

CHAPTER 2

IMPROVING ANIMAL WELFARE AT RODEOS

Introduction

2.1 In the previous chapter, the Committee concluded that the welfare of animals used in rodeos must be protected at all times. In this chapter, the Committee considers ways in which the welfare of rodeo animals may be safeguarded through the regulation and control of rodeos. Five areas needing improvement became apparent during the inquiry. These are as follows:

- State regulations applying to rodeos;
- national approach;
- use of contract stock;
- veterinary supervision; and
- supervision of rodeos.

State Regulations Applying to Rodeos

2.2 Under the federal system of government in Australia, animal welfare is primarily the responsibility of State and Territory governments. Accordingly, these Governments have enacted legislation relating to the prevention of cruelty to animals. Currently, only New South Wales, Victoria and South Australia have developed regulations that safeguard the welfare of animals used in rodeos.

New South Wales

2.3 In the mid 1980s, the New South Wales Animal Welfare Advisory Council (NSW AWAC), after extensive consultation with interested parties, including representatives of rodeo organisations, produced a draft code on the welfare of animals in rodeos.¹ The Code of Practice for the Welfare of Animals Used in Rodeo Events was gazetted in June 1986 as part of the Regulations under the *Prevention of Cruelty to Animals Act (NSW) 1979*. The Code provides a comprehensive set of guidelines on the selection, care and handling of stock used in rodeos.

2.4 Several contributors to the inquiry indicated that the conduct of rodeos in New South Wales has improved since the introduction of the

code of practice. For example, the Animal Welfare Advisory Council noted that there has been a "marked improvement in the standards of horse care in rodeos", following the introduction of the Code.² Dr Ian Gollan, a representative of the Australian Federation for the Welfare of Animals, stated that the New South Wales Code was "working reasonably well".³

2.5 Rodeo organisations also support the New South Wales Code of Practice. Mr Mervyn Button, Chief Executive Officer of the Australian Bushmen's Campdraft and Rodeo Association, told the Committee:

We have been working under this [NSW] code since it was instigated in 1986 and it is working very well. We are quite happy with it; and the Animal Welfare Advisory Council is quite happy with it. In fact, it was agreed originally that it would be reviewed every two years and I believe the Animal Welfare Advisory Council has now extended that period to a five year revision which, I think, speaks for itself; that it is working quite well as far as the New South Wales Animal Welfare Advisory Council is concerned.⁴

2.6 RSPCA (NSW), however, is less enthusiastic about the impact of the Code of Practice. The Society recognises that although the Code provides a "statement of minimum requirements" for the conduct of rodeos, it is not ideal.⁵

2.7 The Committee was particularly interested to hear from RSPCA (NSW) and the Animal Welfare Advisory Council in New South Wales that the number of complaints about rodeos has decreased since the introduction of the Code. Between October 1983 and October 1985 eleven complaints were lodged with NSW AWAC. Since the introduction of the Code no complaints were lodged until December 1990, when five were received.⁶ RSPCA (NSW) confirmed that there has been a recent increase in the number of complaints about rodeos.⁷

2.8 As indicated above, RSPCA (NSW) expressed reservations about the workings of the Code of Practice. The Society indicated that the lack of penalties for breaches of the Code is a major deficiency within the New South Wales Code.⁸ Ms Amanda Large, Assistant Director of the Society, told the Committee that "because it is a regulation it is certainly not perceived to be as strong a control as actual penalties within the Act

itself".⁹ She added that "the code in itself is part of the regulations and does not of itself provide for penalties".¹⁰

Victoria

2.9 Under the *Prevention of Cruelty to Animals Act (Vic.)* 1986, a permit is required to conduct rodeos or rodeo schools in Victoria. The Regulations under the Act set out the restrictions on the supply of animals to be used in rodeos and the responsibilities of stock contractors. The regulations provide that only stock supplied by a stock contractor can be used at all rodeos.

2.10 The Committee also received evidence supporting the Victorian permit system. According to RSPCA Australia, the permit system introduced in Victoria is "a major step to control the abuse of animals in rodeos".¹¹ When questioned on the impact of these regulations, Dr Hugh Wirth, President of the Society, agreed that the introduction of the permit system has reduced the opposition to rodeos in that State.¹² Dr Colin Bassett, President of the Australian Equine Veterinary Association, confirmed that the regulatory arrangements appeared to be working "reasonably well".¹³

South Australia

2.11 In South Australia, the Regulations under the *Prevention of Cruelty to Animals Act (SA)* 1985 provide that all persons conducting rodeos must hold a permit. The permit *inter alia* provides that a veterinarian should be in attendance during all rodeos.

2.12 The Committee was told by the South Australian Animal Welfare Advisory Committee that, under the existing provisions of the permit system, rodeo organisations found to be in breach of their permit cannot be prosecuted.¹⁴ Ms Joyleen Farrelly, Executive Officer of the South Australian Animal Welfare Office, explained:

In fact, we do not actually have a breach of permit under our legislation; so if they [rodeo organisers] do breach the permit we cannot prosecute them. I think that was an oversight when the regulations were first drafted.¹⁵

2.13 The South Australian Animal Welfare Advisory Committee explained that, given the difficulties with the present permit system, the Government is considering the introduction of a Code of Practice for rodeos.¹⁶

Other States and Territories

2.14 The Committee understands that, apart from New South Wales, Victoria and South Australia, no other States or Territories have specific regulations or codes of practice relating to the control of rodeos.

2.15 The Committee is aware that the Queensland Government is reviewing its *Animals Protection Act (Qld)* 1925. As part of this review, the Government issued a discussion paper on issues relating to animal welfare. Included are proposals relating to the conditions, standards and licensing of rodeos and other equine events in Queensland.¹⁷ The Committee also understands that Tasmania is currently reviewing its *Cruelty to Animals Prevention Act (Tas.)* 1925 and the regulation of rodeos may be addressed in the new legislation.¹⁸

2.16 Witnesses who appeared before the Committee, including RSPCA (NSW)¹⁹ and NSW Animal Welfare Advisory Council supported the adoption of codes of practice by all States and Territories.

Conclusions

2.17 The Committee welcomes the development of regulatory frameworks to control rodeos and the welfare of animals used in these events. The Committee notes that since their introduction, the Code of Practice in New South Wales and the permit system in Victoria have played an important role in improving the welfare of animals at rodeos in those States.

2.18 The Committee recommends that all State and Territory Governments develop appropriate regulatory frameworks for the welfare of animals used in rodeos. In particular, these controls should cover training sessions and rodeo schools as well as exhibitions, spectacles or displays for gain. The Committee also considers that appropriate enforcement and penalty provisions should be included in the regulations.

National Approach

2.19 The Australian and New Zealand Federation of Animal Societies²⁰ recommended to the Committee that all rodeo operators and participants should be subject to a National Code of Practice for the Welfare of Animals Used in Rodeo Events. The Federation suggested that the content of the code should be decided upon by representatives of animal welfare organisations, the three Rodeo Associations and other interested parties.

2.20 When questioned on the "best system" for controlling the conduct of rodeos in Australia, Mr Button of the Australian Bushmen's Campdraft and Rodeo Association, also favoured the introduction of a national code of practice for rodeos.²¹

Conclusion

2.21 The Committee considers that it would be beneficial if a National Code of Practice on Rodeos could be developed.

Use of Contract Stock

2.22 The Committee understands that Victoria is the only State or Territory in Australia that requires all animals used in rodeos to be supplied by an approved stock contractor.²²

2.23 The Regulations in New South Wales also recognise that contract stock should be used in rodeos. Since 1989, however, an exemption to this general provision has applied. The relevant clause states:

Where animals for use in bucking events cannot be supplied by an approved contractor, rodeo associations may accept as contract stock those animals which have, within 21 days immediately preceding the event, been certified in writing as being fit and suitable for this purpose by an officer as defined under the Prevention of Cruelty to Animals Act.²³

2.24 Animal welfare groups and rodeo organisations agree that only contract stock, supplied by a contractor, affiliated with one of the Rodeo Associations, should be used in rodeos. For example, ANZFAS recommends that the use of animals other than those from a recognised

stock contractor should be banned.²⁴ Likewise, RSPCA (NSW) maintains that "all bucking horses used in rodeo should be supplied by a professional contractor whose standards meet those demanded" by the three Rodeo Associations.²⁵

2.25 Dr Gollan, a member of the Australian Federation for the Welfare of Animals, elaborated on this issue. He said:

I certainly think it is desirable to use contract stock because it has been proven that it is in the rodeo committee's interests, both financially and from a public relations point of view, to have a horse that does the job well and does not knock itself about once it has disposed of the rider.²⁶

2.26 These views were shared by representatives of the Rodeo Associations who appeared before the Committee. Mr Ramon Blanchard, Board Representative, Australian Professional Rodeo Association, supported the use of contract stock "for the betterment of our profession".²⁷

Contract Stock

2.27 Evidence to the Committee suggests that stock supplied to rodeos by stock contractors are fit, accustomed to any stresses associated with rodeo activities and are therefore less likely to suffer injuries. This is particularly the case with horses. Contract stock are recognised by owners as valuable animals, in a financial sense, and therefore are well cared for.²⁸ Contract stock also are better rodeo performers.²⁹

2.28 The Committee was advised that there is a dramatic improvement in animal welfare when contract stock are used.³⁰ In its submission, RSPCA (NSW) noted that many difficulties associated with rearing, chute fighting and the problem of terrified horses are eliminated when contract horses are used.³¹

Non-Contract Stock

2.29 Rodeo committees, particularly in smaller and remoter venues, may use non-contract stock. Stock that are owned and maintained by the committee or obtained from local properties or other sources are used each year at the rodeo.

2.30 Non-contract stock, therefore, may include animals that are unaccustomed to handling, such as those purchased from saleyards or run in from local properties on the day of the rodeo. These animals are unused to yarding and handling procedures and may panic or attempt to escape from unfamiliar situations, causing injuries to themselves or other animals.³²

2.31 The Committee received evidence that where non-contract stock are used the welfare of animals in rodeos may be seriously compromised. For example, both the New South Wales AWAC and Miss Rosemary Harmer, a Regional Inspector with RSPCA (NSW),³³ drew the Committee's attention to problems associated with a rodeo held at Wanaaring, New South Wales. According to these witnesses, non-contract stock were used at this rodeo.

2.32 Miss Harmer noted difficulties with non-contract stock used at Wanaaring, even before the rodeo began:

Non-contract horses had been used only a few times in the year. They were transported on cattle trucks. A number of them had injuries, which were apparently incurred while they were being transported. ... They are brought 70 miles the day before the event and held in yards. These horses have been turned out the whole year and have not seen a human. The horses are enclosed and run through pipe yards, which admittedly were very well constructed but still quite damaging. Basically all of them except for five were not suited to being used in a rodeo.³⁴

2.33 Miss Harmer also noted problems during the course of the rodeo. According to her report on the rodeo, horses in the chutes prior to release "either attempted to jump the chute, reared continually or went down in the chute".³⁵ These horses were unfamiliar with yarding and handling and became frightened and tried to escape. The Society's report on this rodeo noted:

There were 26 head (of horses), the majority of which were unwilling to go through gates, up races or into the chutes, despite very careful handling. All horses, with the exception of five, adopted a "saw horse" position, exhibiting sweating and muscular tremors ... Each animal was examined and

handled around the head and neck. Two were removed from the draft after persistently rearing...

The rodeo finally commenced with very careful movement of the stock into the yards and chutes - despite this, over half the horses used ... either attempted to jump the chute, reared continually or went down in the chute ... We were asked to inspect one horse which had torn its side in the yards.³⁶

2.34 Problems with non-contract stock at this rodeo continued. Miss Harmer reported:

As we were preparing to leave at approximately 4.00pm, a beast which had been bucked out went down and was unable to rise, after some delay while I explained that there should be a designated person there to destroy livestock and not rely on the local police officer to do it, the animal was dispatched behind a screen and dragged away.³⁷

2.35 The Committee understands that non-contract stock are often used in remote areas. This is because it may be uneconomic for contractors to supply stock to these venues. According to evidence given to the Committee, this was the reasoning behind the exemption relating to bucking horses introduced into New South Wales in 1989.³⁸ According to Ms Large, a representative of RSPCA (NSW), some rodeo committees are also reluctant to use contract stock because of the costs involved. She suggested, however, that these costs could be met by increasing entry fees.³⁹

2.36 It was also put to the Committee that rodeo committees are finding it "more convenient" to contract their rodeos to a recognised contractor. By doing this committees "are assured that they are going to get stock that will buck and will provide a spectacle for their crowd".⁴⁰

2.37 The Committee is also aware that many rodeos that use non-contract stock are held to raise funds for local charity. Commenting on this matter, Miss Harmer of RSPCA (NSW) related to the Committee her experience of at least one rodeo that used non-contract stock. She stated:

They could hold a chook raffle and still make as much cash for charity... There were only five cowboys there. The entry money was hardly going to contribute a great deal to charity. They probably made more money out of the sporting day and cow rides than they would have out of the horse events, which resulted in a lot of trauma and required a lot of effort, time and manpower. That money could have been raised very easily in some other way.⁴¹

Exemptions to the Use of Non-Contract Stock

2.38 The NSW AWAC and RSPCA (NSW)⁴², noted potential problems associated with the exemption to the use of contract stock in the NSW Code. Firstly, NSW AWAC noted that pressure could be placed on inspecting officers to pass bucking horses as fit and suitable. Rejection of horses could result in the cancellation of the rodeo. Secondly, an assessment of a horse's temperamental suitability prior to a rodeo is difficult. Thirdly, although it may be possible for rodeo organisers in remote areas to minimise potential problems by arranging early inspections and familiarising non-contract horses with rodeo procedures, such practices "have not uniformly been implemented".⁴³

2.39 RSPCA (NSW) also indicated that there have been occasions when non-contract horses have been used in rodeos without certification required under the Code.⁴⁴

Conclusions

2.40 The Committee is in no doubt that it is essential that contract stock be used in rodeo events. This view is supported by overwhelming evidence presented during the inquiry. *The Committee therefore recommends that all State and Territory Governments introduce regulations requiring that all stock used in rodeos be supplied by a contractor approved by the major Rodeo Associations.*

Veterinary Supervision

2.41 Given the nature of rodeos and the possibility of animals sustaining injuries during these events, several contributors to the inquiry recognised the importance of some form of veterinary attendance or supervision.

2.42 In Victoria, regulations provide that an approved veterinary surgeon must be engaged to attend full-time during all phases of a rodeo. Following the completion of the rodeo, the veterinary surgeon must provide a written report on all animals that suffered injury.⁴⁵

2.43 Under the New South Wales Code of Practice a veterinarian must either be in attendance at a rodeo, or on call and available to attend within a reasonable period of time.⁴⁶

2.44 Certain organisations, including the Australian Equine Veterinary Association and ANZFAS argued that a registered veterinarian should be required to be in attendance at all rodeos.⁴⁷

2.45 The Committee was concerned to receive evidence suggesting that, in some cases, a veterinarian is neither in attendance nor on call at rodeos.⁴⁸ ANZFAS informed the Committee that when this occurs injured animals may be left untreated and in considerable pain for long periods.⁴⁹ Miss Harmer, an RSPCA Inspector in New South Wales, expressed similar views, giving as an example a rodeo held at Wanaaring. According to Miss Harmer, there was no veterinarian present or on call. She also observed that the nearest veterinarian was a 2½ hour drive away.⁵⁰

2.46 Some witnesses maintain that it is not necessary to have a veterinarian in attendance at all rodeos. For example, Mr Gill, a representative of the Australian Professional Rodeo Association, claimed that it was sufficient to have a veterinarian on call. If an animal was seriously injured it could be placed on a trailer or truck and taken to a veterinarian as soon as possible. He suggested that in cases where an animal had to be put down there was always someone available at the rodeo to undertake the task.⁵¹ Dr Basset of the Australian Equine Veterinary Association, however, told the Committee that while a person experienced with stock may provide some assistance to an injured animal, the assistance provided will often be of inferior quality.⁵²

2.47 Other contributors also maintain that it is not always possible for rodeos to have access to a veterinarian. Mr Vivers of the Australian Bushmen's Campdraft and Rodeo Association, identified problems associated with the compulsory attendance of a veterinarian at rodeos in remote areas. He stated:

I had a talk to our local vet and he said there was no way he could do it. He said that if someone's mare was about to have a Bletchingly foal, there is no way he would be sitting on a rodeo ground watching all day.⁵³

2.48 Dr Gollan, a member of AFWA, informed the Committee that "at most places where rodeos are held, there is access to veterinarian treatment".⁵⁴ He added:

Certainly at rodeos in our area we are only called intermittently to treat animals that are hurt. I have an open mind as to whether it should be mandatory to have veterinarian attendance.⁵⁵

Conclusions

2.49 Ideally, a veterinarian should be present at all rodeos. The Committee accepts, however, that at some venues, particularly in remote areas, this may not always be feasible. In these limited cases, the Committee considers that a veterinarian should at least be on call to attend the rodeo.

Supervision of Rodeos

2.50 In those States that have regulations on rodeos, the veterinarian or livestock examiner is responsible for determining whether an animal should be allowed to compete in rodeo events.

2.51 In Victoria, the holder of a permit for a rodeo must accept the decision of the registered veterinary surgeon on the fitness or otherwise of an animal.

2.52 In New South Wales, the Code of Practice provides the following:

The veterinarian in attendance, or the livestock examiner when a veterinarian is not in attendance, shall be the sole arbiter, following examination, of whether an animal is fit for use in an event.⁵⁶

2.53 In South Australia a veterinary surgeon is required to examine stock for fitness before and after events.⁵⁷

2.54 Although State regulations provide some guidance on the supervision of animal welfare at rodeos, the Committee received conflicting evidence on responsibilities in this area. Dr Mary Barton, Chairman of the South Australian Animal Welfare Advisory Committee, summarised the problem in the following statement to the Committee:

In a particular instance, the stock contractor wanted to take that animal home and slaughter it for meat, when in the opinion of the veterinarian the animal should have been destroyed straight away. The veterinarian won in the end but he felt that he had had an unnecessary battle. What he drew our attention to was, to whom is the veterinarian responsible at a rodeo event? At race meetings they are responsible to the chief steward and the chain of command is quite clear. They felt that at least in the South Australian situation the chain of command is not clear.⁵⁸

2.55 This lack of clear lines of authority in the supervision of rodeos was reflected in other evidence presented during the inquiry.

2.56 Apart from a veterinarian or livestock examiner, the Committee was told that the chute boss, stock contractor, judges and RSPCA inspectors have responsibilities to safeguard the welfare of animals used in rodeo events. It was not made clear which of these officials, if any, is the final arbiter on disputes relating to animal welfare.⁵⁹

2.57 Dr Gollan, appearing on behalf of the Australian Federation for the Welfare of Animals, told the Committee that he considers that the veterinarian, having the appropriate "physiological, anatomical and medical background", should be the final arbiter.⁶⁰ He added the following reservation:

The other point to make about veterinary supervision is that you do need someone experienced in the behaviour of large and fairly robust and wild animals to make that judgment. I think in many cases the people who ride the bucking horses and who have responsibility for them have wide experience, perhaps in some cases more so than the local animal veterinarians.⁶¹

Conclusions

2.58 The Committee concludes that lines of responsibility on matters relating to animal welfare at rodeos must be clear and distinct. In particular, the Committee considers that a final arbiter on animal welfare issues must be appointed for all rodeos.

2.59 The Committee also considers that the self-regulation of rodeos would be enhanced if governing bodies of the Rodeo Associations appoint officers responsible for animal welfare matters.

ENDNOTES

1. *Evidence*, New South Wales Animal Welfare Advisory Council, p. 265.
2. *ibid.*, p. 268.
3. *Evidence*, Australian Federation for the Welfare of Animals, pp. 393-4.
4. *Evidence*, Australian Bushmen's Campdraft and Rodeo Association, p. 95.
5. *Evidence*, RSPCA New South Wales, p. 328.
6. *Evidence*, New South Wales Animal Welfare Advisory Council, p. 267; p. 294.
7. *Evidence*, RSPCA New South Wales, p. 363.
8. *ibid.*, p. 328; p. 343.
9. *ibid.*, p. 343.
10. *ibid.*, p. 344.
11. *Evidence*, RSPCA Australia, p. 130.
12. *ibid.*, p. 137.
13. *Evidence*, Australian Equine Veterinary Association, p. 31.
14. *Evidence*, South Australian Animal Welfare Advisory Committee, p. 416.
15. *ibid.*
16. *ibid.*, pp. 407-8.
17. Deputy Premier and Minister for Housing and Local Government, *Discussion Paper: Proposals for New Laws Dealing with Animal Welfare and Protection*, December 1990, p. 16.

18. *Correspondence*, National Consultative Committee on Animal Welfare, 2 July 1991.
19. *Evidence*, RSPCA New South Wales, p. 317.
20. *Evidence*, Australian and New Zealand Federation of Animal Societies, p. 150.
21. *ibid.*, p. 150.
Evidence, Australian Bushmen's Campdraft and Rodeo Association, p. 109.
22. *Evidence*, RSPCA Australia, p. 129.
23. *New South Wales Code of Practice for the Welfare of Animals Used in Rodeo Events, Clause 2.5.*
24. *Evidence*, Australian and New Zealand Federation of Animal Societies, p. 150; p. 155.
25. *Evidence*, RSPCA New South Wales, p. 322.
26. *Evidence*, Australian Federation for the Welfare of Animals, p. 394.
27. *Evidence*, Australian Professional Rodeo Association, p. 226.
28. *Evidence*, New South Wales Animal Welfare Advisory Council, pp. 266-7.
29. *ibid.*, p. 299.
Evidence, RSPCA New South Wales, p. 349.
Evidence, Australian Federation for the Welfare of Animals, p. 389.
30. *Evidence*, New South Wales Animal Welfare Advisory Council, p. 295.
31. *Evidence*, RSPCA New South Wales, p. 322.
32. *Evidence*, New South Wales Animal Welfare Advisory Council, p.266.
33. *ibid.*, p. 295.
Evidence, RSPCA New South Wales, p. 369.
34. *Evidence*, RSPCA New South Wales, p. 351.

35. *ibid.*, pp. 333-4.
36. *ibid.*, p. 318.
37. *ibid.*, p. 334.
38. *Evidence*, New South Wales Animal Welfare Advisory Council, p. 295.
39. *Evidence*, RSPCA New South Wales, p. 349.
40. *Evidence*, Australian Federation for the Welfare of Animals, p. 390.
41. *Evidence*, RSPCA New South Wales, p. 369.
42. *ibid.*, pp. 321-22.
43. *Evidence*, New South Wales Animal Welfare Advisory Council, p.269.
44. *Evidence*, RSPCA New South Wales, p. 321.
45. *Victorian Prevention of Cruelty to Animals Regulations 1986*.
46. *New South Wales Code of Practice for the Welfare of Animals Used in Rodeo Events, Clause 4.2*.
47. *Evidence*, Australian Equine Veterinary Association, p. 4.
Evidence, Australian and New Zealand Federation of Animal Societies, p. 150.
48. *Evidence*, Australian and New Zealand Federation of Animal Societies, p. 112; p. 160; p. 297.
49. *ibid.*, p. 160.
50. *Evidence*, RSPCA New South Wales, p. 334.
51. *Evidence*, Australian Professional Rodeo Association, p. 225.
52. *Evidence*, Australian Equine Veterinary Association, p. 26.
53. *Evidence*, Australian Bushmen's Campdraft and Rodeo Association, p. 112.
54. *Evidence*, Australian Federation for the Welfare of Animals, p. 394.

55. *ibid.*
56. *Evidence*, New South Wales Animal Welfare Advisory Council, p. 281.
57. *Evidence*, South Australian Animal Welfare Advisory Committee, p. 416.
58. *ibid.*, p. 407.
59. *Evidence*, Australian Federation for the Welfare of Animals, p. 398.
60. *ibid.*, p. 397.
61. *ibid.*, p. 398.