

## **NAWAC GUIDELINE 15:**

# **Approach to understanding why society engages with activities that use animals for Exhibition, Entertainment and Encounter (the 3Es)**

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## **1. Introduction**

Under the Animal Welfare Act 1999 (the Act), the National Animal Welfare Advisory Committee (NAWAC) has a mandate to provide Ministerial advice on animal welfare in Aotearoa New Zealand. Section 57 of the Act specifies NAWAC's functions as advising the Minister on any matter relating to the welfare of animals in New Zealand, including the making of recommendations to the Minister concerning the issue, amendment, suspension, revocation, and review of codes of welfare. While section 73 of the Act specifies matters that NAWAC must have regard to in considering whether to recommend to the Minister the issue of a code of welfare, the Act does not specify what tools NAWAC should utilise when determining its advice to the Minister.

It is of note that Section 4(d) of the Act requires "physical handling in a manner which minimises the likelihood of unreasonable or unnecessary pain or distress" implying that Parliament has accepted there are some situations and circumstances (as is appropriate to the species and environment) where pain or distress of a certain kind or degree may be reasonable or necessary. This may cause tension between the various views held within society. For example, some people will value animals having the freedom to behave normally, while others may accept their behaviour being manipulated or constrained to varying degrees for the purposes of exhibition, entertainment, or encounter activities.

While acknowledging that NAWAC's focus is the welfare of animals, the Act requires NAWAC to have regard to good practice and scientific knowledge, which take account of the evolution of attitudes towards animals and their care. It is therefore beneficial for NAWAC to gain a broad understanding of why society engages in a 3Es activity.

Occasionally, NAWAC receives this type of feedback on animal uses, usually through submissions on Codes of Welfare or through public enquiries and discussion. Considerations such as why society engages with an activity, and the social licence of an activity (that is, society's acceptance of an activity and its animal welfare impacts) is important supplementary information for NAWAC when deliberating on its animal welfare advice. In this sense it reflects different aspects of current public opinion.

This information can aid NAWAC in exploring the availability of, and the recommendation of, alternative activities that may provide similar benefits to society but reduce or eliminate animal welfare concerns. Also, it can inform NAWAC's animal welfare advice to the Minister by flagging the wider implications of that advice and identifying avenues that the Government may need to further explore (e.g., the economic value of a 3Es activity to rural communities, the knowledge and awareness of conservation needs, or providing for community wellbeing through human-animal bonds) as an extension to NAWAC's advice which focusses on the animal welfare assessment of the activity.

## **2. The 3Es Consultation Tool**

NAWAC has developed a tool that will allow it to capture and consider the wider perspective of societal functions associated with activities involving animals in the 3Es.

The Tool has been designed with a focus of providing a mechanism to aid NAWAC in systematically gathering and considering the wider perspectives from those who have an interest in a 3Es activity. It aims to assist in collecting this feedback and provides a framework for NAWAC to understand how and why stakeholders engage, or do not engage with, a 3Es activity; and their reasoning for this. The Tool also aims to provide for the gathering of this information in a simple, accessible, and transparent format.

## **3. The 3Es Principles**

As part of its consideration of how society engages with the 3Es and acknowledging that under New Zealand law animal use in the 3Es is generally acceptable within certain limits, including that animal welfare considerations take precedence, NAWAC has developed a set of principles that will underpin its decision making for 3Es activities.

The principles are to help develop responses to ways of using animals in 3Es activities and aim to remain relevant as animal uses continue to evolve. These principles would be used alongside an animal welfare impact assessment when considering the involvement of animals in the 3Es.

**The principles:**

- 1. The animal and its welfare are paramount. It must be clear from the available scientific knowledge and good practice that, while the activity in question may provide certain benefits that society seeks from it, negative animal welfare impacts are kept to a minimum.*
- 2. It must be clear that there are no viable alternatives to the activity in question that provide the same or similar benefit to society but pose less of a risk to animal welfare.*
- 3. There must be sound evidence that the activity in question, in its current state, can mitigate any negative animal welfare impacts that it may inflict.*
- 4. There must be sound evidence that the activity is being periodically reviewed to reduce or eliminate any remaining negative animal welfare impacts.*
- 5. It must be clear from the available scientific knowledge and good practice, that the activity in question also allows opportunities for positive animal welfare when the whole of life of the animal is considered.*

**4. Societal engagements**

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NAWAC has identified the following general categories that recognise how society engages with animals in the 3Es. These areas of engagement can be valued differently within society and can hence evoke both positive and negative responses:

- **Education** - Consider *the activity* as an education tool (e.g., teaching stockpersonship, species conservation; husbandry; environmental conservation, scientific advancement etc.).
- **Wellbeing** - Consider how *the activity* influences your Wellbeing (e.g., relaxation; companionship; competitive participation etc), including its entertainment value (e.g., family/social activity; human-animal interactions; spectator sport etc).
- **Financial opportunity** - Consider what *the activity* offers you as a financial opportunity (e.g., employment; local economic benefit; betting; purse share; national economic benefit etc.)
- **Traditions/Heritage** - Consider *the activity* as a Tradition and/or Heritage from your perspective (e.g., a family tradition; business tradition; community tradition, historical tradition)
- **Cultural values** - Consider *the activity* from a cultural perspective (e.g., how the activity provides for matauranga Māori (Māori knowledge) and tikanga (Māori custom and practices)).

## 5. Interested Parties

How society interacts with animals in the 3Es covers a wide variety of perspectives, each of which have different kaupapa (principles and values) informing this interaction.

NAWAC has identified the following general categories of parties that will likely be interested in each activity, and acknowledges that some individuals may relate to multiple categories:

- **Owner/Operator** – a person or organisation that has an interest in providing the infrastructure that supports the delivery of the 3Es activity (e.g., an industry, such as racing; a club, such as rodeo; an owner, such as a ‘petting zoo’).

- **Active participant** – a person directly involved with the animal/delivery of the activity. (e.g., a competitor in a sporting event or someone closely associated with the activity such as a keeper at a zoo).
- **Passive participant** – a person that watches the activity but does not participate directly with the animal use (e.g., audience at show jumping); or the audience watching the same event on television; observers with a pecuniary interest in the event such as a racing punter; persons who have paid to view the animals such as an eco-tourist; undertaking a compliance role such as an animal welfare inspector at a rodeo).
- **National value (NZ Inc.)** – a person or organisation who has an interest in the wider New Zealand image, story, the NZ public, and/or the national economy.
- **Local community** – a person who has an interest in the image, story, residents and/or economy of the local community where the activity is held.
- **Indirect participant** – a person or organisation who has no direct connection to the activity but may be indirectly involved with an aspect of the activity (e.g., animal advocates who believe the activity is an unacceptable use of animals, veterinarians treating the animals outside of the activity, animal rescue/rehoming organisations etc.).
- **Other interested party** – a person or organisation who does not fall into any of the above categories but participates or engages with the activity.

## 6. How the tool is used

Interested parties complete a questionnaire (appended below) with respect to a specific 3Es activity (the activity) defined by NAWAC.

### STEP 1:

For each activity being surveyed, respondents are asked to choose their interested party category and briefly describe their role within that category. Should respondents identify with more than one interested party category for the activity they are asked to complete the survey with respect to their primary category of

participation, or to complete more than one form each relating to a specified category of participation.

## **STEP 2:**

Then, with respect to the activity being surveyed, respondents are asked to list the positive attributes and any negatives from their nominated engagement(s).

*Choose a category from the list provided and briefly describe your role within that category.*

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## **1. Education**

*What are the education opportunities that [the activity] offers you?*

**Positives**

**Negatives**

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## **2. Wellbeing**

*What are the aspects of wellbeing that [the activity] offers you?*

**Positives**

**Negatives**

### **3. Financial opportunity**

*What is the financial opportunity that [the activity] offers you?*

**Positives**

**Negatives**

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### **4. Traditions/Heritage**

*What are the traditions/heritage that [the activity] offers you?*

**Positives**

**Negatives**

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### **5 Cultural values**

*What are the aspects of [the activity] that are culturally important to you?*

**Positives**

**Negative**

This guideline was approved by NAWAC on 17 November 2021. This guideline is not a legal interpretation of the Animal Welfare Act 1999. It is anticipated that this guideline will be updated from time to time in light of experience gained by NAWAC during its deliberations.