approximately one and a half metres by one and a half metres and a podium tipped up against various other bits of circus flotsam. Either side was policed by a couple of staff. None of these measures would stop a hippo walking, let alone charging in the wrong direction."

"Similar comments apply to the rhino, but one should also bear in mind that rhinos have extremely sensitive olfactory (smell) sense and poor eyesight. The overwhelming noise, flashing lights and competing smells will have been alarming to this animal."

For a payment of one euro, audience members could go behind the scenes to see the animals in their housing areas.

The use of common hippos and rhinos is even seen as "unacceptable" by some sections of the circus industry. The Association of Circus Proprietors, a British trade organisation, state in their 2001 document 'Standards for the Care and Welfare of Circus Animals on Tour': "No other species of ungulate [hoofed mammal] is acceptable especially (for health and safety reasons) ungulates such as the rhinoceros or common hippopotamus."



The following examples show the serious risks animals in circuses can create.

### **2005 – Worker injured by elephant**

In June 2005, a 35-year-old worker at Circus New York was gored and seriously injured by an elephant when he entered the tent housing the three elephants at the show.

Paul Dineen was struck in the side and back by the tusks of a 26-year-old African elephant named Mausie. A spokesperson for the circus said Dineen should not have been in the elephant tent and that he had 'provoked' the animals to perform [11].

Dineen spent time in intensive care in hospital but the extent of his injuries were not made public. CAPS is not aware of any comments made by Dineen about the incident.

The circus said that the elephants were not dangerous and were just defending their territory [12]. The day after Dineen was injured, circus staff took the three elephants walking on the local beach and into the sea [13].

In August 2005, CAPS wrote to the Health and Safety Authority, the body overseeing health and safety in the workplace in Ireland. We asked if they had investigated the incident and what measures were being put in place to prevent incidents of a similar nature, given the large number of dangerous animals in Irish circuses. The HSA finally replied, stating that they had investigated but, under the provisions of the Safety, Health and Welfare at Work Act, were prevented from providing us with details of the investigation.

While the other two elephants, Maya and Baby, are performing at the Royal Russian Circus in 2006, the whereabouts of Mausie are unknown.

Circus New York closed down in 2005, although the main proprietor set up Circus Ozzz in 2006, which has now changed its name to Circus Sydney.

### **2005 – Children bitten by monkey**

In July 2005, a five-year-old girl was injured by a monkey at Circus New York while it was in County Kerry. The macaque monkey was kept on a lead and brought into the ring for people to pay and have their photo taken next to him. The girl's mother claimed the monkey jumped on her daughter's back, scratching and biting her before a circus worker beat the monkey off with a stick.

The circus said the girl had entered an area off-limits to the public, although the girl's mother denies this.

The monkey was apparently used again in the next show.

Following the media coverage of this incident, three more people came forward claiming the monkey had also attacked them, on different occasions in 2005 [14].

CAPS contacted Kerry County Council to ask if it was investigating. It told us that any investigation was the responsibility of the Health and Safety Authority, but when we rang the HSA it claimed it was the council's responsibility. The council continued to deny this and eventually suggested we ring the local Garda. Five months after we contacted the Garda it responded, stating that it was not pressing charges in relation to the incident as the parents of children injured had not made formal complaints.

There are often stories in the Irish media concerning the escape of animals from circuses touring the country. Below are just a couple of examples:

In July 2006, a wallaby from Circus Sydney escaped as the circus was about to leave Kinsale, Co Cork. The circus left without him, moving on to Wexford before he was found almost a week later. In a radio interview, a spokesperson for the circus claimed that the wallaby had escaped after children visiting the animal in his pen at the circus left the gate open [15].

In 2004 three camels escaped from the Daredevil Circus (which, in 2006, toured under the name the Royal Russian Circus), holding up rush hour traffic while they were recaptured [16]. Camels are classed as 'dangerous wild animals' under UK law (the Republic of Ireland does not have similar legislation).

## **Inadequate health and safety legislation**

Recent incidents have exposed the inadequacy of legislation in Ireland to protect members of the public at public entertainment events [17].

While the Health and Safety Authority has responsibility to investigate cases where workers are injured or killed in the workplace it does not cover public safety issues.

What was called by one newspaper as “a serious gap in the regulation” was brought to light in late 2006 by two separate incidents. In one, an acrobat at the Royal Russian Circus was killed in County Clare in late October. Two days earlier, a 22-year-old man died after falling under a ghost train at an amusement park in Tramore, County Waterford.

In the case of the acrobat’s death, HSA officials launched an immediate investigation, but not over the death of the man in Tramore, although Gardai were investigating the latter death.

The incidents have renewed calls for either the HSA to enforce health and safety standards to protect *people* rather than *employees*, or for a separate Public Safety Authority.



Giraffe at Royal Russian Circus

## Where the animals come from

While many of the animals used in Irish circuses remain with those circuses for a long time, there are question marks over the origins of some animals. For example, during CAPS' investigations in 2006, we discovered species that we are not aware of having been used in circuses in Ireland previously, including wallabies and an ostrich. On our first two visits to Circus Sydney, the show had just one wallaby, but just three weeks later on another visit we discovered three wallabies had been added to the performance.

Animals are regularly moved around between circuses, even during the course of the touring season, which can make it difficult to keep track of how many animals there are, what species and where they are at any given time.

As reported above, in July 2005 four people claimed to have been bitten by a macaque monkey at Circus New York. The origins of this monkey are unknown and at the time press reports claimed the animal had been imported illegally [18]. When asked by CAPS, who wanted to see if this was correct or not, the Department of Agriculture said that the circus owner had told it that the monkey was born in Ireland. However, a local Garda Inspector told CAPS that he had been informed by the circus that the monkey was imported from Germany and, since the attacks, had left the circus with his German owner.

Despite CAPS' efforts to track the monkey down and establish his origins, there were no further reports until May 2006, when he was discovered in a small cage in the back of a van, belonging to a different small travelling show, which had been left in a mechanics yard for five days. The animal, in a distressed and dehydrated state, was rescued by the ISPCA. At the time of compiling this report, Gardai are considering a prosecution for animal cruelty against the person thought to be the owner of the animal.

Inquiries by CAPS established that there is a major trade in animals from across Europe to circuses in Ireland. According to Mary Coughlan, Minister for Agriculture and Food, in response to a Parliamentary Question initiated by CAPS, the following animals were imported into Ireland by circuses in 2004 and 2005:

### Year 2004:

<i>Species</i>	<i>Number</i>	<i>Origin</i>
Elephant	5	France
Elephant	3	Germany
Camel	1	Germany

### Year 2005:

<i>Species</i>	<i>Number</i>	<i>Origin</i>
Elephant	7	Germany
Elephant	3	France
Elephant	2	Italy
Rhinoceros	1	Italy
Hippopotamus	1	Italy
Camel	1	Germany
Llama	8	Germany

While no official figures are yet available for 2006, CAPS investigations lead us to believe that the numbers and species imported are slightly fewer than in 2005, although this clearly changes on an annual basis. The giraffe used in the Royal Russian Circus in 2006 (see picture on page 26) was imported from Germany.

There are clear welfare problems in transporting animals over such huge distances and then transporting them around Ireland for many months (the circus season will last for about ten months, partly depending on weather conditions). Circuses in Ireland often move venues twice in a week, so the animals are rarely provided the opportunity to settle into new surroundings and are subjected to confinement and regular transportation.



(Above) Lorry used to transport elephants from Germany

There is no legislation specifically concerning the private keeping of dangerous wild animals in the Republic of Ireland. The ISPCA claim that this has resulted in a large trade in certain species; although legal, such unregulated trade raises serious animal welfare concerns. It is possible that such unregulated dealing is the source of some animals used in circuses and that circuses offload unwanted animals into the private trade. The animal welfare problems and risks to health and safety of people are massive.

An example of the way in which animals are transported from across Europe to Ireland for use in circuses is detailed on the next page.



## International transportation of animals

In 2005, a rhino and hippo belonging to an Italian circus were transported around Ireland with Circus Hoffenburg. After around ten months in Ireland the animals were transported back to the continent around October 2005. CAPS' campaign partners in Belgium, Bite Back, caught up with the animals in Belgium in November. It is possible that the animals were then moved to France and Italy.



Rhino in Belgium,  
November 2005  
Photo: Bite Back

In January 2006, acting on a tip-off from a member of the public, CAPS discovered that a truck carrying the same rhino and hippo was on its way back to Ireland, a journey of around 1,000 miles.

The animals were carried by ship from the continent into England and then by road by a 'transport agent' through Wales where they were due to go by ferry from Fishguard to Rosslare. However, the lorry was turned away by ferry officials and had to extend its journey all the way to Holyhead ferry instead. In the early hours of the morning, after at least a couple of days on the road, the lorry was involved in a collision with a taxi near Aberystwyth in west Wales.

Police allowed the animal transporter to carry on its way and, despite the accident, no officials inspected the animals. While there may be no legal obligation to check the animals, CAPS believes the police should have alerted animal welfare officers to the consignment and that the animals should have been checked.

Then, just 15 miles further on, the lorry broke down. Not only did the driver (a well-known circus manager who has worked extensively in the UK and Ireland) have no money for diesel or animal food but the lorry also had two flat tyres. Fortunately, a local business helped buy food for the animals and get money wired through so that the lorry could be repaired and get on its way after around 6 hours stuck in a lay-by.

When CAPS spoke to local council officials in Wales they told us they were not even aware of the animals, the accident or breakdown. While there may not have been a legal obligation on the part of the driver to alert officials to the accident and breakdown, it does raise into question the efficiency of current legislation to protect the welfare of animals.



Rhino and hippo lorry in layby, Wales, January 2006  
Photo: Cambrian News

The lorry then continued its journey to Holyhead where it went by ferry to Dun Laoighaire and by road all the way down to Kilkenny where the animals were to join the American Three Ring Circus (better known as Circus Vegas).

Once finally in Ireland, no local or national government officials we spoke to at the time were aware of the animals, although a permit had been given to import the animals.

We immediately alerted the Department of Agriculture and Food (DAF) in Dublin with our concerns for the welfare of the animals.

It took five months to get a detailed response from DAF; this followed numerous e-mails and phone calls asking it for a reply, a complaint to DAF's Customer Service Unit and, finally, a formal complaint to the Ombudsman and the Minister for Agriculture and Food.

In that response, DAF confirmed that a licence had been issued for the rhino and hippo, as well as two elephants, to be imported to Ireland and that "all imports into Ireland of live animals are required to be notified to the Department a minimum of 24 hours prior to arrival as is any change in point of entry as soon as possible."

It also stated that the delay caused by the accidents in Wales, and the change of port, had not been reported to DAF so it was not aware that the animals had arrived. However, it accepted the agent's defence that the lack of communication had been down to a language difficulty.

*(continued)*

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According to DAF “because of certain difficulties experienced between Fishguard and Holyhead, transportation to Ireland was delayed by a number of days.” In a subsequent letter to CAPS, it said: “the delay between the planned departure from Fishguard and the actual departure from Holyhead was a matter of 10 to 12 hours, during which, we understand, the animals remained on the truck and, during which time they were provided with feed and water.”

Although a local department vet inspected the animals in Kilkenny after their arrival – presumably because CAPS rang the local office direct, having been unable to get a response from head office – the Animal Health Division did not visit until five months after our initial complaint. DAF stated that they found no “cause for concern” on either inspection.

Sources close to Irish circuses told CAPS in December 2006 that the rhino and hippo had been transported to Spain in late November to appear in a circus in Valencia.

We were also informed that Shakira, the giraffe used at Circus Sydney in 2006, who was originally imported from Germany, was to be used in France during the winter 2006/2007 season.

## **The role of government and public officials**

In response to a Parliamentary Question in March 2006, Minister for Agriculture and Food, Mary Coughlan, commented: “My department’s responsibility in relation to circuses and circus animals is confined to ensuring animals imported for use in a circus are imported in accordance with animal health certification requirements.”

She added that “the responsibility for pursuing complaints under that legislation [the Protection of Animals Acts 1911 and 1965] rests with An Garda Síochána.”

The welfare of animals in circuses in Ireland is not adequately monitored and is often left to animal welfare and animal rights groups who have no powers of entry to circuses and no powers to arrange veterinary examination of the animals.

No government body carries out regular checks on the circuses to monitor animal welfare.

In the chapters above we have referred to several incidents where CAPS has been in contact with the Department of Agriculture and Food, the Health and Safety Authority, Gardai and local councils. This contact has been made either to seek assistance in checking the welfare of animals in circuses, making complaints about welfare concerns or checking whether officials have made investigations into animal welfare or health and safety incidents.

In virtually all of these cases we have been left frustrated by the failure of these departments to act swiftly and pro-actively and, in some cases, their lack of awareness of their powers or duty to act.

In many cases going back several years we have consistently found that it can take months – sometimes five or six – to obtain a response from officials, particularly the Department of Agriculture and Food. It may only be through our perseverance, and complaints to a Minister or the Ombudsman, that we have even received a reply.

We have found that, on occasions, officials believe that the area of concern – whether it is animal welfare or public safety – is not their responsibility and we are left being passed backwards and forwards. Although it is the responsibility of Gardai to investigate animal welfare complaints, it very often does not know how to approach the situation. Even if Gardai were to investigate a complaint it would probably be unable to find a local vet with any experience of animals such as elephants, rhinos or hippos to be able to give a professional diagnosis of the situation.

Because of this, animal suffering is continuing, and the public are being put at risk.

## CAPS' 2003 Investigation

In 2003 CAPS investigators visited the following three Irish-based circuses.



### Tom Duffy's Circus

Animals used were tigers, alligators, snakes, llamas, horses, ponies and dogs.

Tommy Chipperfield's tigers did the usual circus tricks of sitting-up on pedestals, jumps, walking a wooden plank, roll-overs and one tiger walking on his hind-legs.



### Fossett's Circus

Amongst Fossett's animal acts was Micki, a solitary female African elephant, transported to Ireland by ship and road from Sweden just to appear in the circus ring for a few months.

Although the public were not allowed to see animals after the show, CAPS investigators filmed Micki displaying signs of typical behavioural problems such as weaving her body.



### Circus Vegas

The Scholl family's three African elephants (two young males and a female) performed tricks very similar to the Scholl elephants used in Circus Sydney in 2006. Outside the ring they were chained by their legs in a small tent where members of the public, including children, had unsupervised access and could touch and feed them. Duo Borcani's sealion act involved one of the performers doing a hand-balance on the nose of one of the sealions. After the show CAPS investigators discovered the animals confined to a small pool on the back of a lorry. A 1997 report into animal circuses by the Office of the Environmental Commissioner of the City of Vienna stated that: "it is impossible for circuses to keep seals in a manner suited to the needs of the individual animal" because of their specialised needs and "unsuitability for frequent transport".



## 1994 – Rescue of animals

In summer 1994, ISPCA officials and vet Samantha Lindley visited the property of Stafford Smith in County Limerick.

There is no Dangerous Wild Animals Act in the Republic of Ireland and he had therefore been able to obtain a number of animals over the years from passing circuses. He was legally keeping two tigers, a black bear and two baboons on his smallholding in substandard conditions.

The public and local Gardai were concerned about the security of this set up and asked for help since no local vets had the experience to comment on the welfare of such animals or be involved in their removal.

A court gave over care of the animals to the ISPCA, because of the veterinary opinion that the animals were being poorly cared for. Homes then needed to be found for them. In December 1994, the ISPCA and vets Samantha Lindley and Simon Adams succeeded in a major international rescue operation to move these animals to new homes.

Molly, the Canadian black bear, had spent the preceding few years with Stafford Smith in a circular circus cage and displayed serious stereotypic behaviour. She was moved to the Bear With Us sanctuary in Canada.

The two tigers had young cubs with them at the time of rescue. They had had other offspring most of whom had not survived. A one-year-old cub had cage paralysis and was euthanased. The risks of moving these animals from an enclosure that was far from secure were high. Even riskier was the task of keeping the mother sedated to just the right extent that she would not remember being separated from her cubs and anyone handling the cubs needed to stay smelling strongly of tiger for the duration of the long flight (with a change in Los Angeles) so that she would not attack the cubs when reunited. Simon Adams achieved this task and the family were reunited in a sanctuary in the San Fernando Valley.

The baboons were difficult to find homes for and initially went to a sanctuary in Lincolnshire, from where they have since been relocated.

## Arts Council funding

In 2006, the Arts Council of Ireland (appointed by the Minister for Arts, Sport and Tourism) gave funding to five Irish circuses, totalling €130,000. Three of these circuses – Tom Duffy's Circus, Fossett's Circus and Circus Gerbola – all use animals.

Tom Duffy's Circus was given €35,000, Fossett's Circus €40,00, Circus Gerbola €20,000.

This is the first time that animal circuses in Ireland have been given government funding.

In December 2006, the Arts Council announced that its 2007 funding included a €100,000 increase in circus funding, flying in the face of criticism. The same three animal circuses received the funding.

According to the Arts Council, it "is giving funding to circus this year because circus has now been enshrined in the Arts Act, 2003 as an artform in its very own right." It also states that the circuses had to "submit their policies on animal welfare as part of the Council's revenue funding process".

CAPS has attempted to obtain a copy of the circus' "policies on animal welfare" but the Arts Council has refused to send them to us.

The Arts Council noted: "The views from the Association of Circus Proprietors of Great Britain and the European Circus Association were taken in advance of the circus policy being created."

Both of these organisations strongly defend the use of animals in circuses and the ACP is currently opposing government legislation to ban the use of some wild animals in England and Wales.

CAPS and the Dublin-based Alliance for Animal Rights have protested against the Arts Council funding of animal circuses.

Also of concern to CAPS is that the person employed by the Arts Council to act as their 'artform specialist' on circuses, Verena Cornwall, has close links to organisations defending the use of animals in circuses.

Cornwall is an Honorary Board member of the Association of Circus Proprietors of Great Britain, the trade body for circuses. She is also the Chair of the Circus Arts Forum, a UK organisation that is also opposing the government ban on wild animal acts.

CAPS has called on the Arts Council to only fund circuses that do not use any animals in its performances.

## Conclusions

The CAPS study into the use of animals in circuses in Ireland reveals that many animals are subjected to regular confinement and transportation with severe restrictions on their ability to carry out normal physical and behavioural needs.

The facts speak for themselves – the welfare of animals is seriously compromised by their use in travelling circuses. These problems are not just associated with wild animals but with domesticated species as well.

In addition to welfare concerns, the ethical opposition to the use of animals in circuses – that we do not have the right to make animals perform simply for our entertainment – has achieved growing public support for many years.

Current legislation in Ireland has no provisions specifically relating to the use of animals in circuses. While a person who keeps a dog is required to pay for a dog licence, a person keeping an animal such as an elephant, rhinoceros or tiger does not require a licence for that animal.

The welfare of animals in circuses in Ireland is not adequately monitored and is often left to animal welfare and animal rights groups who have no powers of entry to circuses and no powers to arrange veterinary examination of the animals.

No government body carries out regular checks on the circuses to monitor animal welfare.

However, while it may be suggested by some quarters that regulations should be brought in specifically to control the welfare of animals in the circus environment, CAPS strongly believes that the only way to properly protect the animals (and public and circus staff) is to prohibit the use of animals altogether.

Regulation of the use of animals in circuses would not go far enough to prevent all the abuses that currently exist and would instead simply legitimise animal use.

Regulations, however strict and well enforced, could still not allow the majority of the natural physical and behavioural needs of the animals to be carried out. A travelling circus, by its very nature, cannot meet all the needs of animals.

Prohibition provides the only clear way to prevent animal cruelty taking place and end the risks to the public and staff.

The circus industry itself would benefit from an end to animal use. Given the increasingly negative feelings held by the public towards animal circuses, a new era of circuses would be welcoming to those people who currently avoid them.

Circuses would be able to continue with all of the other acts that are synonymous with this family entertainment – clowns, acrobats, dancers, etc.

As animal acts are just a small part of many circuses (for example, Fossett's Circus had just one animal act at the time of our visit in 2006) it would be easy for these circuses to adapt to being animal-free. This has happened in the UK, where the use of animals has declined by almost two-thirds in the past decade (and the number of all-human circuses increased) and well-known circuses have dropped their animal acts – resulting in the welcoming back of many families and the use of prime-location, council-owned sites from which animal circuses are banned.

We urge the Dail to introduce legislation to prohibit the use of all animals in circuses.

In the meantime, we encourage the following interim action to be taken:

- ✓ All imports of animals from outside Ireland for use in circuses to be stopped immediately,
- ✓ Local authorities stop animal circuses from using council-owned land,
- ✓ Arts Council stop funding circuses that use animals.

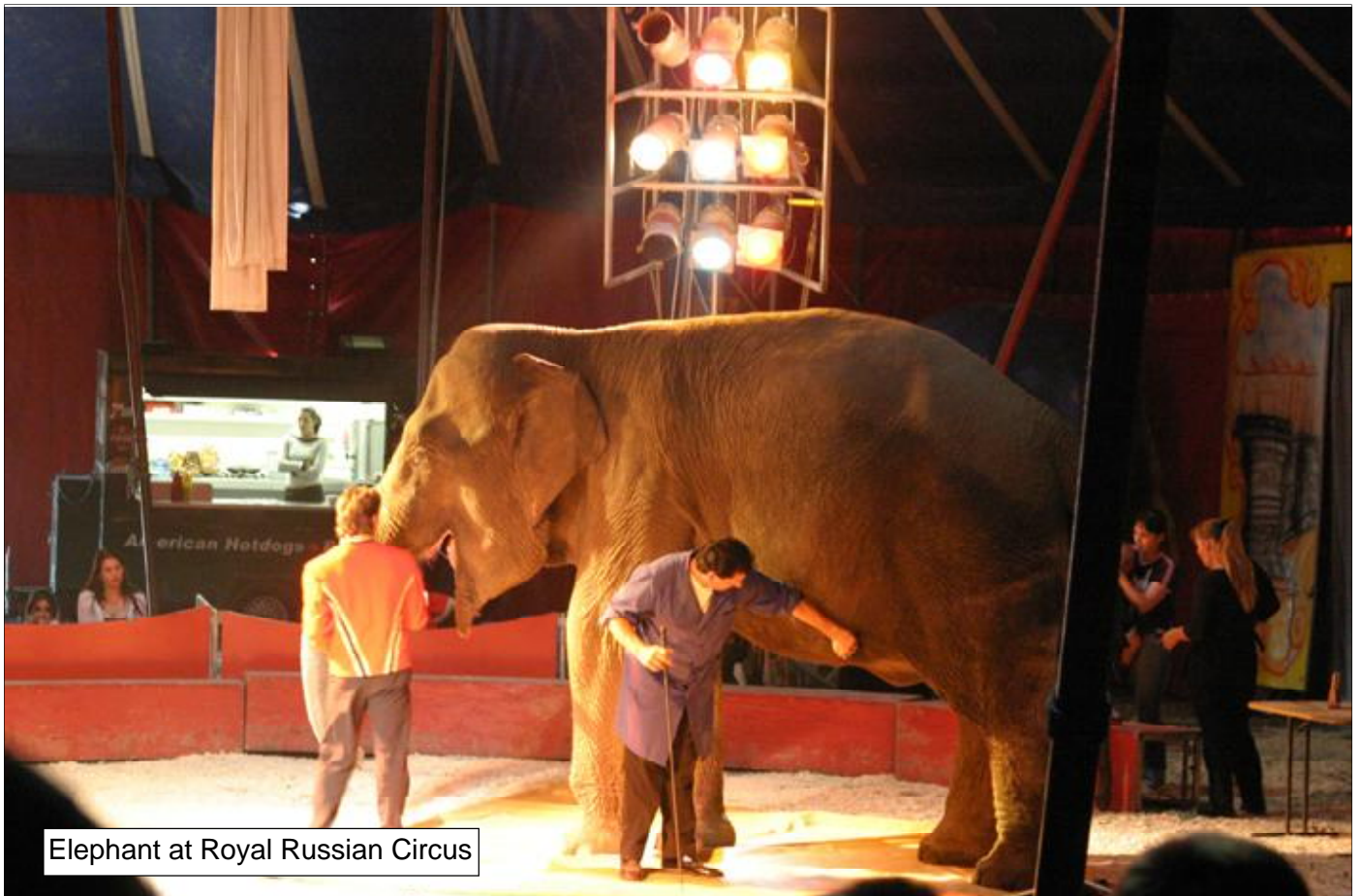
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Horses at Tom Duffy's Circus



Elephant at Royal Russian Circus



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