

## Background

In late 2014, the SA Racing Minister Hon Leon Bignell publicly stated that jumps racing should be phased out due to community concerns regarding animal welfare and in his view the resulting impact on the reputation of Thoroughbred racing as a whole. He subsequently called for an inquiry in early 2015.

The South Australia Parliament agreed in September 2015 to appoint a select committee with the following terms of reference:

To inquire into and report on jumps racing in South Australia, and in particular:

(e) whether or not it should be banned; and

(f) any related matters.

In its [report](#) released on 30 November 2016, the committee made a total of 28 recommendations.

The following summary provides comments on the rationale underpinning each recommendation, as well as their adequacy or otherwise in addressing welfare aspects pertaining to jumps racing in South Australia.

A number of the report's recommendations apply to both flat and jumps racing.

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### **4.1.1 Future Direction**

**Recommendation 1:** The Committee recommends that jumps racing in South Australia should not be banned and that the matter of whether to ban jumps racing should not be revisited by Parliament for the next three years, to allow the industry time to undertake further improvements against the Committee's proposed recommendations.

**Response:** On the currently available evidence of animal suffering and risk of animal injury or death a ban should be imposed.

Despite the committee not recommending a ban, RSPCA SA supports the committee's recommendations including that the industry must have implemented them all within the next three years (ie: by the end of 2019).

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### **4.1.2 Research and Data Collection**

**Broadening the Scope of the Data that is Collected, Recorded and Made Publicly Available**

**Falls, Fatalities and Injuries resulting in Deaths**

**Recommendation 2:** The Committee recommends that data on fatalities and falls and injuries resulting in deaths in training, trials and races be collected and made publicly available.

**Response:** Supported but inadequate

All falls and injuries in training, trials and races, not just those resulting in death should be collected and made publicly available.

**Recommendation 3:** The Committee recommends that T.R.S.A. make stewards reports and reports issued by Jumps Review Panels publicly available by regularly publishing these reports online.

**Response:** Supported but inadequate.

Steward reports are already available for races but steward reports for trials should be required (currently TRSA stewards do not provide publicly available reports on trials).

The Jumps Review Panel should provide reports on all jumps races and trial results, falls, injuries and other related matters and these should be published online within 48 hours of races or trials being held. The term 'regularly publishing' is too vague.

The 48 hour timeframe will ensure that the Panel reviews and considers the future of horses who have experienced an incident in a timely fashion, especially as there is a possibility the Panel may need to recommend that a horse scheduled to race the next week is suspended pending veterinary clearance.

**Recommendation 4:** The Committee recommends that data on fatalities and falls and injuries resulting in deaths in training, trials and races be published annually in a publicly available form, such as the T.R.S.A.'s Annual Report.

**Response:** Supported but inadequate.

All falls and injuries (not just those resulting in death) should be reported as these will help reveal any cumulative stress on horses both physically and psychologically.

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## **Non-Fatal Injuries**

**Recommendation 5:** The Committee recommends that the industry document and report on the nature and outcome of non-fatal injuries to horses arising from collisions with other horses and obstacles, falls, jumping or landing awkwardly or both during jump races.

**Response:** Strongly supported.

This information should be publicly available online. A database regarding these incidents for each individual horse will enable tracking of ongoing and cumulative problems.

Evidence indicates that collisions with other horses or obstacles, jumping or landing awkwardly, or falls are not uncommon in jumps races. In addition to causing distress, landing awkwardly is likely to result in musculoskeletal damage.

Injuries may have occurred but may not be obvious or detected by veterinary examinations conducted immediately after a race and are therefore not noted in stewards' reports.

Publicly releasing information on horse performance would bring SA in line with Victorian best practice measures, resulting in greater transparency and accountability in SA's jump racing industry.

**Recommendation 6:** The Committee recommends that, in addition to race-day vet assessments of horses that have experienced an awkward jumping or landing, the industry in South Australia and Victoria consider how they might conduct follow-up vet assessments to detect injuries that may not have been detected immediately after the race.

**Response:** Strongly supported.

Reports on these findings should be made publicly available as part of databases maintained for individual horses.

**Recommendation 7:** The Committee recommends that T.R.S.A. make publicly available detailed information on horse performance from Jumps Review Panel reports.

**Response:** Strongly supported.

The Victoria Jumps Racing Review Panel publish their reports; the SA Jumps Review Panel should do likewise in the interests of transparency and accountability.

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## Factors Contributing to Horses being withdrawn from Races

**Recommendation 8:** The Committee recommends that the industry investigate and compile data on factors that may contribute to horses not finishing races.

**Response:** Strongly supported.

**Recommendation 9:** The Committee recommends that the industry consider the relationship between non-completion and high attrition rates (retirement of horses from jumps racing) resulting from non-fatal injuries.

**Response:** Strongly supported.

Maintenance of accurate and comprehensive industry records is critical for reducing the risk horses face in jumps racing, as noted in the 2008 *Review of Jumps Racing in Victoria*.

Submissions and evidence presented to the Committee highlight the strong causal link between horses not finishing races and high attrition rates in jump races. (The attrition rate is about 50%, meaning that around half the horses that compete in one jumps season don't compete in the next.)

Injuries that are non-lethal and even minor in nature (eg: bowed tendons, muscle tears) are still often career-ending, and life-ending for the many injured horses sent to knackeries.

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## Facilitating Data Analysis

**Recommendation 10:** The committee recommends that racing authorities consider forms of collecting, recording and archiving data that are more amenable to analysis of industry-wide and long-term trends and that the industry demonstrate transparency, accountability and its commitment to continuous improvement of the safety of horses and riders, by making this data publicly available.

**Response:** Strongly supported.

If the public release of statistics within clearly defined timeframes is not mandated, there is concern regarding how and when this might be actioned by the industry.

Unlike Victoria, stewards and jumps review panel reports of races in S.A. are not publicly available. Information about jumps race trials held in S.A. is also not placed on the public record.

With the corporatisation of racing in 2000, the State Government is no longer privy to industry data.

Making data publicly available would assist with safety improvements and also help to build public trust in this industry's capacity to reform.

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### 4.1.3 Safety Planning and Risk Mitigation

#### Developing and Implementing a Safety Action Plan

**Recommendation 11:** The Committee recommends that the industry develop and implement a Safety Action Plan, with continuous improvement objectives to increase the safety of jumps racing for horses and jockeys, particularly for steeplechase races.

**Response:** Strongly supported.

All costs must be borne by the industry without government support.

**Recommendation 12:** The Committee recommends that the industry provide full reporting annually on the outcomes of measures implemented under its Safety Action Plan and that this

information be published online and in a hard-copy format, such as an annual report, in the interests of greater transparency and accountability.

**Response:** Strongly supported.

RSPCA SA is keen to see quantifiable evidence that any safety measures introduced by industry are having the desired result. The evidence would have to include a reduction in falls, injuries, deaths and the currently high attrition rate of around 50% (ie: Half of all jumps horses exit jumps racing every year, with their fate often unknown.)

In accordance with the Committee's recommendations around greater industry transparency and accountability, RSPCA SA would welcome the publication of any TRSA "Safety Action Plan" and the outcomes of its safety measures in the organisation's Annual Report.

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### **Creating Consistency in Safety Measures across Jurisdictions**

**Recommendation 13:** The Committee recommends that the industry in S.A. consider bringing its local Rules of Racing on jumps racing in line with Victorian standards in areas in which there are currently inconsistencies.

**Response:** Strongly supported - unless it was shown that the Victorian rules do not improve animal welfare, accountability and transparency.

For example: Racing Victoria has increased the maximum number of permissible strikes from 5 to 10 prior to the last 100 metres of a jumps race. The RSPCA strongly opposes this whip rule change on the basis that there is evidence which suggests that whipping horses more leads to a greater risk of falling and therefore injury to jockey and/or horse.

Other key differences between jumps racing rules in Victoria and SA relate to track condition, qualification requirements to race, annual re-qualification requirements, the powers of the Jumps Review Panel, public access to Panel reports and the rule of remounting if a jockey falls off.

Given the high level of participation of horses and jockeys across the SA/Vic border, RSPCA SA supports bringing SA in line with Victoria on all jumps racing rules that demonstrably improve animal welfare standards, accountability and transparency.

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#### **4.1.4 Safeguarding Animal Welfare**

##### **Protection under Legislation**

**Recommendation 14:** The Committee recommends that the *Animal Welfare Act 1985* continue to be used as the basis of determining ill treatment of horses involved in jumps racing and that all breaches be reported and prosecuted accordingly.

**Response:** Strongly supported.

The Law Society of SA has provided evidence that those participating in jumps racing are arguably in breach of the AWA (Section 13, 1 and 2) and the Society therefore supports the sport being banned.

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## **Addressing Inadequacies in Current Processes**

### **Greater scrutiny of under-performing horses**

**Recommendation 15:** The Committee recommends that there be greater scrutiny by stewards of the performance of jump race horses where there is evidence of a history of lameness, injury, falls, collisions with other horses or obstacles or both, jumping obstacles awkwardly or poorly or both, to prevent avoidable suffering and address high attrition rates.

**Response:** Strongly supported.

RSPCA SA also recommends that stewards be required to undertake more rigorous assessment through trials and/or suspend particular horses from jumps racing until they can perform satisfactorily. Benchmarks or criteria based on objective data should be developed and used to help identify horses who are at risk of injury, fatigue or who do not show a strong capability to clear obstacles competently.

**Recommendation 16:** The Committee recommends that stewards reports provide more detailed descriptions of the nature of the fall and the impact on the horse to contribute to epidemiological data and to review factors that may lead to, and be associated with, poor performance.

**Response:** Strongly supported.

Such descriptions would include whether the horse hit an obstacle, jumped too early, landed awkwardly, collided with another horse as well as performance leading up to the fall and the number of whip strikes by the rider.

RSPCA SA provided the Committee with case studies that demonstrated absent or poor monitoring of the horse's ability to participate in jumps races. A recent local example documents the performance of 10 year old gelding, Trenchtown in the five weeks leading to his death at Morphettville on 25 July 2015.

Incidents over this time included lameness, jumping awkwardly and falling, knuckling, hitting obstacles, stumbling and finally sustaining injuries during a race that required the horse to be euthanased.

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### **Withdrawing horses rule**

**Recommendation 17:** The Committee recommends that consideration be given to imposing greater penalties for not withdrawing horses that show signs of fatigue or other signs of impaired performance.

**Response:** Strongly supported.

Penalties should also apply to riders for not withdrawing a horse who shows poor jumping capability through hitting obstacles, jumping awkwardly or stumbling during the race.

There is clear evidence of a link between fatigue and falls. Jumps races place greater physical burden on horses than flat races because not only are they required to clear obstacles but they also have to cover longer distances. (The two longest horse races in Australia are both jumps races.)

At its extreme, horses can experience epistaxis, bleeding from the nostrils, that generally arises from exercise induced pulmonary haemorrhage (E.I.P.H.), which is the manifestation of ruptured capillaries in the lungs at peak exertion. Studies show that the risk of epistaxis is greater for jumps horses compared with flat horses and higher in horses that compete in steeplechase races compared with hurdles.

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## Transparency in Whole of Life Reporting

**Recommendation 18:** The Committee recommends that the industry make public all relevant information for each individual horse during its lifetime, including all injuries and deaths in training, trials, races and, at any time, and full details of the fate of horses, including detailed reporting on proposed use, such as slaughter, recreational riding and retirement to pasture.

**Response:** Strongly supported.

Statistics on the number of registered racehorses that go to slaughter do not exist as they are not collected and collated. Trainers and owners are free to dispose of their horses as they see fit, with no records kept.

The maintenance and publication of full and detailed reports for every horse in the thoroughbred racing industry during its lifetime is critical to informing any discussion of wastage.

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## Duty of Care Measures

### Retirement Planning

**Recommendation 19:** The Committee recommends that the horseracing industry develop, fund and implement a retirement plan for thoroughbred race horses to address wastage.

**Response:** Strongly supported.

This recommendation applies to both flat and jumps race horses.

Racehorses can make their owners and trainers very wealthy. But when they stop winning, or when they never win, or when injury ends their racing career, no-one is obligated to take responsibility for their ongoing welfare. "Wastage" euphemistically is the result.

In September, Racing NSW announced it will contribute \$2 million annually to fund the retirement of racehorses, and has provided a commitment to "funding a home for every racehorse, whether they reach the racetrack or not". The initiative will be funded by a 1% levy on a newly introduced prizemoney package. Racing Victoria has a similar program called "Off the Track".

Thoroughbred racehorses have a life span of between 25-30 years, and all retire well before the term of their natural life. RSPCA SA agrees this industry is morally obligated to finance effective retirement plans for all registered racehorses that cease racing or never raced.

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### **Identifying and Supporting Alternative Pathways Out of Jumps Racing**

**Recommendation 20:** The Committee recommends that the industry consider measures for extending the life of ex-racehorses to lessen the likelihood of their being slaughtered.

**Response:** Strongly supported.

This recommendation applies to both flat and jumps race horses.

**Recommendation 21:** The Committee recommends that programs for re-training of jumps racing horses for other equestrian pursuits such as show jumping, cross-country, three-day eventing and high-weight flat racing be supported by the industry in S.A.

**Response:** Strongly supported.

**Recommendation 22:** The Committee recommends that, with proper regard to the type of injury, cost and other relevant factors, greater consideration be given to the role of rehabilitation in extending racehorse lives.

**Response:** Strongly supported.

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### **Equine Rescue/Rehoming of unwanted horses**

**Recommendation 23:** The Committee recommends that industry funding be provided to establish an equine rescue and rehoming program for unwanted horses, including jumps race horses that cannot be transitioned into other equine pursuits.

**Response:** Strongly supported.

This recommendation applies to both flat and jumps race horses.

A large number of retired jumps horses can't be ridden again due to injury, making them suitable only as companion horses. Such horses are much harder to rehome than horses that can still be ridden. Retired jumps horses tend to be older than retired flat race horses, which also makes them less attractive to buyers.

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#### **4.1.5 Wastage and Overbreeding in the Thoroughbred Racing Industry**

##### **Fate of Horses Leaving the Thoroughbred Racing Industry**

**Recommendation 24:** The Committee recommends that, in the absence of recent published studies quantifying the demographics of horses entering slaughterhouses in Australia, S.A. data be collected, collated and published to enable research to be undertaken to determine the proportion of horses that are registered to race that go to slaughter and the reasons for this.

**Response:** Response: Strongly supported.

This recommendation applies to both flat and jumps race horses.

**Recommendation 25:** The Committee recommends that the industry consider implementing a register or index of jumps horses to enable detailed statistical data to be collected on their fate and to determine the proportion of horses that are registered to race that go to slaughter. In the interests of achieving greater transparency and accountability, the Committee recommends that the industry make this data publicly available.

**Response:** Strongly supported.

Details of fate need to include whether a veterinarian euthanased the horse and if not, who (name and affiliation, e.g. trainer, strapper etc) undertook the euthanasia and the method used.

**Recommendation 26:** The Committee recommends that the industry collect and make publicly available data on the number of horses leaving the racing industry annually to provide an understanding of racehorse attrition rates, owing to overbreeding and other factors, to enable measures to be implemented to address this problem.

**Response:** Strongly supported.

Australian jumps racing is sustained by high levels of new horse entries each season. Since 2003, all thoroughbred foals born in Australia have been required to be microchipped. But information on the fate of individual horses is not publicly available, with terms like "active", "spelling" and "retired" used.

There is no way of telling if a "retired" horse has in fact gone to the knackery. Horses sent overseas are labelled "exported" and their fate is also untraceable.

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## Issues regarding Breeding

**Recommendation 27:** The Committee recommends that consideration be given to developing a nation-wide industry plan with measurable outcomes to mitigate wastage through overbreeding.

**Response:** Strongly supported.

This recommendation applies to both flat and jumps race horses.

**Recommendation 28:** The Committee recommends that the industry enter into partnerships to support research into current breeding practices with a view to establishing more sustainable numbers.

**Response:** Strongly supported.

This recommendation applies to both flat and jumps race horses.

A 2004 study by Ariella Hayek (BS – Vet Science) - the first investigation into the fate of horses leaving the racing and breeding industries in Australia - found that because of the large numbers of thoroughbred horses being bred, it was more *“financially feasible for trainers and stud masters to acquire new horses rather than to use present practices to remedy problems in existing horses. This may account for the large number of horses described in this study moving between different enterprises.”*

In addition to the serious welfare concerns for these horses, their ultimate fate is unknown due to the absence of any system of traceability.

This issue of excessive surplus horses resulting from overbreeding and short-lived racing careers is becoming increasingly unacceptable to an informed public. It mirrors the equally unacceptable killing of thousands of healthy surplus and/or slow greyhounds within the greyhound racing industry. If not addressed, the issue of “wastage” is among the major ones that will result in ever-stronger public pressure for these sports to end.

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### Areas requiring further attention:

1. *RSPCA SA recommends that consideration be given for the industry to develop a welfare code of practice for jumps racing, in consultation with the RSPCA, which would contain acceptable standards to safeguard animal welfare of jumps racehorses covering all facts including training, transport, husbandry, handling, feeding, health, housing, racing etc.*
  2. *The use of whips in jumps racing should be further examined. This is a particular animal welfare concern as Racing Victoria has this year increased the maximum number of permissible strikes from 5 to 10 prior to the last 100 metres of a jumps race. The RSPCA strongly opposes this whip rule change given that scientific evidence shows there is an increased risk of horses falling when they are whipped more often.*
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