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Sue Patterson  
Director of Legal Services and Deputy Secretary  
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Dear Ms. Griffiths and Patterson:

I was contacted last week by Mr. Anthony Beckwith who owns one of the last remaining circuses that travels with animals in the U.K. He said it was very urgent that I look over the 174 page report entitled The welfare of Wild Animals in Traveling Circuses, by Dorning, Harris and Pickett because they cite my studies multiple times. Mr. Beckwith was concerned that the report was biased, so I told him I will give it a quick scan before the Holidays start. I am very disappointed that Mr. Beckwith is absolutely correct. Please let me start off with a short introduction of myself, and then I will discuss just a few of the items in the report that caught my eye. If you would like a more in depth analysis of the report, please let me know.

I was a Professor and Texas Agrilife Research Faculty Fellow with Texas A&M University's Department of Animal Science for 38 years, where I was their head scientist working in the field of Animal Welfare Science. I just retired a year ago. I had a successful career of "pro-animal" work by conducting objective research and applying basic logic to assist legislators and other policy makers in making wise decisions.

For example, in 1986 the Animal Protection Institute (based in Sacramento and now called Born Free USA) named me their Humanitarian of the Year because my research documented welfare problems with raising milk-fed veal calves in narrow crates. The veal industry recently announced they were phasing out the narrow crates. API also recognized some other research I conducted that was key in their getting a federal injunction against a USDA program that required hot-iron branding of dairy cows on the jaw. We clearly showed that freeze branding was a viable and less painful alternative.

In 2001, the USDA APHIS Animal Care (the program of USDA that performs animal welfare inspections on research laboratories, zoos and circuses) funded me to conduct a series of studies looking into the welfare of elephants and big cats traveling with circuses. My studies on elephants and tigers resulted in nine articles published in scientific and trade publications, a list of which is attached. I purchased an RV trailer for the project, and up to ten graduate and undergraduate students and I traveled with eight circuses over the next six years, from California to New York, as time permitted. Our trailer was usually parked directly in front of the elephants or tigers to facilitate data collection, and we could see everything. I have continued to be active in exotic animal issues and am presently a member of the Scientific Advisory Committee for American Humane's "Humane Conservation Program," which conducts audits of the welfare of animals in zoos, aquaria, and other conservation facilities.

My studies have been cited numerous times by both pro- and anti-circus factions. For example, Animal Defenders International issued a report in 2006 entitled: "Animals in Traveling Circuses: The Science of Suffering." ADI cited my studies at least six times, which is about six times more than they cited anyone else's. Clearly ADI considered me to be one of the top experts on circus animals, although most of their references to my lab's work were egregious misrepresentations. The Welfare of Wild Animals in Traveling Circuses by Dorning, Harris and Pickett also cited my studies many times, and their use of my studies and the literature is similarly biased.

As soon as I started reading the first page of their report's, "Background," alarms started going off. The first and most extensive study on circus animal welfare was commissioned by the Royal Society for the Prevention of Cruelty to Animals in 1990 and it is not even discussed. Why would someone leave out Dr. Marthe Kiley-Worthington's Animals in Circuses and Zoos that was conducted in the EU? The RSPCA funded Kiley-Worthington for the 2-year study because she had a pro-animal track record. But, the RSPCA then viciously turned on Kiley-Worthington because of what she concluded, which I quote below (page 220 of her conclusions; a copy of the cover of her book is attached).

"This study shows that the welfare of the animals in British circuses, as judged by physical and psychological criteria, is not as a rule inferior to that of other animal husbandry systems such as in zoos, private stables and kennels.... It is therefore irrational to take a stand against circuses on the grounds that the animals in circuses necessarily suffer, unless they are to take the same stand against zoos, stables, race horses, kennels, pets, and all other animal-keeping systems."

If a scientist does not agree with another person's conclusions, that is fine as long as they provide their justification for disagreeing. Pretending that such a seminal work does not exist because it does not support their opinion, however, is not science.

Another seminal report that received just a glance was the "Radford Report." In my opinion the Radford Report should have been discussed at length. When Defra set

up the committee of experts for the Radford Report, Defra considered nominations of academics from the circus industry and animal welfare groups to form a balanced expert panel of 6. The charge was to "provide and consider evidence relating to the transportation and housing needs of non-domesticated species." I was a member of that expert panel which met during 2007. This was an intensive examination of the welfare of circus animals by representatives of both sides of the issue, whereas the Dorning, Harris and Pickett report is clearly not impartial. The Radford Report concluded that there was no scientific evidence to justify a ban on welfare grounds. Again, if Dorning, Harris and Pickett do not want to accept these findings, they are ethically bound to discuss why they should not be accepted. Sweeping the Radford Report aside and concluding "The available scientific evidence .... support a ban..." is bad science.

I do have questions about the validity of the survey Dorning, Harris and Pickett sent out. I received several calls from people managing elephants that received the survey and I had the opportunity to talk with several zoo professionals and circus trainers shortly after they also received the survey. They were all concerned about the objectiveness of the Bristol group and told me they were not going to complete the survey. I told them I was worried as well, but I did complete the survey. I am concerned that because of the low response rate by professionals who know the issues, the survey is heavily biased toward the activist agenda.

The "key welfare points" starting on page 33 are highly biased in my opinion, and just repeat the activist dogma. They ignore the simple fact that most circus animals are well acclimated to the circus life style and transportation, just like well trained dogs or horses. Their section on Mortality and Morbidity gives a litany of rare problems that can also occur with the family dog or pet horses. They overlook the simple fact that the oldest elephants in North America for decades have been circus elephants (just check the stud books). Frequently moving to new locations fits the nomadic lifestyle of elephants, provides much more stimulation than most zoo environments, and being well trained makes veterinary procedures much easier and safer.

The claim on page 42 that "Any potential contribution by traveling circuses and mobile zoos to education and conservation activities is a best likely to be marginal" is absurd. Millions of people have been inspired by being able to come into very close contact with tigers, elephants and other species at circuses. Not everyone is within close proximity to a good quality zoo. All of the circuses my students and I traveled with looked forward to their customers visiting with their animals before and after performances. Yes, you could get an elephant or camel ride, but children and adults could also get to touch those animals and feel the magic. It is hard to get really excited about conserving a species that you have only seen on television. These authors did briefly mention the success that Ringling Brothers Circus (Feld Entertainment) has had with their breeding program. That is because the Ringling circuses have generated enough profits to employ the best people and support their research. I have asked the Ringling researchers, vets and trainers if they have ever been restrained due to funding, and everyone has said never. Both zoos, circuses and private exhibitors of elephants

consult with the Ringling Veterinarians, who (to my knowledge) have always helped them out at no charge. Just Google the name Dennis Schmitt, DVM PhD and look at what he has done for the International Elephant Foundation. I also know Ringling (Feld) has an extensive program training elephant professionals in Sri Lanka (and probably other parts of the world). They train mahouts all over the world on modern techniques. There is no question that circuses have done more for conservation of threatened species than the University of Bristol.

The following are some specific examples of the clever use of citations that Dorning, Harris and Pickett used to build their case. This is based on my quickly scanning the document. As I mentioned earlier, if the Welsh Government is interested in a more in depth analysis please let me know.

P 79. Bottom left column. The authors do acknowledge that captive animals show anticipatory behavior prior to feeding, training or gaining access to outdoor space “because these are rare positive events”, and they even cite a few of my articles to show support for that claim. But these positive events are certainly not “rare” (their term) for circus animals. Circus animals are fed several times a day (big cats are an exception), watered several times a day, daily training sessions are common, and they have daily access to outside space. But these authors also left off the additional stimuli that comes from performances, photo shoots, meeting and greeting people, etc. In their attempt to negate the positive, they then used a published “note” on foxes that have learned to anticipate an adverse event.

P 80. Middle left column. The authors cite some of my studies on stereotypic behavior in tigers, and then a reference on farm animals to support their unfounded claim that anything that performs stereotypic behavior more than 10% of its time has “unacceptably compromised” welfare. This is absurd.

P 85. Bottom right. The authors grudgingly admit that the frequent changes in location of circus animals may have an enriching effect for some species, which is of course true. But they counter any possible benefit by citing studies where regular cage cleaning of rats has “been associated with increased cannibalism and reduced handleability”. That could be true for rats where scent trails are extremely important, but circus animals? If handleability decreased every time a circus moved, what would happen to their performances? Do circuses have a problem with cannibalism in their elephants, horses, dogs, cats?

P 123. Middle right. Here the authors mention a trial I once conducted when a herd of elephants were deliberately left out of a performance. I also showed video of this at an International Society for Applied Ethology meeting. In all talks and written accounts, I clearly state that these elephants were kept in their individual “matriarchal” herds, consisting of an older female and 2 to 4 younger females. The keepers knew that mixing these herds could result in a major disruption, as happens in the wild, so these elephants went for walks, went to water and were transported as a herd. The elephant herds also performed in their own ring. This circus had at tent with 5 rings, hence 5

matriarchal groups. The authors claim that when these elephants performed elements of their acts when not brought into the tent “could be anxiety due to social separation” is illogical. Also, if it was “anxiety due to social separation”, why were these elephants performing elements of their act in time with the music with no trainers present?

P 124. The section entitled Reproduction.

This section deals mostly with elephants, which is likely because circus tigers and other species breed very readily and there is an overabundance. If this was to be and impartial report, it begs the question of why are tigers and other species not covered?

Nevertheless, let me offer some clarification.

Dorning et al., fault circuses for collaborating less with zoos in their efforts to breed elephants in the recent decades. I had direct experience with that problem when I got some of our reproductive physiologists involved with Carson & Barnes Circus 20 years ago. That circus was very proud of their breeding program, which involved their regularly collecting blood samples that they sent to a major zoo (Oregon) in the U.S. as part of a cooperative breeding program. The blood was analyzed so they could track estrus cycles, and they were on the fore front of developing artificial insemination using semen sent from that zoo. Their elephants were trained to raise a foot for blood sampling using positive rewards (usually a loaf of bread). Just a year or two later the zoo stopped the program so I called the zoo director to see what had happened. He explained that animal welfare activists had gotten word about the collaboration and were picketing and killing fundraising for the zoo. He was sorry, but he had no choice.

I have had numerous zoo directors tell me over the years that they prefer circus elephants because they are well adjusted, trained and in better physical shape than zoo elephants. The general consensus was that the training and physical shape of circus elephants increased fecundity, but circuses do not usually travel with intact males for safety reasons, so breeding cows directly with bulls for maximum conception was not possible when on the road.

Most recently, some circuses and independent owners are giving up on breeding elephants because of the pressure brought by activists. It is tragic that circuses and private owners are being criticized for reducing their breeding programs when they are being forced out of business because of pressure created by biased reports like this one.

P. 133. Effects of performance.

This section goes against common medical knowledge. Certainly circus animals are expected to perform physically challenging movements, but that is good. What physician does not encourage older patients to exercise using the term “use it or lose it”? When I was younger we exercised until it hurt, and then went a little longer. Isn’t

exercising our pet dogs important to their health? Of course elephants can get back and girth lesions when the trainer is negligent and does not catch the problem, but pet horses can get similar minor injuries. The authors are very critical of circus elephants standing on two legs as being unnatural movements. Please see the attached photo of a wild elephant standing on two legs.

P. 135. Top left. Certainly many zoo elephants are overweight, but zoo managers have no choice. If their elephants are not on the fat side, they get roasted by ignorant activists. Overweight elephants traveling with circuses are rare, just like overweight football (soccer) players.

P. 139 Bottom right. This is a gross distortion of one of my studies. We reported our justifications for concluding that the elephants considered their transport containers as “home,” but the quote “since circus animals often spend much of their time in transport containers even when not being transported” that is credited to my paper was fabricated by these authors. Unfortunately, this is just one of many gross misrepresentations.

P. 140. Transport. The authors did a very skilled job of picking bits from my studies that fit their objectives. We avoided making major claims and limited our discussion to the data. Everything we saw indicated the elephants and tigers were generally excited, which most likely indicated that they were just excited about the transport process and moving to a new location. These authors inserted quotes like “Stereotypic-eliciting situations are likely to be poor for welfare<sup>127</sup>” without explaining that there is a literature that those situations could also be beneficial for welfare.

P 141. Bottom left. I am very disappointed that the authors did not explain that the translocated bull Asian elephant that displayed a 400% increase in stereotypical behavior and had disturbed sleep patterns had been translocated for breeding purposes. The huge increase in stereotypical behavior and the disrupted sleep patterns occurred when “Chang” was first allowed contact with the four cows during the day, but separated from the cows during the night. I just cannot fathom why the authors attributed the stereotypical behavior and disturbed sleep patterns to having been transported several days earlier, and not to excitement over being introduced to the sexy cows and frustration over being removed from the cows each night.

Have a great Holiday.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Friend', written in a cursive style.

Dr. Ted Friend, Ph.D., PAS, Dpl. ACAABS  
Animal Welfare Scientist

## Scientific Publications from Dr. Ted Friend's Program that Relate to Circus Elephants and Tigers

- Friend, T. H. and Bushong, D. 1996. Abstract. Stereotypic behavior in circus elephants and the effect of "anticipation" of feeding, watering and performing. Proceedings of the 30th International Congress of the International Society for Applied Ethology 14-17 August 1996, Guelph, Ontario, Canada.
- Friend, T. H. 1999. Behavior of picketed circus elephants. *Appl. Anim. Behav. Sci.* 62:73-88.
- Friend, T. H. and M. L. Parker. 1999. The effect of penning versus picketing on stereotypic behavior of circus elephants. *Appl. Anim. Behav. Sci.* 64:213-225.
- Gruber, T. M., T. H. Friend, J. M. Gardner, J. M. Packard, B. Beaver, and D. Bushong. 2000. Variation in stereotypic behavior related to restraint in circus elephants. *Zoo Biology* 19:209-221.
- Toscano, M. J., T. H. Friend and C. H. Nevill. 2001. Environmental conditions and body temperature of circus elephants transported during relatively high and low temperature conditions. *J. Elephant Managers Association* 12:115-149.
- Nevill, C. H. and T. H. Friend. 2003. The behavior of circus tigers during transport. *Appl. Anim. Behav. Sci.* 82:329-337.
- Williams, J. L. and T. H. Friend. 2003. Behavior of circus elephants during transport. *J. Elephant Managers Association* 14:8-11.
- Nevill, C. H., T. H. Friend and M. J. Toscano. 2004. Survey of transport environments of circus tiger (*Panthera Tigris*) acts. *J. Zoo and Wildlife Medicine* 35:167-174.
- Nevill, C. H. and T. H. Friend. 2006. A preliminary study on the effects of limited access to an exercise pen on stereotypic pacing in circus tigers. *Appl. Anim. Behav. Sci.* 101:355-361.
- Krawczel, P.D., T.H. Friend and A. Windom. 2006. Stereotypic behavior of circus tigers: Effects of performance. *Appl. Anim. Behav. Sci.* 95:189-198.

**ANIMALS**  
**in CIRCUSES and ZOOS**  
*Chiron's World?*

**Dr Marthe Kiley-Worthington**



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