

Submission
No 87

**INQUIRY INTO ANIMAL CRUELTY LAWS IN NEW SOUTH
WALES**

Name: Name suppressed
Date Received: 29 November 2019

Partially
Confidential

To:
Legislative Council Select Committee on
Animal Cruelty Laws in New South Wales

RE: Submission to Inquiry into animal cruelty laws in New South Wales

My submission refers to the lack of enforcement of the NSW Prevention of Cruelty to Animals Act 1979 to protect the welfare of the racehorses. Very recently, there has been a huge amount of negative publicity in relation to the mistreatment of racehorses during their careers and upon exiting the industry. NSW racing industry horses are purposely bred, they are of service to the racing industry and the public in terms of hundreds of millions of gambling revenue to the state of NSW and deserve to be protected by legislation. There is growing community expectations that horses in racing will be treated humanely.

Under the Terms of Reference, I am responding to –

- (a) the effectiveness of the charitable organisations currently approved under section 34B of the Prevention of Cruelty to Animals Act 1979 (“the Act”) in achieving the objects of the Act, namely:
- (i) to prevent cruelty to animals,
 - (ii) to promote the welfare of animals by requiring a person in charge of an animal:
 - (a) to provide care for the animal,
 - (b) to treat the animal in a humane manner,
 - (c) to ensure the welfare of the animal,

I am a former stablehand/strapper and have also worked in other areas of the horseracing industry. I have been investigating, researching and documenting the life of the racehorse for the past 12 years. I have been researching the Stewards’ Reports of Racing NSW at www.racingsw.com.au since 2009 and the data I collected from 2009-2014 was the foundation of a Sydney University study titled “Thoroughbred fatality and associated jockey falls and injuries in races in New South Wales and the Australian Capital Territory, Australia: 2009-2014” – <https://www.ncbi.nlm.nih.gov/pubmed/29031324>

I have continued with this research for a further five (5) years investigating the racehorse fatalities, causes for such fatalities, risk factors, jockey falls and injuries, etc. Since 2011, I have also been researching the Stewards’ Reports of Racing NSW at www.racingsw.com.au on the use of the whip. The data I collected for part of that period formed the foundation of a Sydney University study titled “Whip Rule Breaches in a Major Australian Racing Jurisdiction: Welfare and Regulatory Implications: the link - <https://www.mdpi.com/2076-2615/7/1/4>

Whip use in horse racing is an important animal welfare issue. Not only is there growing community concern about the welfare of horses being whipped in races, whipping is also a racing integrity issue. A recent example of a racehorse suffering injury from being whipped is the 2019 Melbourne Cup winner, Vow And Declare – the link <https://horsesandpeople.com.au/whip-welts-on-melbourne-cup-winner/>

Based on my experience in and investigation of the horse racing industry in NSW for many years, I am of the opinion that Racing Australia’s Rules of Racing have failed to protect the racehorse. The effectiveness of the charitable organisation, the RSPCA, to achieve the objects of the Act has been significantly impeded by its limited powers.

Animal cruelty inspectors should be allowed full powers of entry and enforcement on racetracks, stables and other racing facilities. From my observations, the current arrangements leave enforcement to racing authorities unless they deem something to be worthy of RSPCA intervention. Therefore, this means that many acts of cruelty may go undetected or unpunished. It would of course be necessary for more resources to be channelled to the inspectorate for this purpose.

I request the opportunity to present to you at a hearing in February.

Kindly acknowledge receipt of this submission.

Yours sincerely

29 November 2019