



Beauty Without Cruelty
Defending Animal Rights

Beauty Without Cruelty SA

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Performing Animals Protection Amendment Bill [B9-2015]

Beauty Without Cruelty (BWC) wishes to place on record the following:

Beauty Without Cruelty is of the view that the draft Performing Animals Protection Amendment Bill cannot be effective in setting and enforcing welfare standards for Performing Animals. The decades old PAPA legislation does not protect the interests of non-human animals due to increasing knowledge over the years of their sentience, as confirmed by science. While BWC opposes the commodification of animals, especially in this instance for so-called 'entertainment' purposed, we submit that any committee tasked with granting and issuing PAPA permits should have at least one member representing the rights of animals. We therefore submit that the Permit Issuing Authority established to consider permit applications shall comprise of a team of experts and not, as is the current norm, a single magistrate uninformed of the requirements of non-human animal well-being.

One of BWC's concerns is the inclusion of performing non-human animals in the circus: more than 40 countries have banned their inclusion in the circus, either completely, or limited to non-domestic non-human animals (animals) due to the inherent cruelty of incarceration, incessant travel, the inability to practice natural and normal behavior, training and enforcement of performing upon demand. Worldwide, welfare organisations reject the inclusion of performing animals and therefore the conclusion is that there is plenty of precedent to amend legislation to prevent the exploitation of animals specifically in circuses, as it is not possible to adequately ensure their wellbeing beyond the essentials of shelter and food. Removing an individual animal from the wild for the purposes of entertainment or as a working animal should be expressly prohibited.

There should be no 'circus animals' at all. A circus cannot offer an animal such as predators even the most basic environmental conditions to allow any form of natural behavior. Even though captive bred, circus lions and tigers still require the space and habitat to engage in limited natural behavior. A circus trailer and small exercise cage do not and cannot meet even these most basic needs, there is no space for these animals to even build up to a full speed run, climb or claw at a tree or even get away from each other!

There are claims that only 'positive reinforcement' is used. It stands to reason however that a degree of dominance is involved in training an apex predator who would under normal circumstance not hesitate to attack a human in confined quarters, one has to question how this type of dominance is achieved over a 250 kilogram predator?

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The reality is that any fixed based exhibit (e.g. a zoo) would not be allowed to keep animals like lions and tigers in such confined quarters, yet for some reason the law allows circuses to do so. Elephants, particularly, suffer terribly from emotional distress and joint and feet pain from spending hours and hours chained and left standing on hard ground instead of travelling many kilometres every day in the wild. The local captive elephant industry has a negative history of abusive training, which has included bull hooks and a methodology which results mental suffering and distress, pain and injury. Elephant back rides, safaris and inclusion in the circus should be prohibited as a matter of urgency. These animals can provide no educational value despite the industry arguments to the contrary.

Magistrates are not qualified to adjudicate licences, where section 3 described the licencing officer as a veterinarian or animal scientist. Furthermore, the system is being manipulated by applicants, as, if a licence is refused by one magistrate, application would be then made to another magistrate, who would issue the licence, and depending upon discretion, be valid either nationally or locally, thus also affecting the discretion of magistrates who may have refused, and also local legislation regarding the movement of wild animals. BWC reiterates we submit that any Permit Issuing Authority established to consider permit applications shall comprise of a team of experts and not, as is the current norm, a single magistrate uninformed of the requirements of non-human animal well-being. granting and issuing of PAPA permits shall have at least one member representing the rights of animals.

End.

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