



Inquiry into animal cruelty in the management of retired thoroughbred and standardbred horses in Queensland

Submission from the
Australian Veterinary Association Ltd

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13 November 2019

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The Australian Veterinary Association (AVA) thanks the Queensland government for the opportunity to make comments on this important matter.

About us

The Australian Veterinary Association (AVA) is the national organisation representing veterinarians in Australia. Our 9000 members come from all fields within the veterinary profession. Clinical practitioners work with companion animals, horses, livestock and wildlife, conservation and zoo animals. Government and institution employed veterinarians work with animal health, public health and biosecurity. We also have members who work in research and teaching in a range of scientific disciplines. Veterinary students are also members of the Association.

The AVA has a range of special interest groups (SIGs), allowing members with shared interests or expertise to develop their practice and skills in a specific area. These include Equine Veterinarians Australia and Australian Veterinarians for Animal Welfare and Ethics.

Introduction

The AVA strongly condemns the abusive treatment of horses as reported on the ABC's 'The 7.30 Report' and we welcome the Queensland Government's inquiry into this issue.

This submission, which has been approved at the level of AVA President, has drawn on the legislative knowledge and regional experience of the AVA's Queensland Division. Subject matter expertise has been provided by the AVA's relevant special interest groups: Equine Veterinarians Australia (EVA) and the Australian Veterinarians for Animal Welfare and Ethics (AVAWE).

The illegal animal abuse practices depicted in the '7.30 Report' are abhorrent and the AVA recommends legislative changes to ensure enforceable optimal animal welfare for horses in the future.

Abattoirs and knackeries that are breaching animal cruelty laws, as well as horse racing authorities that are not enforcing their own welfare rules for post-career horses, need to be held accountable. Breaches of animal welfare cannot be tolerated.

The ongoing welfare of horses after their racing career is the responsibility of the horse racing industry. We call upon racing authorities to take a much stronger role in enforcing welfare standards for their retired racehorses.

Currently, welfare laws for animals are administered at a state government level, and the scope of protection for horses varies between states. Following reports of animals being moved across state boundaries for slaughter, the AVA believes that a national animal welfare standard for horses is required to provide consistency and maintain appropriate welfare in this species. In addition, the AVA calls for a 'national horse register' to be established for greater traceability and oversight of the country's equine population.

The AVA advocates for the health and welfare of all horses, not just racehorses, and has a policy on Humane Slaughter¹.

Submission

1. The operations of abattoirs and other facilities accepting horses for slaughter

(i) Regulatory arrangements for transport to abattoirs and knackereries

Assessment of Section 33 of the *Animal Care and Protection Regulation 2012 (Qld)*

Section 33 reflects the Land Transport Standards which were nationally developed over many years by a broad stakeholder group including government and the AVA, and which represent minimum standards, not optimal standards. The basic tenets of: being fit to travel, handling livestock, inspection and welfare checks, non-use of prodders and arrangements for distressed livestock are sound. However, the AVA submits that the maximum permitted duration for time off water during transport of horses is too high.

There is research to show that there are four aspects of animal transport which have increasing impact on welfare as transport duration increases (Nielsen *et al*, 2011) ². These relate to:

- (i) The physiological and clinical state of the animal before transport and during transport
- (ii) Feeding and watering
- (iii) Rest
- (iv) Thermal environment

The current 24-hour maximum time off water is a key issue. Neilson *et al*, 2011 in their review of the literature said that transport of healthy horses in warm weather for more than 24 hours without access to water led to severe dehydration. There are indications that it takes quite a while before horses start to drink during watering breaks, that they drink very little and that they may refuse to drink from sources that are novel to them.

Lester *et al* (2013) ³ found that horses subjected to water deprivation in a controlled non-transport environment showed significant decrease in body weight after 24 hours (6.3%), as well as significant reduction in faecal water content and electrolyte imbalances. This is a risk factor for large intestinal impactions (colic), as well as electrolyte abnormalities and metabolic disturbances.

These results and other scientific studies have clearly shown that there are welfare issues as a consequence of depriving horses of water for 24 hours, but work is needed to assess what the maximum permitted time off water should be. Dr Barbara Padalino, Associate Professor of Animal Sciences at the University of Bologna is part of an expert group that have written guidelines for travel in Europe. From her many scientific paper and her PhD ⁴, Dr Paladino's conclusion is that 12 hours without food and water is really too long and recommends offering food and water at least every 4 hours or have drinking systems in vehicles.

Dr Padalino proposes the use of monitoring systems. In her Australian survey, she found many Australians admitted that they do not have cameras, they check horses only at petrol station stops, and many reported to have found horses with bad injuries (fractures) or dead and have no idea of what happened. Finally, it is very important to train drivers and transporters on how to recognise horses in distress and on how to drive vehicles transporting live animals.

Dr Padalino would be happy to input into a group to look at the Australian standards and make recommendations.

Recommendation

That Schedule 3 be changed to reflect current scientific knowledge about deprivation of water in horses during transport.

That an expert working group be formed to review schedule 33 and make recommendations based on recent scientific findings on the optimal transport standards for horses especially time off water.

(ii) Regulatory arrangements for horse slaughter

There are a number of regulations governing animal welfare of horses in the meat processing industry. Pertinent to this, they include:

- **Animal Care and Protection Act 2001 (ACPA) and Schedule 33 (regulation)**
Section 18 Animal Cruelty prohibited
 - A person must not be cruel to an animal.
Maximum penalty—2000 penalty units or 3 years imprisonment.
 - (2) Without limiting subsection (1), a person is taken to be cruel to an animal if the person does any of the following to the animal—
 - (a) causes it pain that, in the circumstances, is unjustifiable, unnecessary or unreasonable;
 - (b) beats it so as to cause the animal pain;
 - (c) abuses, terrifies, torments or worries it;
 - (d) overdrives, overrides or overworks it;
 - (e) uses on the animal an electrical device prescribed under a regulation (schedule 33);
 - **pain** includes distress and mental or physical suffering.
- **Australian Standard** for the hygienic production and transportation of meat and meat products for human consumption FRSC Technical Report No 3 AS 4696:2007

Animal Welfare Part 3 , Section 7: The minimisation of the risk of injury, pain and suffering and the least practical disturbance to the animals refers to the handling of the animal, provision of feed, water shelter etc and separation in certain circumstances.
- **Primary Industries Standing Committee. Model Code of Practice for the Welfare of Animals - Livestock at Slaughtering Establishments**, which prescribes appropriate unloading and holding facilities, restraint and slaughter practices, including stunning requirements. Section 2.2.4 requires that unloading of stock should only be done by experienced personnel.
- **Draft Standards and Guidelines for Livestock at Processing Establishments:**
Adherence to good animal husbandry principles which also meet the basic physiological and behavioural needs of livestock is essential to meet the welfare requirements of animals. Good husbandry principles include:
 - persons in charge of animals have sufficient skill and knowledge to ensure that animals are treated in accordance with these principles, and not in ways that may cause injury, panic, or avoidable stress;

Potential gaps in these regulations and standards

The AVA considers that the cruelty provisions in the ACPA Act are sufficient especially as the definition of pain in the Act covers distress and mental or physical suffering.

Gap 1 – compliance and enforcement

Auditing, and enforcement of compliance with the Act and regulations are major concerns especially if only undertaken on a complaints-basis in an establishment. An employee or other whistleblower would need to risk losing their job to complain. Abattoirs and knackeries are not open to independent inspection, nor does it appear that appropriate monitoring by the authorities is in place.

There are several approaches to remedy this:

- Independent auditing and monitoring of all livestock processing establishments on a regular basis. This would only pick up systemic and physical facility issues, but would be very unlikely to detect individual acts of cruelty which could remain hidden;
- Mandatory reporting of potential cruelty cases, and the establishment of a robust system to protect whistleblowers;
- CCTV cameras installed at all points of the abattoir process, as recommended in the AVA policy on humane slaughter. This will assist with staff training, and also act as a deterrent from acts of cruelty, more so than scheduled audits.

Gap 2 – Lack of focus on mental distress and definition of skills and experience required

Abattoirs have to adhere by AS 4696:2007 but the animal welfare guidelines in this report relate to the physical facility components of welfare and less so distress and mental suffering of animals. The Model of Code of Practice also only refers to experienced personnel and the draft standards and guidelines do mention stress but don't provide guidance on what that stress might be, or how it might be minimised.

Stress of horses at abattoirs There is scientific evidence that horses during pre-slaughter show strong hardship behavioural patterns as evidenced by a 30 times level of epinephrine and norepinephrine (the flight and flight hormones). Cortisol, a longer onset stress indicator increased by 50% (Micera *et al* 2010) ⁵.

Micera *et al*, 2010 also concluded that the timespan (45 minutes) from pre slaughter to bleeding involves a strong multifactorial stress. The stunning box entry and other olfactory capacities of the horse and its prey nature trigger strong arousal behaviours (fear and alert mechanisms). The researchers said that it could be useful to recognize the appropriate strategies to reduce the perception of danger by the horse for example introducing visual and olfactory barriers to reduce stress responses. Micerca *et al* 2012 ⁶ conducted further studies showing that mentholated ointment applied to the nostrils of horses pre slaughter reduced their adrenergic response to the slaughter environment.

(iii) Best practice for humane conduct and standards in the slaughter of horses in abattoirs and knackeries from reception to captive bolt stunning and exsanguination

The current regulations, standards and guidelines do not give emphasis or guidance as to the ways that stress in horses can be reduced in abattoirs. Scientific evidence shows that horses are extremely stressed under these circumstances. In developing best practice guidelines to underpin legislation, the AVA recommends that at a minimum, the following areas should be investigated and addressed:

- Design of premises so that horses awaiting slaughter cannot hear, smell or see horses being stunned and exsanguinated
- Look at other options for killing rather than the conventional abattoir e.g. the potential of mobile abattoirs that come to the property – studies in lambs have shown significantly reduced stress.
- Employment of staff who are aware of stress reduction techniques and handling, and introduction of the principles of fear-free environments.
- Use of appropriate stunning methodologies, at appropriate voltage, accurately positioned and with good animal restraint to ensure effective stun at first application. The Queensland Department of Agriculture should immediately inspect all facilities to ensure that appropriate stunning equipment and restraint facilities are in place, and that staff are trained and competent in their use.
- Staff in abattoirs should receive specific training in humane killing of the species they are slaughtering. A unit of competency in the humane killing of horses should be developed and incorporated into the training package for staff at knackeries and any abattoirs which process horses.

- Consider implementation of a Mobile abattoir system versus conventional slaughterhouse—see: Impact on stress parameters and meat quality characteristics in Norwegian lambs. Eriksen *et al*, Applied Animal Behavior Science: 149 (3013)21-29. ⁷

2. Management of retired racehorses (thoroughbred and standardbred) in Queensland including of horses moved from interstate.

(i) Welfare Standards for retired racehorses – quality or quantity of life

Assessment of an animal's welfare is based on the animal's quality of life, not just quantity of life, and this concept is supported by animal welfare legislation within Australia.

When assessing welfare it is important to consider not only the Five Freedoms which ensure that an animals basic needs are met, but also the newer paradigm of the 5 Domains (Mellor 2017) ⁸ which take into account positive experiences, so that the animal has a life worth living. It would be considered poor welfare to extend a horse's life without providing basic needs as well as positive experiences. A long life may not always be the best option if good welfare cannot be ensured, and not all horses are suitable candidates for rehoming. Humane euthanasia in some circumstances may be the best animal welfare outcome, and this should be determined on a case-by-case basis.

(ii) Is there still an argument for the commercial slaughter of horses

It is not the role of the AVA to make that decision. However, if commercial slaughter is undertaken then it must be done humanely with appropriate handling and stunning, and any transport to abattoirs must be undertaken with a primary concern for the horse's welfare. The AVA believes that it is essential to have good oversight of all aspects of any commercial slaughter process.

(iii) Should racehorses be an exception?

This is a decision for the racing industry. If the racing industry decides that racehorses are exempt then the industry needs to put in place sufficient systems for monitoring and oversight to ensure that racehorses enjoy good welfare for the duration of their lives post-racing, and are not neglected.

(iv) Regulatory arrangements for managing the welfare of retired racehorses – gaps and inadequacies

Inadequacies

1. It is our opinion that the most significant inadequacy in managing the welfare of retired racehorses is the absence of data for the actual medium and long-term welfare outcomes for the entire population of retired racehorses. No one can categorically state the total number of retired racehorses currently in existence, where they are located, what their current states of health are, the status of their welfare, nor if in fact they are alive or dead.
2. Timely updating of retirement status in the record books is currently inadequate, where some horses remain listed as 'active' despite not having raced in the last 12 months. Most of these horses have relocated from training premises to another location. EVA does concede that Harness Racing Australia has taken serious action on this issue in the last 18 months by making owners update activity status of Standardbred racehorses in 'real time.'
3. There is not an understanding of the market elasticity of supply and demand for racehorses, although we point out that the thoroughbred 'foal crop' has stabilized at around 13,000 live foals per annum ⁹ after year on year declines from a peak of 22,000 in 1999. This suggests that the thoroughbred breeding industry does self-adjust to supply only what the market demands.
4. Queensland does not have a Principal Racing Authorities (PRA)-based rehoming structure.
5. Racehorse rehoming organisations who work on a state basis have complained that there is an inadequacy of funding for them to do more rehoming work.

Gaps

1. There is little to no auditing of post racing career outcomes for racehorses.
2. Although Racing NSW has passed a local rule of racing to say that no racehorse shall be sent to a knackery or abattoir, they do not appear to have audited the requirements of this rule.
3. Racehorses can cross state borders to be killed at a knackery or an abattoir in another state.

(v) Elements of a rehoming program for greatest benefit and who funds

As stated at the outset of our submission, we stress once again that good animal welfare concerns itself with the quality of an animal's life as opposed to the just the quantity of the animal's life.

Therefore the required elements of a successful rehoming program are best examined in chronological order in a total racing industry perspective including the owners responsibilities in making a retirement decision through to a quality life in the post-racing world. Those elements are:

1. A recognition and commitment by the racing industry that these horses have been bred for the entertainment of humans by racing. Therefore, if post retirement plans for racehorses do not succeed, then the new owners should be entitled to return the horse to the racing authorities for the logical next steps.
2. A commitment by Racing Australia and Harness Racing Australia to developing and implementing rehoming programs on a national basis, where responsibilities are not negated when owners move their horses across state borders. That program will be funded by the racing industry by using a suitable mechanism. The program would include:
 - a. Generation of market demand for the horses
 - b. Timely veterinary assessment for illness or injury
 - c. Timely behavioural and temperament assessment
 - d. Funding of residential retraining
 - e. Assessment of new owners and properties for the ability to provide a quality life. For the absence of doubt, a quality of life for a retired horse is not solely measured by the horse being alive. Quality must be met for the horse with a minimum of, but limited to, the following:
 - i. being fed to produce satisfactory body condition scoring ¹⁰
 - ii. watered
 - iii. sheltered
 - iv. secured by safe fencing, not tethered
 - v. exercised
 - vi. medicated
 - vii. have its feet and teeth cared for
 - viii. have access to veterinary inspection and treatment
 - ix. being protected from aggressive behavior by other horses
 - x. being checked daily by a responsible person for illness or injury
 - xi. having sufficient environmental enrichment and the ability to meet important behavioural needs
3. The Australian Government must oversee the integrity of the program as described in point 2, by inspection and audit. This will be funded by the racing industry and for the purposes of this submission be known as the Australian Government Rehoming Integrity Authority.
4. The AVA recognises that not all racehorses will be suitable for rehoming, due to a variety of limiting reasons such as:
 - a. Illness
 - b. Injury
 - c. Inappropriate behavior
 - d. Temperament
 - e. No suitable homes available after genuine attempts at rehoming have been made

5. An equine veterinarian can decide on illness and injury unsuitability for Points 4(a) and 4(b) and can recommend humane euthanasia forthwith, which would be carried out by a veterinarian.
6. For Points 4(c) and 4(d) on Behavioural and Temperamental unsuitability, the owners must refer the horse to an assessment by suitably qualified horse people, as part of the national rehoming program as described in Points 2(c) above. Where the horses are found to be unsuitable, documented, elective, humane euthanasia should be selected, so as to avoid the horse being subjected to possibly unsatisfactory welfare in a poor quality of life scenario.
7. Point 4(e) "No suitable homes being available" provides a challenge to the program. However, the "warehousing" of horses awaiting a home is not a satisfactory welfare outcome due to the risks of injury where many horses are contained in a limited space. Once again documented, elective, humane euthanasia should be selected so as to avoid unsatisfactory welfare outcomes. This must be subject to audit by the Australian Government Rehoming Integrity Authority.
8. Lastly, AVA proposes that if a rehomed horse, at a future time is found to have poor welfare, then the racing industry should fund either alternative rehoming to a suitable environment, or if this is not possible, humane euthanasia as administered by a veterinarian.

(vi) Feasibility of a National Horse Traceability Register

In April 2019, AVA contributed a submission to the Australian Senate's inquiry into the "**Feasibility of a National Horse Traceability Register.**" The submission to the inquiry can be found in the link on the reference list¹¹

The AVA has policy with regard to identifying horses¹², and supported the introduction of such a register. An extract of the policy is: *Horses must be permanently identified, and preferably by radiofrequency identification (i.e. microchip), for management, registration and identification purposes.*

The AVA says that no quality assurance scheme can claim to have veracity unless it is accompanied with the traceability of its constituents. Whilst the creation of a national register would be challenging, it would provide the foundation for the integrity required to provide satisfactory outcomes in humane slaughter of horses and also to support quality outcomes in the racehorse rehoming program described above.

Although the racehorse authorities run satisfactory registers for their own purposes, these do not extend beyond racing into the post-racing world where retired horses will live. Therefore, a national register is required. At the public hearing in which AVA attended as a witness, there appeared to be wide support for a national register, although no party appeared to be enthusiastic to fund it.

With regard to national horse registers, Racing Australia is the keeper of the Australian Stud Book. The Stud Book is the largest horse register in Australia and contains hundreds of thousands of horses registered within it. As such, it is our opinion that Racing Australia has the best expertise in the information technology required to run and maintain a register of the type that will be required. We recommend that Racing Australia be approached by the suggested Australian Government Rehoming Integrity Authority to be contracted to establish this recommended national register. As it was clear at the Senate hearing that no parties were keen to pay for a register, all parties should be keen to see that this register is established as economically as possible. Racing Australia have the skills to execute the precision and economy that would be desired in establishing a register.

With regard to funding the register, it will need to be user pays by a mechanism designed by the Australian Government Rehoming Integrity Authority.

References

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