

The NSPCA and Charley the Elephant: a story of perseverance and victory



Charley's story begins more than 40 years ago when in 1982, he was born in the wild in the Hwange National Park, Zimbabwe. It was here that he was captured as a young elephant. He was then transported to South Africa, where he was sold and forced to perform in the Boswell Wilkie Circus.

In 2001, after 17 years at the circus, Charley was relegated to the National Zoological Garden of South Africa (NZG) (informally known as Pretoria Zoo), where he became an 'exhibition'. At that stage, Charley shared his enclosure at the zoo with Landa, an elephant cow. Sadly, Landa passed away in 2020, leaving Charley on his own, and as the sole elephant on display.

In 2024, the South African National Biodiversity Institute (SANBI), responsible for managing the zoo, announced its plans to initiate Charley's release. He was to go to his new home at the Shambala Private Nature Reserve in a collaborative effort between the EMS Foundation and Four Paws.

Many have asked, where was the National Council of SPCAs (NSPCA) in this saga and what role did the NSPCA play in getting Charley his freedom? This article serves to answer the questions that have been raised.

Following the passing of Landa in 2020, the NSPCA acted fast. Although elephant bulls tend to live solitary lives in a natural environment, they will often join herds to find mates and will remain within these groups for brief periods before venturing off independently. The unnatural environment at the zoo could never afford Charley the opportunity to roam freely or choose to seek companionship, should he want to.

In February 2021, the NSPCA met with the executive management of the NZG to discuss Charley's plight. At the time, the zoo's management held firmly to the belief that Charley was playing a crucial role in education. However, the NSPCA disagreed, standing resolute in their stance that there were many other humane and effective ways to educate the public, which did not involve keeping Charley as an exhibit.

The NSPCA put forward a proposal that once Charley had been moved, his enclosure could be converted into a cinematic experience. This would give visitors an insight into the incredible life of elephants in the wild. In this way, the public could be educated about all species of animals, not only elephants.

During the initial stages of consultation on Charley's future, the NSPCA was sent from pillar to post. Between the Gauteng Department of Agriculture and Rural Development (GDARD) and The Department of Forestry, Fisheries, and the Environment (DFFE), numerous discussions were being had over animal collection plans for the zoo, as well as whether there was any intention of adding more elephants to the collection.

The NSPCA was persistent in its approach, and in May 2021, we participated in the public participation process, adding our comments to the High-Level Panel (HLP) that had been established to review existing policies, legislation, and practices relating to the management and handling, breeding, hunting and trade of elephant, lion, leopard, and rhinoceros.

While the NSPCA noted its concern about keeping elephants in captivity, our concerns fell on deaf ears when the HLP released their final recommendations to then Minister of the Department of Forestry, Fisheries and the Environment, Honourable Minister Barbara Creecy. In July 2021, the NSPCA persisted with their plan to ensure that Charley's welfare was prioritised and requested various documents from SANBI and NZG, including:

- records keeping,
- permits,
- the elephant management plan,
- Charley's medical and health records,
- husbandry protocols,
- methods employed to address stereotypical behaviour,
- and a comprehensive plan as to how Charley's species-specific needs were being met.

On 24 July 2021, the NSPCA followed up with a letter to the zoo, requesting a copy of the collection plan specific to elephants. We requested science-based evidence from the zoo to provide unequivocal evidence of the value of elephants in education, conservation, and training. We expressed concern that Charley was treated as an exhibit and reiterated the evidence that proved the conditions in which he was being kept were unethical, inhumane, and unacceptable. On 28 July 2021, we again submitted our comments on the keeping of captive elephants and expressed our concern as to why there was no policy objective put forward to end the keeping of elephants in captivity.

The zoo only responded to the NSPCA's request on 16 August 2021, stating that we needed to consult with the Chief Operations Officer (COO) of the zoo. They also informed us that the information we requested required an application in terms of the Public Access to Information Act No 2 of 2002 (PAIA). The zoo was adamant that a panel of experts would be appointed to discuss the future of elephants as exhibits at the zoo. The NSPCA asked for details of who would be appointed to the panel of experts and received no response.

This prompted the NSPCA to make direct contact with Minister Creecy, to which the NSPCA received a reply the very next day. On 1 September 2021, a memo was sent by the Minister's Office to the CEO of SANBI asking them to cooperate with the NSPCA. That day also saw the first inspection at the zoo dedicated solely to Charley, under the new directive from Minister Creecy. The inspection resulted in a Warning issued to the zoo for contraventions of the Animals Protection Act 71 of 1962, not only for Charley but for other animals inspected at the same time.

Partial compliance with the Warning was provided by the zoo on 6 September 2021. The NSPCA was compelled to follow up several times during September 2021 to address this partial compliance.

On 21 September 2021, Minister Creecy emailed the NSPCA, stating that she had instructed the CEO of SANBI to contact us. She also noted her concern that the relationship between the two organisations had become strained and instructed both parties to engage constructively regarding Charley and the future of elephants at the zoo.

Over time, the NSPCA met with various parties to discuss Charley and his captive situation. We continued to request that Charley be removed from display and either rewilded or rehomed to a suitable facility. These meetings included the CEO of SANBI, zoo management, veterinarians, and various elephant experts.

Several inspections related to Charley occurred over the period between our initial engagement with the zoo in 2021 and Charley's ultimate release in 2024. Of these, at least two were dedicated fully to Charley and his circumstances. One of the inspections was carried out at the new site proposed for Charley's rehoming, the Mokopane Biodiversity Center.

The NSPCA was invited by SANBI and the zoo to attend Charley's annual medical examination on 08 March 2022. We were represented by renowned wildlife veterinarian, Dr. Peter Caldwell.

Over the next two years, the NSPCA engaged consistently with the zoo, with well over 20 emails and letters sent regarding Charley's welfare. Further, the NSPCA engaged with Minister Creecy when matters became stagnant and breakdowns in the working relationship between the zoo and the NSPCA arose.

Included below are some of the questions and statements the NSPCA provided to SANBI and the zoo, regarding Charley's welfare and situation:

- Requests to provide copies of permits and keeping conditions
- Requests for feedback on the Warning issued over Charley's inadequate shelter and bedding
- Requests to consider Charley's retirement from the zoo
- Calling for a panel of experts to be appointed to evaluate Charley for possible rewilding or rehoming
- Requests to inspect the proposed retirement facility
- Expressions of frustration with the lack of feedback and slow progress concerning Charley's keeping condition and poor enrichment
- Sustaining pressure on the zoo for Charley to be evaluated and rewilded or rehomed to a suitable facility
- Putting forth the names of experts who agreed to work as independent elephant experts, namely, Karen Trendler, as well as Director of the Elephant Reintegration Trust, Mr. Brett Mitchell
- Requests for information on the panel of experts that the zoo had identified, which was composed of international and local experts
- Queries over the receipt of information that a behavioural assessment had been carried out by the EMS Foundation and the Pro Elephant Network (PREN)
- Corresponding with the zoo when a media statement was released, declaring a call for expression of interest to those that can assist with a suitable facility
- Requests for the zoo's risk assessment, behavioural and health assessment, and an assessment of the proposed retirement facility
- Requests that the NSPCA be consulted and informed by SANBI and the zoo on any additional facilities identified for Charley's relocation
- Acknowledgment of the statement by the zoo that the NSPCA was a key stakeholder in the process
- Querying the length of time taken to engage in internal processes, which were substantial and were having a negative effect on Charley's well-being

Charley was released from the zoo in August 2024 and was rehomed to Shambala Game Reserve. The NSPCA believes it played a pivotal role in pressuring the zoo, and SANBI, to consider Charley's retirement. We are truly grateful to the EMS Foundation and Four Paws for consolidating the fight for his freedom and providing him with a place where he can be an elephant.