

The Parliament of the Commonwealth of Australia

**ASPECTS OF ANIMAL WELFARE IN THE
RACING INDUSTRY**

**Report by the Senate Select Committee
on Animal Welfare**

August 1991

© Commonwealth of Australia 1991

ISBN 0 642 16613 7

Printed by the Senate Printing Unit, Parliament House, Canberra

MEMBERS OF THE COMMITTEE

Appointment of the Committee

The Committee was established on 17 November 1983 and reappointed on 22 February 1985, 22 September 1987 and 9 May 1990.

Members

Senator Bryant Burns, Queensland, *Chairman* (from May 1990)

Senator David Brownhill, New South Wales, *Deputy Chairman* (from July 1985)

Senator Robert Bell, Tasmania (from May 1990)

Senator Paul Calvert, Tasmania (from September 1987)

Senator Barney Cooney, Victoria (from July 1985)

Senator Nick Sherry, Tasmania (from August 1990)

A list of former members of the Committee appears at Appendix 1 to this report.

Committee Secretariat

Mr N. Bessell, Secretary

Mr M. Lane, Principal Research Officer

The Senate
Parliament House
Canberra ACT 2600

Tel: (06) 277 3510

CONTENTS

| | Page |
|--|---|
| Major Conclusions | ix |
| Preface | xv |
| Introduction | xix |
| CHAPTER 1: The Use of the Whip | |
| 1.1 | Introduction 1 |
| 1.2 and 1.3 | Evidence Against the Whip 1 |
| 1.4 to 1.7 | The Whip as an Instrument of Pain 1 |
| 1.8 to 1.10 | Abuse and Overuse 3 |
| 1.11 to 1.14 | The Whip as a Detraction from Horsemanship 3 |
| 1.15 | Evidence Defending the Whip 4 |
| 1.16 to 1.20 | The Whip is not an Instrument of Pain 4 |
| 1.21 to 1.23 | The Whip is Rarely Abused or Overused 5 |
| 1.24 to 1.36 | Views of the Committee 6 |
| Endnotes | |
| CHAPTER 2: Racing Two Year Old Horses | |
| 2.1 to 2.4 | Introduction 11 |
| 2.5 to 2.25 | Views on the Racing of Two Year Olds 11 |
| 2.26 and 2.27 | Conclusions 16 |
| Endnotes | |
| CHAPTER 3: Jump Racing | |
| 3.1 | Introduction 19 |
| 3.2 to 3.9 | Opposition to Jump Racing 19 |
| 3.10 to 3.17 | Support for Jump Racing 21 |

| | | |
|--------------|---------------------------|----|
| 3.18 to 3.22 | Fatality and Injury Rates | 23 |
| 3.23 | Conclusions | 24 |
| 3.24 | Reservation | 24 |
| Endnotes | | |

CHAPTER 4: Drugs

| | | |
|--------------|-----------------------------------|----|
| 4.1 to 4.10 | Concerns About Drug Use in Racing | 27 |
| 4.11 to 4.16 | Drug Detection | 29 |
| 4.17 to 4.19 | Use of Drugs in Training | 30 |
| 4.20 to 4.23 | Conclusions | 30 |
| Endnotes | | |

CHAPTER 5: Other Animal Welfare Concerns

| | | |
|---------------|--|----|
| 5.1 | Introduction | 33 |
| 5.2 | Specific Animal Welfare Concerns - Horse Racing | 33 |
| 5.3 to 5.7 | Lameness | 33 |
| 5.8 to 5.13 | Exercise-Induced Pulmonary Haemorrhage | 34 |
| 5.14 to 5.17 | Abuse and Cruelty | 35 |
| 5.18 | Specific Animal Welfare Concerns - Greyhound Racing | 36 |
| 5.19 to 5.27 | Use of Live Lures | 36 |
| 5.28 | Other Concerns | 38 |
| 5.29 to 5.31 | Vaccination | 38 |
| 5.32 and 5.33 | Therapeutic Care of Dogs | 39 |
| 5.34 | Destruction of Animals | 39 |
| 5.35 | Specific Animal Welfare Concerns - Harness Racing | 40 |
| 5.36 to 5.44 | Sulky Design | 40 |
| 5.45 and 5.46 | Swish Whips | 41 |
| Endnotes | | |

CHAPTER 6: Improving Welfare in the Racing Industry

| | | |
|------------|---------------------|----|
| 6.1 | Introduction | 45 |
| 6.2 to 6.6 | Quality of Training | 45 |

| | | |
|--------------|--|----|
| 6.7 to 6.13 | Track Design and Ergonomics | 46 |
| 6.14 to 6.18 | Codes of Practice | 47 |
| 6.19 to 6.23 | Policing and Enforcement of Animal Welfare | 48 |
| Endnotes | | |

APPENDICES

| | | |
|------------|---|----|
| Appendix 1 | Former Members of the Committee | 51 |
| Appendix 2 | Witnesses who appeared before the Committee | 53 |

MAJOR CONCLUSIONS

CHAPTER 1: THE USE OF THE WHIP

In assessing the opposing views on the use of the whip, the Committee considers that it is essential to distinguish between the whip as a guide or control and the whip as an instrument of pain to make a horse run faster.

The Committee accepts the use of the whip as a guide or control. The whip or crop is necessary to provide the rider or driver with an additional aid to controlling the horse. The elimination of the "guide" could possibly contribute to accidents, threatening horses with injury or even death. Therefore, the Committee does not support a total ban on the use of the whip in thoroughbred racing.

The Committee, however, cannot condone the use of the whip to inflict pain on a horse for no other purpose than to make the horse run faster in what is essentially a sporting event. Competent riding of a horse using only hands and heels to urge the horse on should provide just as an exciting race and may also encourage more emphasis on improving horsemanship. The Committee would like to see the use of whips as a means of making a horse run faster eliminated from horse racing.

The Committee received evidence on short and long term strategies to constrain the use of the whip. For example, the Committee was impressed with the views presented by Dr Heynes of the Australian Veterinary Association that changes in the use of the whip need to come about as a result of pressure from public opinion. Dr Heynes suggested in his evidence that those who are urging the banning of the whip put up prizemoney for races where use of the whip is severely restricted. Dr Heynes suggested that this could first occur on the smaller country tracks where prize money is also smaller.

The Committee considers that there may be a major difficulty with the approach suggested by Dr Heynes in that it is unlikely that animal welfare bodies, even the larger ones, would have the resources to sponsor these races on the scale that is necessary. The Committee therefore considers that the major racing clubs could play a part in conducting whip-free

races. The Committee also considers that major private companies should consider sponsoring such races.

The Committee also considers that shorter term reforms should be introduced to further protect the welfare of horses during racing.

Firstly, the Committee is of the view that regulations should be introduced forbidding jockeys from whipping horses that have clearly lost the opportunity to achieve a placing in any race. No horse should be whipped if it is clear that it will not achieve a place. There will obviously be some potential for dispute for horses trailing just behind the leaders in a race, but there will be a significant number of horses in any race to which this rule should apply.

The introduction of such regulations would formalise what representatives of the Australian Conference of Principal Racing Clubs themselves defined as excessive use of the whip, namely:

If a rider hit a horse vigorously over a long period, or if he whipped a horse that was beaten, or whipped a horse that had no chance of getting anywhere, we would deem that to be excessive if he used it vigorously.

Such an approach should be specifically incorporated into the relevant regulations governing the use of the whip. The current regulations as stated in the Rules approved by the Australian Conference of Principal Racing Clubs do not, in fact, do anything more than prohibit in very general terms "excessive" use of the whip. The only specific provision is that the horse shall not be hit forward of the shoulder or on or about the horse's head.

Secondly, the Committee is of the view that the rules relating to the use of whips be implemented with greater diligence than in the past and that penalties should be increased. Any jockey convicted of mistreating a horse with a whip during a race should face an immediate period of disqualification, even on first offence.

Thirdly, the Committee also considers that a restriction on the number of times a jockey can hit a horse during the course of a race should be considered.

Fourthly, the Committee considers that random inspection of horses in their stables 30-40 minutes after the race should be introduced in order to check for weals.

CHAPTER 2: RACING TWO YEAR OLDS HORSES

The Committee considers that the welfare of racing two year olds would be improved by requiring veterinary certification of maturity.

The Committee recognised that the readiness of any individual horse for racing cannot necessarily be determined simply through an examination of the epiphysial plates. Nevertheless, the Committee considers that this and other procedures will enable a more reliable assessment of a horses readiness for racing.

CHAPTER 3: JUMP RACING

Based on evidence received during the inquiry, the Committee has serious concerns about the welfare of horses participating in jump races. These concerns are based on the significant probability of a horse suffering serious injury or even death as a result of participating in these events and, in particular, steeplechasing. This concern is exacerbated by evidence suggesting that, even with improvements to the height and placing of jumps, training and education, the fatality rate would remain constant. The Committee, therefore, can only conclude that there is an inherent conflict between these activities and animal welfare. Accordingly, the Committee is of the view that relevant State Governments should phase out jump racing over the next three years.

Reservation

Senators Brownhill, Calvert and Cooney share the Committee's concern about the fatality rate in jump racing. The Senators, however, consider that improvements to jump racing facilities and practices will alleviate many animal welfare problems. Changes should include the bandaging of legs, improvements to jump height, placement and the material used in jumps as well as better training and preparation of horses and jockeys.

CHAPTER 4: DRUGS

The Committee is opposed to the use of any prohibited substance in racing. It is also opposed to the use of prescription veterinary drugs by unqualified personnel. The Committee welcomes recent advances in drug detection and encourages all racing bodies to ensure that racing of all kinds is drug-free.

The Committee has three main concerns regarding this aspect of horse welfare in the racing industry. Firstly, it considers that it is essential that research into race chemistry be extended in order to counter the introduction of new chemicals and drugs. The Committee is therefore of the very strong belief that allocation of TAB levies to research should be maintained. Secondly, the Committee is of the view that pre and post race testing at country events should be increased. Thirdly, the Committee considers that heavy penalties ranging from substantial fines to life bans should be imposed on those responsible for the administration of prohibited substances.

CHAPTER 5: OTHER ANIMAL WELFARE CONCERNS

Horse Racing

Lameness

The Committee notes that several witnesses recognised the problems associated with lameness of horses in the racing industry. Given the incidence of this condition, the Committee considers that priority should be given to research into lameness in order to reduce wastage among racehorses.

Exercise-Induced Pulmonary Haemorrhage

The Committee considers that a major research priority should be to investigate the prevalence of undetected Exercise-Induced Pulmonary Haemorrhage in Australia and methods to reduce it.

Greyhound Racing

Use of Live Lures

The Committee sees the use of live animals for blooding greyhounds as essentially a straightforward matter of cruelty towards animals. No arguments can or have been put forward to defend the use of live lures. Allowing live animals to be torn apart by greyhounds is a manifest act of cruelty towards animals and should not happen. The Committee is of the view that the greyhound industry must take a more positive role to prevent the use of live lures.

The Committee supports the view of RSPCA on the need for stiffer penalties for people convicted of using live animals for blooding. The Committee is of the view that people convicted of such offences, especially repeat offenders, should be banned from participation in all aspects of the industry for a significant length of time.

Harness Racing

Sulky Design

The Committee urges the Australian Harness Racing Council to investigate thoroughly the implications for animal welfare of changes to the design of sulkies.

CHAPTER 6: IMPROVING ANIMAL WELFARE IN THE RACING INDUSTRY

Quality of Training

The Committee considers that formal training and examination in the physiology, anatomy, locomotion and husbandry of horses should be phased in over a period of time for all trainers seeking licensing or registration. Similar training and examination procedures should apply to those who handle greyhounds.

The Committee is of the view that racing associations should sponsor seminars and education programs in order to promote sound animal welfare practices amongst those who handle animals involved in racing.

Track Design and Ergonomics

The Committee is of the view that the racing industry, especially thoroughbred racing, should make every effort to improve the quality of track design. Based on discussions with leading members of the racing industry, the Committee understands that the costs involved in improving track design would not be prohibitive especially when compared with associated costs of injuries to horses.

Codes of Practice

The Committee considers that Codes of Practice should be developed through co-operation between the racing industry authorities, the Australian Veterinary Association, animal welfare organisations and other interested parties.

The Committee is of the view that Codes of Practice would benefit the industry as these codes would clarify the industries' position on acceptable and unacceptable practices.

Policing and Enforcement of Animal Welfare

The Committee is of the view that the respective racing authorities must take more responsibility for overseeing and controlling the welfare of animals involved in every facet of their industries. The Committee considers that these authorities should either enhance and extend their role in this area, or implement alternative strategies.

For example, RSPCA plays an active role in safeguarding the basic welfare of animals involved in the industry and has considerable expertise in this area. Indeed, the Committee understands that most animal welfare concerns, including those leading to prosecution, are initiated by RSPCA. In order to safeguard the welfare of animals involved in all facets of the racing industry, State Governments should consider channelling a percentage of TAB revenue to RSPCA. In return, RSPCA could ensure the highest animal welfare standards. This in turn would foster an even more professional, modern and accountable racing industry as far as animal welfare is concerned.

PREFACE

Terms of Reference

In November 1983, the Senate established a Select Committee to inquire into and report upon the following matter:

the question of animal welfare in Australia, with particular reference to:

- (a) interstate and overseas commerce in animals;
- (b) wildlife protection and harvesting;
- (c) animal experimentation;
- (d) codes of practice of animal husbandry for all species; and
- (e) the use of animals in sport.

To date, the Committee has presented ten reports to the Senate. These are:

| | |
|--|------|
| Export of Live Sheep from Australia | 1985 |
| Dolphins and Whales in Captivity | 1985 |
| Kangaroos | 1988 |
| Animal Experimentation | 1989 |
| Sheep Husbandry | 1989 |
| Intensive Livestock Production | 1990 |
| Racing Industry (Interim Report) | 1990 |
| Culling of Large Feral Animals in the Northern Territory | 1991 |
| Transport of Livestock within Australia | 1991 |
| Equine Welfare in Competitive Events other than Racing | 1991 |

In May 1988 the Committee began the inquiry into the animal welfare aspects of the racing industry as part of its more general reference on the question of animal welfare in Australia.

Conduct of the Inquiry

The following public hearings were held:

| | |
|----------------|---------------|
| Sydney: | April 1989 |
| Melbourne (2): | June 1989 |
| Sydney: | July 1989 |
| Melbourne: | November 1989 |

A list of witnesses who appeared at these hearings at Appendix 2.

The Committee also conducted inspections at Rosehill Racecourse, Sydney, in July 1989, Flemington Racecourse, Melbourne, in November 1989 and Dubbo City Racecourse in February 1990. The Committee visited harness racing events at Harold Park, Sydney, in December 1989 and Dubbo Harness Racing Club in February 1990. Formal inspections were also held at Olympic Park Greyhound Racing Track, Melbourne, in November 1990 and Dawson Park, Dubbo, in February 1990.

The Committee tabled an interim report on this matter in June 1990, anticipating that it would be able to resume its work on this subject. The Committee was requested to table a final report on this matter by October 1990. Subsequently, the Senate resolved to extend the time for the presentation of the report to June 1991 and then to August 1991.

Scope of the Report

The Committee regrets that it has not been able to present a more comprehensive report on this matter. This is so for several reasons.

Firstly, with the re-establishment of the Committee following the election in 1990, the membership of the Committee changed. Indeed, half of the current members of the Committee were not members of the Committee when most evidence was received.

Secondly, at the same time, the Committee received three new references. The newly constituted Committee has inquired into these

matters and reported promptly to the Senate. Reports have been tabled on the following matters:

- Culling of large feral animals in the Northern Territory;
- Transport of Livestock within Australia; and
- Equine Welfare in Competitive Events other than Racing

Thirdly, the Senate has resolved that at the completion of its current inquiries, the Committee's work should be completed. To present a comprehensive report on the racing industry, the Committee considers that further hearings, and re-hearing of previous evidence, would be essential. In the circumstances, the Committee considers that this is not warranted.

Specific Issues

The Committee, however, is in a position to comment on some specific issues raised in evidence presented in 1988 and 1989 and wishes to place its views on record. These issues relate to the following matters:

- use and abuse of the whip
- racing of two year olds
- jump racing
- use of drugs
- animal welfare and the racing industry

Acknowledgments

The Committee expresses its appreciation to those who made written submissions to the inquiry and who co-operated with the Committee by giving public evidence. The Committee also acknowledges the assistance of those who arranged and conducted inspections and briefings.

Bryant Burns
Chairman

The Senate
Canberra

INTRODUCTION

The two components of the racing industry in Australia are horse racing (thoroughbred racing and harness racing) and greyhound racing. Both are large industries.

There are well over one hundred thousand horses in Australia which have been bred for use in horse racing. According to evidence received in 1989 from the Australian Horse Council:

The thoroughbred industry has approximately 36,000 studbook brood mares and 11,000 non-studbook mares. There are approximately 4,000 stallions standing at stud in Australia, and approximately 21,000 thoroughbred yearlings in the studbook. About the same number of foals are returned each year. We have about 36,000 racehorses and the total number of registered horses is approximately 129,000.

The Australian Conference of Principal Racing Clubs provided the following information on the size of the horse racing industry:

The racing industry has an annual turnover of more than \$20 billion and employing more than 250,000 people, [and] racing is Australia's third largest industry. It generates more than \$450 million each year in State and local government taxes. And, within the industry, racing last season [1988-89] distributed prizemoney totalling \$146 million at meetings held by 500 clubs.

The Australian Conference of Principal Racing Clubs maintains that it is satisfied with the state of animal welfare in the industry. The Conference points to improvements in some specific areas, such as drug testing, where the welfare of the horse was a specific concern. Stewards are enforcing strict supervision of the treatment of horses "on" and "off" course and there are sufficient powers to deal with issues concerning animal welfare.

According to the Greyhound Racing Control Board, there are over 40,000 greyhounds associated with the greyhound racing industry, including 20,000 in training. There are about 18,000 people registered as owners

of greyhounds, of whom almost two thirds train their own dogs. There are approximately 3,500 non-owner trainers.

The Board advised the Committee that the welfare of the greyhounds is of prime importance and the Board endeavours, within its resources, to ensure that the situation of as many animals as possible is inspected annually.

The major animal welfare organisations, such as the Royal Society for Prevention to Cruelty to Animals (RSPCA) do not oppose racing as such. RSPCA policy is that people will use animals but that such use should be humane. RSPCA (NSW) and RSPCA (Vic) as well as the Australian and New Zealand Federation of Animal Societies (ANZFAS) have serious concerns about aspects of the use of animals in the racing industry.