

Submission
No 23

INQUIRY INTO PROPOSAL TO DEVELOP ROSEHILL RACECOURSE

Organisation: Sentient, The Veterinary Institute for Animal Ethics

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The veterinary voice in animal welfare

Select Committee Inquiry on the Proposal to Develop Rosehill Racecourse: Submission from Sentient

Introduction

Sentient is an independent Australian veterinary association dedicated to animal welfare advocacy based on the ethical implications of animal sentience and the findings of animal welfare science. Our members are represented in academia, private practice (companion, equine and large animals), non-government, government and industry settings, with expertise in many fields including animal welfare, animal behaviour, clinical medicine, zoo and wildlife medicine, epidemiology and the use of animals in teaching and research. A number are qualified specialists in particular disciplines or have extensive experience within industries such as live export, horse racing and greyhound racing. Sentient has presented at international and national conferences, published papers, contributed numerous submissions to state and federal government inquiries, and provided evidence at parliamentary public hearings. We also host final year veterinary science students for Public, Industry and Community placements in animal welfare advocacy. Sentient is registered with the Australian Charities and Not-for-profits Commission.

Terms of Reference

1. That a select committee be established to inquire into and report on the proposal to develop Rosehill Racecourse, and in particular:
 - (a) the unsolicited proposal process including associated probity measures
 - (b) the involvement of the Government prior to the unsolicited proposal being made
 - (c) the role of the proposal in meeting housing targets
 - (d) impacts on the cost and delivery of the Sydney Metro
 - (e) potential impacts on parkland in Western Sydney
 - (f) impacts on the racing industry in New South Wales
 - (g) the impact on animal welfare and any integrity concerns associated with the proposal which relate to animal welfare, and
 - (h) any other related matters.

This submission focuses on term of reference:

- (g) the impact on animal welfare and any integrity concerns associated with the proposal which relate to animal welfare

Background

Based on a media article published on June this year, it appears that the NSW racing industry could benefit greatly from the development project through the potential establishment of a Centre of Excellence training and stabling facility at Horsley Park, upgrading of existing facilities at Warwick Farm, Canterbury Park and Royal Randwick, and potentially creating a new racetrack

elsewhere in Sydney.¹ This submission considers the opportunities for improving welfare outcomes for Thoroughbred racehorses offered by these potential proposals as well as other initiatives which would help improve the welfare of Thoroughbreds in the NSW racing industry.

What is animal welfare?

Animal welfare frameworks

There are different models or frameworks used to assess animal welfare with the Five Domains Model (the Model) being widely used by many industries and contexts including farming, zoos and wild animal management (Mellor et al 2020). In the past, animal welfare has focused on negative physical impacts such as starvation, disease and injury. However, a major strength of the Five Domains Model is that it places a strong emphasis on mental state based on the recognition that animals are sentient, thereby capable of being aware of their surroundings and having positive and negative mental experiences. Positive experiences include sense of comfort and safety, satiety, health and vigour, contentment, joy etc. Negative experiences include hunger, thirst, breathlessness, fear, anxiety, pain etc.

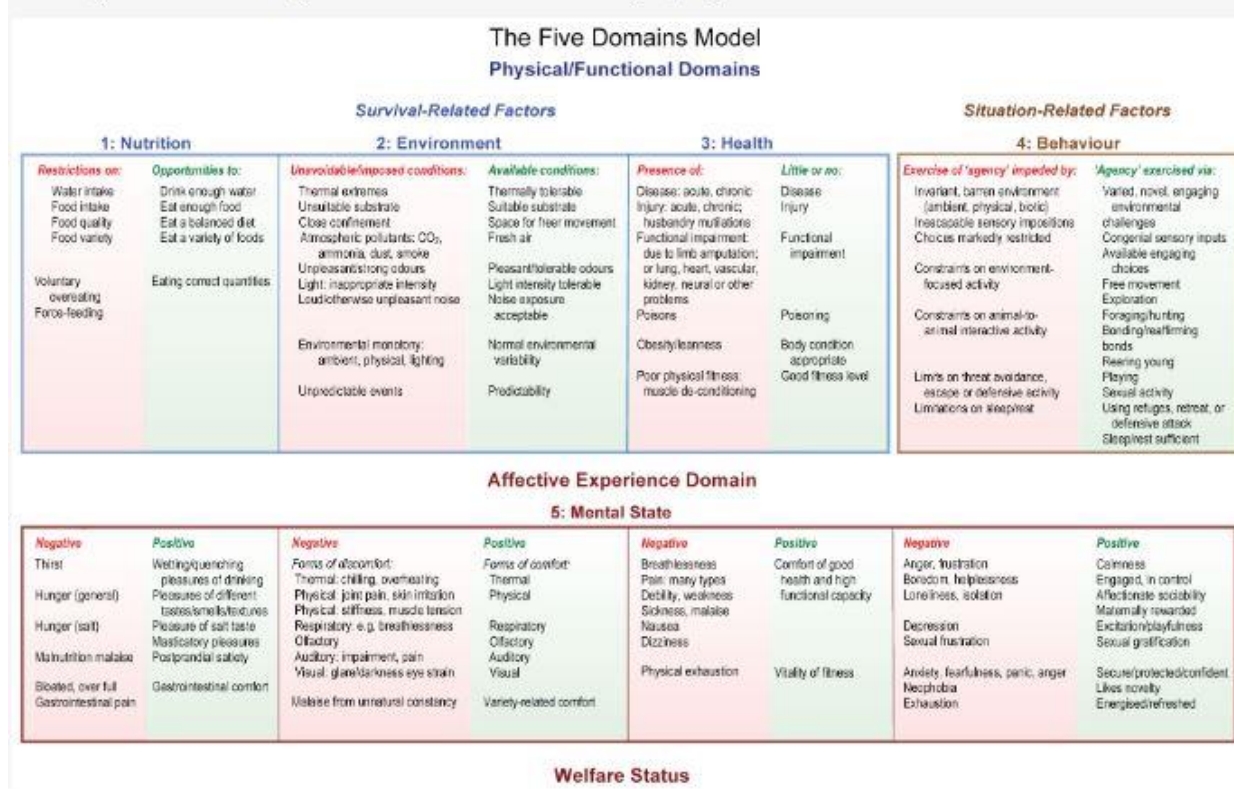
There is an increasing amount of scientific literature on assessing pain in horses, particularly using facial expressions such as grimace scores and behavioural indicators (Gleerup et al 2015; Rashid et al 2020). This is particularly helpful in terms of identifying pain associated with sub-clinical disease conditions such as muscle, tendon, ligament or bone soreness, gastric ulcers etc. It is very important to identify diseases and disorders early to help prevent debility and negative experiences increasing in intensity so that appropriate treatment can be instituted as soon as possible.

The Model comprises four physical domains (nutrition, environment, health and behaviour) with the fifth domain being mental state. Each physical domain affects mental state. For example, if an animal is not provided with sufficient food, hunger will ensue; if an animal is confined for long periods in a barren environment, boredom and frustration are likely to be experienced; if unnatural feeding regimes are imposed, gut health is likely to be affected which may cause pain and/or nausea. There is increasing interest and research being undertaken to examine mental states other than pain in horses including frustration and anticipation (Phelipon et al 2024) and fear (Leiner and Fendt 2011).

The following table provides an overview of the Five Domains Model (extract from Mellor 2017).

¹ Wang J 7th June 2024 NCA Newswire [Rosehill racecourse mini city redevelopment proposal a step closer | news.com.au](https://www.rosehillnews.com.au) — Australia's leading news site

Figure 1. The Five Domains Model (modified from [12]): The examples provided for the physical/functional Domains 1 to 3, labelled “Nutrition”, “Environment” and “Health”, are intended to direct attention towards mainly *internal* survival-related factors, and those provided for Domain 4, labelled “Behaviour”, focus attention largely on *external* situation-related factors. For each of Domains 1 to 4, examples of negative and positive factors are provided and are aligned with inferred negative or positive affective experiences, assigned to Domain 5, labelled “Mental State”. The overall affective experience in the mental domain equates to the welfare status of the animals, as explained in the text. Note that an animal exercises “agency” (Domain 4: “Behaviour”) when it engages in voluntary, self-generated and goal-directed behaviours [44,45].



A study using the Five Domains Model involving the New Zealand Thoroughbred Racing Panel resulted in the development of welfare-based guidelines and offers an example of where an industry has effectively engaged in reviewing practices that impact animal welfare (Mellor & Burns 2020).

A study published in 2021 reported fourteen key welfare issues associated with Thoroughbred racing identified by industry stakeholders including horsemanship, weaning, stabling, environment, heat and humidity, ventilation, transport, wastage, gear, track design and surface, health and disease, whips and nutrition (Mactaggart et al 2021).

Another framework uses a three-dimensional approach which includes physical, mental and natural states (Fraser et al 1997). This approach is particularly useful when examining how

Thoroughbred racehorses are managed where many unnatural impositions are placed on them. For example, prolonged individual stabling prevents direct contact with other horses, such as the ability to engage in allogrooming, and the feeding of high concentrate diets without suitable periods of natural grazing is detrimental to physical and mental health.

The following information is extracted from the RSPCA Knowledgebase article: [Should I stable my horse? – RSPCA Knowledgebase](#)

Horses have evolved to meet their nutritional needs by consuming small amounts of roughage or forage regularly throughout the day (grazing behaviour) [McGreevy 2012]. In the wild, horses will spend approximately 60% of their time eating [McGreevy 2012]. In comparison, stabled horses fed a restricted fibre diet may spend as little as 15% of their time feeding [McGreevy 2012]. Access to pasture, fibrous feed, and opportunities to feed frequently are considered to reduce the risk of stomach ulcers in horses [Sykes et al 2015]. Slow feeders have also been associated with indicators of improved welfare such as a reduction in abnormal repetitive behaviours [Rochais & Hasuberger 2018].

Choice, agency and a good life

Other important concepts in animal welfare include choice and agency as well as ensuring that animals have a 'good life'. Littlewood et al 2023 describe agency as individual animals having the capacity to engage in voluntary, self-generated, and goal-directed behaviours that they are motivated to perform. The authors illustrate this by examining the restrictions imposed on kennelled racing greyhounds, particularly in relation to lack of environmental enrichment and limited social interaction with cohorts. There are strong parallels with the restrictions imposed upon racehorses stabled for prolonged periods. Engaging in and completing self-generated goal directed behaviours allow animals to experience positive emotional states including a sense of satisfaction and feelings associated with achieving the goal (e.g. comfort, satiety etc).

Humans who care for animals have a responsibility to ensure that those animals have a life worth living, and this moral obligation is increasingly recognised by the community.

Overview of key welfare issues associated with Thoroughbred racing

Thoroughbred racing poses many welfare threats to horses, with many currently not being addressed adequately or at all, thereby creating a risk to the industry's social licence. A lack of focus by the industry globally on horse-centric welfare, particularly in relation to 'wastage' and injuries, has been recognised as a critical factor for the ongoing viability of racing (Heleski et al 2020; Legg et al 2023). Thus, effectively addressing key welfare issues is not only essential to improve outcomes for racehorses but to also meet community expectations upon which the long-term sustainability of the industry depends. In relation to the redevelopment proposal, it is incumbent upon government to ensure that any money provided to the industry will include provisions to improve welfare outcomes for Thoroughbred racehorses, enabling the industry to meet their social licence obligations. Otherwise, any investment may not be considered a viable decision if the long-term sustainability of the industry is questionable.

In order to ensure that financial commitments or arrangements are conducive to good fiscal management, it is crucial to understand contemporary thinking about animal welfare. There have been significant advances in animal welfare science which allows a greater appreciation of the impacts on animals associated with their management, handling, husbandry, health care and use. This provides an opportunity for the industry to effectively address the numerous animal welfare issues associated with racing.

Injuries and death

Racehorses are at risk of musculoskeletal injuries which can involve tendons, ligaments, muscles and bones. This is not only a welfare issue due to pain and suffering caused by the injury, but this can be exacerbated during the recovery phase. Studies over recent years have identified that bone fatigue may be present but not clinically detectable in racehorses. If left undetected, this can increase the risk of horses 'breaking down' on the track or suffering a catastrophic injury where euthanasia is the only option. Recent advances in the use of computed tomographic (CT) imaging have improved diagnosis of injuries (Harding et al 2021; Melly et al 2022). Increasing access to these and to other advanced diagnostic tools would improve welfare outcomes for racehorses by identifying lesions earlier, allowing for treatment to be commenced and more accurately determining the recovery time post injury. Most importantly, this would prevent the racing of horses who are at risk of catastrophic injuries on track due to undiagnosed lesions.

Care of Thoroughbreds leaving the industry

In November 2021, the Thoroughbred Aftercare Welfare Working Group released its report, *The Most Important Participant – A framework for Thoroughbred Welfare* (TAWWG 2021). Sentient contributed to discussions with this working group in 2020 and we commend their report, which contains 46 recommendations with the potential to provide a robust and effective framework to improve the welfare and aftercare of Thoroughbred horses in Australia. Despite this, there has been virtually no response from the Australian racing industry. This is extremely disappointing and provides further evidence that this industry is not committed to improving and enhancing the welfare of racehorses. The Working Group conducted over 50 consultations and considered more than 180 submissions, making it arguably the most comprehensive industry led review of racehorse welfare in Australia to date. Although the review focused on breeding, racing and regulation of Thoroughbred racing, the recommendations also have potential to advance racehorse welfare more broadly.

Painful devices

The use of specific devices that cause pain and mental suffering pose significant risks to racehorses. The negative welfare impacts associated with the use of whips, such as pain and welt marks, have been well documented, as has evidence that they do not even improve a horse's racing performance (RSPCA 2022). The ongoing use of tongue ties is another major welfare concern as they have been shown to cause stress in horses and to injure their sensitive mouths through lacerations to the tongue, bruising and swelling, with the potential to cause permanent tissue damage (Latimer-Marsh et al 2017). Recent evidence negates claims that tongue ties enhance respiratory function through providing a clear upper airway during strenuous exercise (Barton et al 2022). All this evidence regarding the use of painful devices on racehorses highlights

a fundamental ethical issue – do we have the right to cause pain and suffering to an animal for the mere purpose of providing human entertainment or to support gambling? The evidence also shows that the use of such devices is based on tradition and does not even serve the purported function of improving equine racing performance.

Welfare assessment tools

It is well recognised that those who care for and use animals require practical tools to monitor welfare and assess welfare risks. Recently, a number of welfare assessment tools have been developed to assist owners, trainers and riders who pursue equestrian sports (Lesimple 2020; Ruet 2022; Raw 2020). It is not clear whether such tools have been developed for racehorses but there is certainly scope for development.

Whole of life tracing

The National Horse Traceability System (NHTS) is essential in terms of biosecurity requirements as well as providing a mechanism for whole of life traceability of all racehorses to help safeguard animal welfare (RSPCA 2022). The racing industry has an obligation to facilitate the development of an effective NHTS. Right now, above all other equine pursuits, the racing industry is under the spotlight in terms of the fate of horses leaving the industry. The appetite of the community to access information that assures them that horses are well cared for beyond racing is likely to increase in the future.

Training and competency

Every participant in the Thoroughbred racing industry, from Board members to strappers, must fully understand what constitutes good animal welfare. One of the most effective ways to do this is to provide training in how to safely and humanely handle and interact with horses. This is fundamental and helps to demonstrate the profound impact human behaviour has on horse welfare. The Thoroughbred racing industry should adopt the principles of equitation science as a core commitment and apply these to how racehorses are handled, trained, bred and raced. The [International Society for Equitation Science](#) is committed to enhancing horse welfare and improving the horse-rider relationship through ethical, researched and peer-reviewed equitation science. This organisation provides an exemplary model of how to bring both evidence-based practice and sound ethics to any sport involving horses.

Transparency and accountability

Although the Thoroughbred racing industry provides publicly available information associated with some parameters (e.g. steward reports) addressing animal welfare, this falls far short of what the community expects as an assurance that horses are indeed respected and well cared for by the industry. There are many gaps in publicly available data as well as a lack of collated statistics. Rectifying this should be an urgent priority, and especially pertinent is the need for transparency regarding the number of horses retired and rehomed, and the nature of their rehoming. To date, the industry has not delivered on this, which is essential to building social license. Other information gaps include lack of details regarding injuries and deaths during training and trials.

National Thoroughbred Horse Welfare Standards and Guidelines

Unlike the agricultural sector which has developed national animal welfare codes of practice for farm animals, the Thoroughbred racing industry has none. National animal welfare standards and guidelines enable monitoring and compliance to minimal legal standards as well as providing community assurance. It is pleasing to note that the ACT has earlier this year released a mandatory welfare code of practice for horses, being the first Australian jurisdiction to do so (ACT Government 2024). Although this Code was developed for any use of horses, there are specific aspects pertaining to racehorses that should be considered, so this document could be used to develop additional specific welfare standards and guidelines for Thoroughbred horses. In recent times, different jurisdictions have stepped up to take responsibility for coordinating the development of specific welfare standards and guidelines. With funding derived from the development project, there is an excellent opportunity for NSW to take the lead to develop these essential welfare standards for Thoroughbred racehorses.

Summary

It is clear that the social license of the Australian Thoroughbred horse racing industry has eroded and that this is intricately entwined with many issues. The most important of these is horse welfare. To date, the industry has not effectively engaged in resolving the many welfare issues it faces with genuine commitment. Through funding derived from this development project, the NSW Thoroughbred racing industry has a unique opportunity to become the leading jurisdiction in Australia to achieve real improvements in racehorse welfare. This would be a much more productive and positive use of funds than merely redeveloping another racetrack and doing more of the same in terms of the treatment and use of Thoroughbred horses by the racing industry.

Recommendations

1. Sufficient funding from the development project be allocated to establishing a NSW Thoroughbred Welfare Initiative to support key activities to achieve demonstrable improvement in racehorse welfare.
2. A Taskforce be established to review the current status of Thoroughbred welfare in NSW to determine key priorities and oversee implementation of initiatives to address these priorities. The Taskforce must comprise a majority of members who are not affiliated with the racing industry as well as at least two members who have high credentials in animal welfare.
3. The Taskforce must consider the following key welfare issues;
 - a. Current status of the number of horses born to number able to be rehomed every year with projection of figures for the next 5 and 10 years. As part of this, a formula should be developed which helps to calculate the capacity for the industry to rehome all horses leaving the racing industry.
 - b. Reducing injuries and deaths.
 - c. Exploring ways to improve the conditions in which horses are housed and managed.

- d. Eliminating the use of whips and tongue ties.
 - e. Mechanisms to ensure that all racehorses are identified and recorded on a national database to enable tracing for their entire life.
 - f. Whole of life tracing and reporting.
4. The Taskforce must provide responses on the recommendations of the TAWWG Report in relation to how and when they could be implemented in NSW.
 5. The Taskforce to facilitate the development of Thoroughbred racehorse welfare standards and guidelines.
 6. The proposed Centre of Excellence training and stabling facility at Horsley Park to become a training hub for teaching ethical equitation science principles to all racing industry participants.
 7. The Centre of Excellence training and stabling facility at Horsley Park to make available CT imaging and other innovative diagnostic tools to improve access to identifying sub-clinical conditions (such as microfractures and bone fatigue).

14/7/24

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References

- ACT Government (2024) Animal Welfare (Welfare of Horses in the ACT) Mandatory Code of Practice 2024. [Animal Welfare \(Welfare of Horses in the ACT\) Mandatory Code of Practice 2024 | Disallowable instruments](#)
- Barton AK, Troppenz A, Klaus D et al (2022) Tongue ties do not widen the upper airways in racehorses. *Equine Veterinary Journal*, 55:642-648.
- Gleerup KB, Forkman B, Lindegaard C, Andersen PH (2015) An equine pain face. *Veterinary Anaesthesia and Analgesia*, 42(1):103-114.
- Fraser D, Weary DM, Pajor EA, Milligan BN (1997) A scientific conception of animal welfare that reflects ethical concerns. *Animal Welfare*, 6(3):187-205.
- Harding PG, Tually P, Cullimore AM, Peremans K (2021) Single-photon emission computed tomography of the pelvis and spine contributes to the diagnosis of injury in tow horses. *Equine Veterinary Education* doi: 10.1111/eve.13504.
- Heleski CH, Stowe CJ, Fielder J et al (2020) Thoroughbred racehorse welfare through the lens of social licence to operate with an emphasis on a U.S. perspective. *Sustainability*, 12, 1706.
- Latimer-Marsh L et al. (2017) The effect of tongue-tie application on stress responses in resting horses. [Proceedings of the 13th International Equitation Science Conference](#), Charles Sturt University, Wagga Wagga Australia, p38.
- Legg KA, Gee EK, Breheny M, Gibson MJ, Rogers CWA (2023) Bioeconomic model for the Thoroughbred racing industry - Optimisation of the production cycle with a horse centric welfare perspective. *Animals*, 13, 479.
- Leiner L, Fendt M (2011) Behavioural fear and heart rate responses of horses after exposure to novel objects: Effects of habituation. *Applied Animal Behaviour Science*, 131(3-4):104-109.
- Lesimple C (2020) Indicators of horse welfare: State-of-the-art. *Animals*, 10, 294.
- Littlewood K, Heslop MV, Cobb ML (2023) The agency domain and behavioural interactions: assessing positive animal welfare using the Five Domains Model. *Frontiers in Veterinary Science* 10:1284869.
- McGreevy P (2012) *Equine Behavior – a guide for veterinarians and equine scientists*. Second edition. Saunders Elsevier London.

Mellor DJ (2017) Operational details of the five domains model and its key application for the assessment and management of animal welfare. *Animals*, 7(8), 60

<https://doi.org/10.3390/ani7080060>.

Mellor DJ, Burns M (2020) Using the Five Domains Model to develop welfare guidelines for Thoroughbred horses in New Zealand. *New Zealand Veterinary Journal*, 68(3):150-156.

Melly V, Ortved KF, Manzi TJ et al (2023) Identification of a previously unreported site of subchondral bone injury in the dorsodistolateral calcaneus in Thoroughbred racehorses. *Equine Veterinary Journal*, 55:1029-1037.

Mactaggart G, Waran N, Phillips CJC (2021) Identification of Thoroughbred racehorse welfare issues by industry stakeholders. *Animals*, 11, 1358. <https://doi.org/10.3390/ani11051358>.

Mellor DJ, Beausoleil NJ (2015) Extending the 'Five Domains' model for animal welfare assessment to include positive welfare states. *Animal Welfare*, 24(3):241-253.

Mellor DJ, Beausoleil NJ, Littlewood KE et al (2020) The 2020 Five Domains Model: Including human-animal interactions in assessments of animal welfare. *Animals* 10(10), 1870.

Mellor DJ (2017) Operational details of the Five Domains Model and its key application to the assessment and management of animal welfare. *Animals* 7(8), 60.

Rashid M, Silventoinen A, Glerup KB, Andersen PH (2020) Equine Facial Action Coding System for determination of pain-related facial responses in videos of horses. *PLoS ONE* 15(11): e0231608. <https://doi.org/10.1371/journal.pone.0231608>.

Raw Z, Rodrigues JB, Rickards K et al (2020) Equid Assessment, Research and Scoping (EARS): The development and implementation of a new equid welfare assessment and monitoring tool. *Animals*, 10, 297.

Rochais C, Henry S, Hausberger M (2018) "Hay-bags" and "Slow feeders": Testing their impact on horse behaviour and welfare. *Applied Animal Behaviour Science*, 198:52–9.

RSPCA (2020) RSPCA Information Paper: [The use of whips in Thoroughbred racing](#).

RSPCA (2022) RSPCA Information Paper: [National Horse Identification and Traceability](#).

Ruet A, Arnould C, Lemarchand J et al (2022) Horse welfare: A joint assessment of four categories of behavioural indicators using AWIN protocol, scan sampling and surveys. *Animal Welfare*, 31:455-466.



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Sykes BW, Hewetson M, Hepburn RJ, Luthersson N, Tamzali Y (2015) European College of Equine Internal Medicine Consensus Statement-Equine Gastric Ulcer Syndrome in Adult Horses. Journal of Veterinary Internal Medicine 29:1288–99.

TAWWG (2021) The Most Important Participant – A framework for Thoroughbred Welfare. [Thoroughbred Welfare Initiative – Thoroughbred Breeders Association \(tbaus.com\)](https://www.tbaus.com)