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Dear Sirs,

LUCY

The Pro Elephant Network consists of a global community of diverse individuals and organisations, united in their common concern for nature, their deep association with the natural world and their commitment to apply their experience for the greater good.

We, the undersigned members of PREN would like to add our support to the initiatives of the many organisations and individuals mentioned in this letter, who have dedicated so much of their time and expertise in the support of seeking a better life for Lucy. Furthermore, we would like to request medical and welfare assessments and an urgent review of all options for Lucy.

Lucy is the only elephant resident at the [Edmonton Valley Zoo](#) which is located in Edmonton, the capital city of Alberta province in Canada. According to our research, Lucy was born in Sri Lanka in 1975. She arrived at Edmonton Valley Zoo when she was two years old after a successfully negotiated deal, travelling over thirteen thousand kilometres via Germany from the Pinnawala Elephant orphanage and [breeding centre](#).

[The Pinnawala Elephant Orphanage and breeding centre](#) was established by the Sri Lankan Department of Wildlife Conservation in 1975 to provide food, care and sanctuary to orphaned baby elephants that were found in the wild. Numerous reports, however, [dispute](#) the fact that this facility is a sanctuary. Whilst Pinnawala Elephant orphanage is one of Sri Lanka's [most popular animal attractions](#), the welfare of the elephants is an ongoing cause for concern for many experts.

In 1986 and 1987 Lucy was trucked to the Calgary Zoo, situated three hours away from Edmonton, where it was described that she was [on loan for breeding purposes](#). Lucy was returned to the Edmonton Valley Zoo after failing to be impregnated. A second breeding loan was arranged with the Calgary Zoo that had the same result.

Records received via Freedom of Information from the North Carolina Zoo indicate the Edmonton Valley Zoo was not large enough to support a group of elephants, so, had the attempts to breed Lucy been successful it would have only resulted in animals living in cramped quarters without sufficient space to exercise. Lucy continued to live on her own for twelve years and then, in 1989, an eighteen monthold African elephant called Samantha, captured from the wild during a cull in Zimbabwe, arrived at the zoo. In 2007 Samantha was [relocated](#) to a breeding program at the North Carolina Zoo, in Asheboro in North Carolina, again leaving Lucy in isolation.





Elephants are highly social cognitive intelligent animal who live highly complex social and emotional lives and need physical contact and bonding with other con-specifics, therefore it is cruel to keep an them in isolation.

In 2006, [Zoocheck](#) engaged [Dr Winnie Kiiru](#), an elephant expert from Kenya, to assess all elephant facilities in Canada. As part of this project, Dr. Kiiru visited Lucy and Samantha at the Edmonton Valley Zoo. In her report, she described the outdoor elephant enclosure at the Valley Zoo as having no vegetation and the ground was mainly earth. Although there was ample vegetation outside the enclosure, the elephants had no access to it. There were no rocks to rub against or any pools of water to drink from or to wallow in. Lucy displayed the typical rocking motion of a distressed or bored elephant.

In January 2010, Julie Woodyer, Campaigns Director of Zoocheck, Tove Reece, Director of Edmonton's Voice for Animals Humane Society and PETA joined forces to [file a lawsuit](#) against the City of Edmonton on Lucy's behalf.

The legal application included the argument of moving Lucy to a warmer, less hostile climate, because the elephant experts believe that her inadequate living conditions had aggravated her chronic health issues, which include arthritis, chronic foot and respiratory problems.

The applicants alleged that because Lucy was suffering from a number of illnesses that she was under distress. Furthermore, they asked the court to declare the City of Edmonton in violation of the Animal Protection Act. The application was supported by affidavits filed by veterinarians and elephant experts, including [Dr Joyce Poole](#) and [Dr Keith Lindsay](#). The administrators of the Edmonton Valley Zoo have consistently argued that Lucy is comfortable and content living at the zoo, and that she is deeply bonded with the humans who work with her. They have always maintained that she receives excellent care.

[The application was heard and dismissed](#). The judge ruled this legal action was an abuse of process for two reasons: that the application did not conform with the legislative path for bringing issue to the Court and that no individual can bring a civil action to enforce criminal law.

The applicants did not give up and [appealed to Alberta's Supreme Court](#) in March 2011. The two issues identified on appeal were: did the judge make an error in denying the applicants' standing to seek a declaration and did the judge make an error in concluding that the proceedings were an abuse of process?

[The appeal was dismissed](#). However, Madame Justice Catherine Fraser, in the minority, wrote that in her opinion the Zoocheck application was not an abuse of process and should go to trial. Her opinion has been described as one the most important legal opinions for animals in Canada's history and has been quoted in many publications.

[On the 6th September 2016](#), Zoocheck Canada Inc, Voice for Animals Humane Society and Tove Reece sought a [judicial review](#) of the decision by the Minister of Environment and Parks to renew the permit held by the Edmonton Valley Zoo under section 13 of the Wildlife Act, RSA 2000. c W-10 and sections 76 to 79 of the Wildlife Regulation, Alta Reg 143 / 1997. The application was heard on the 8th December 2017.

[The suit Zoocheck filed in 2017](#) also expanded on the 2011 application in which the applicants asked the court to declare Lucy in a state of distress, in violation of the Animal Protections Act. Arguments were heard in 2018. Among other things, the Province argued that the animal welfare sections of the Alberta Zoo Standards were not enforceable, meaning zoos do not have to adhere to them. Zoocheck's legal team disagreed, arguing that the Animal Protection Act requires that all of the standards must be followed in order to comply with the law. In a similar circumstance to the first case, it was thrown out on legal technicalities including the public standing issue. The substantive arguments around Lucy's health and mental wellbeing have never been allowed to be argued in court as a result.



These tireless advocates for Lucy did not give up, and in 2018 they [sought a judicial review](#) of the 2017 decision of Alberta's environment and parks Minister to renew the Edmonton Valley Zoo permit. On the 19th December 2019 the Supreme Court of Canada announced the decision [not to hear Lucy's case](#). This fully exhausted any legal options to bring justice for Lucy.

Throughout all the legal processes the Edmonton Valley Zoo administrators have not once allowed an independent medical and psychological assessment of Lucy. The zoo administrators commission [their own specialists](#) to conduct medical checks on Lucy.



Photo Credit: Zoocheck

For more than a decade Julie Woodyer of Zoocheck and their co-applicants, have pursued every legal angle on behalf of Lucy. Their legal team believes that the zoo is violating provincial standards by keeping Lucy isolated from her species and failing to provide her with a facility that meets her biological and behavioural needs.

In addition to the legal cases, Zoocheck also filed several animal cruelty complaints with authorities regarding Lucy's inhumane environment and care. As a result of these complaints the zoo has made small incremental changes to try to justify keeping her in Edmonton, such as installing rubber flooring in her barn and setting up an area for her to exercise indoors in the winter. However, these are akin to tinkering with her environment rather than addressing the fundamental problem that, not only keeping a solitary elephant amounts to cruelty but it is impossible to create a healthy environment for an elephant in Canada's cold climate.

Zoocheck believes that there is no elephant in captivity in the world that is in a worse situation than Lucy. Since Lucy's health has continued to decline and the zoo refused to move her while she was still healthy enough to travel safely, Zoocheck has suggested that the zoo install a heated therapeutic pool to soothe Lucy's joints, and build a shelter over her yard to allow her to exercise without having to walk through the ice and snow to get to the winter exercise area. The zoo has failed to follow up on these suggestions, meanwhile spending millions of dollars to upgrade the visitor areas of the zoo.



On the 5th of January 2021 [Jane Goodall](#), a renowned primatologist and anthropologist, publicly stated: "I am told that Lucy, after many years confined in isolation, is carrying 1000 pounds in excess weight which is contributing to her ill health, has worked for your city for four decades and has earned the right to retirement in a more humane setting."

The undersigned members of the Pro Elephant Network support the passionate work and honest actions of the advocates who have acted on behalf of Lucy for decades.

While the zoo stalled in allowing Lucy to be moved, her health has continued to decline in Edmonton's cold climate. Elephants in Canada rarely live past age 40 due to the damage to their joints from living in cold, confined spaces on hard substrates. Given this, it may be too late to move Lucy safely, depending on her health condition. We respectfully appeal to the Edmonton City Council to urgently allow an independent medical assessment of Lucy and to consider all options that will allow Lucy to live her remaining years in peace and tranquillity, even if this the team determines she cannot be moved and instead recommend upgrades to her existing facilities.

Yours sincerely,

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Signed by the following Members of



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