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Thursday, 4th April, 2019

Committee Secretary
Senate Rural & Regional Affairs & Transport References Committee
P.O. Box 6100
Parliament House
Canberra ACT 2600

Re: The Feasibility of a National Horse Traceability Register for all Horses

Animal Care Australia Submission

Animal Care Australia (ACA) is the Peak Body advocating higher welfare standards for keeping animals in Australia as pets and companions. ACA's members are a collective of various sporting, breeding and hobbyist clubs representing the full spectrum of animals kept as pets and companions, including horses and farm animals. This submission has been prepared by ACA's Horse Representative and members.

This submission focuses on the benefits and feasibility of a National Horse Register for recreational horse owners, keepers and breeders. That is, equestrians and horses that are not involved in the racing industries.

For the purpose of this submission the word 'horse' refers to all equines in the National Herd, including ponies, miniatures, donkeys, feral equines/brumbies, zebras and all hybrids.

We thank you for the opportunity to respond to your Inquiry.

Kind Regards,

A handwritten signature in blue ink, appearing to read 'Karri', is written over a light blue diagonal line.

Karri Nadazdy
ACA Horse Representative

Animal Care Australia Submission on The Feasibility of a National Horse Traceability Register for all Horses

Introduction

Horses are a unique animal that have been domesticated for thousands of years. They are not house pets, nor are they livestock, and most Australians find the idea of their meat being produced for human consumption abhorrent.

Unlike livestock, they are not bought and sold in large groups. Their value is very individual, with no commodity pricing. Their care is not dependent upon achieving a saleable weight, or minimum age. Nor do they tend to spend all of their time in one place, with individuals travelling to events frequently, sometimes interstate or internationally, and then returning to their usual home.

Unlike companion animals such as birds, mice, rabbits, cats and, to a lesser degree, dogs, they are generally considered 'working animals' with a job to do, and are often sold when the horse can no longer perform that job. Horses change owners more often than companion animals, although companion horses also exist in large numbers these days, and many owners do keep their horses for their entire natural life.

In Racing, the horse is an inanimate athlete. A horse doesn't only need to compete, but has to win before it obtains any real value. Syndicates of race horse owners generally have no intention of adopting the horse when it's racing career ends, unlike a family owned greyhound.

As a large expensive animal, that is not considered as livestock or as a house pet, and is at the centre of billions of gambling dollars, horses are often in a category on their own, and yet they are without a unified National legislation of their own. Policies relating to horses vary drastically from state to state, as well as nationally, and this is problematic in itself. The industry does not have its own independent regulatory body.

Recommendations

In principle ACA supports the implementation of a Horse Register. ACA holds concerns the Register would not function sufficiently without the additional recommendations as outlined below. Should these recommendations be implemented with the Register ACA believes this would provide a sufficient foundation to supporting the Register and ensuring compliance and stability of the Register with the equine community.

Recommendation 1: All Horse related legislation in Australia is updated and consolidated into one National document that is consistent across all states and for all Horses.

Recommendation 2: The National Horse Register is introduced as an integral part of the new National legislation

Recommendation 3: A government funded Department is created to regulate the horse industry in Australia, maintain the Register, provide education and respond to the issues that the register reveals

(a) The existence and adequacy of state or industry-based registers

Generally breed registry records are not legally binding, and some are not very thorough where horse identification is concerned. Incidences of fraud at Shows at recreational level competitions is very low, and are usually dealt with by the event organisers. Many pure bred horses are also farmed en masse, and only the best examples of the breed are ever registered with the breed society. Those that don't make the minimum standard are never recorded and are never known about except by a few individuals. Horses that die, retire from competition or are sold to new non-competitive owners are not tracked, as owners tend to simply not renew their membership, rather than advising the breed societies or clubs of the horses' new status.

The Racing Industries maintain more detailed identification records to prevent fraud, and may be used as an example. However it appears to be due to the inadequacies of these existing systems that a National Register is now even being considered. Loopholes currently exist that allow an excess of thoroughbred and standard-bred horses to be bred that are never added to the registers. Horses that retire from racing are no longer traced, and can disappear from all records.

Property Identification Code numbers identify properties where horses are kept, but not the horses and therefore is not a real register, as it relies upon self-reporting and is not verified except in unusual circumstances. In addition, it does not record numbers or contact information of horse owners, as only the land owner is required to report on the PIC form.

The Companion Animal Register has shown us that owners are complacent with updating their contact information, transfers of ownership are not completed, and councils are too under resourced to be proactive to improve the situation. Councils are not equipped to deal with the needs of the horse industry, therefore there is no reason to suggest a horse register will be any more successful without a dedicated department to oversee the register and its enforcement.

For these reasons, none of those registers are sufficient to be used as a basis for a National Horse Register. None of the registers were created with the intentions of the current Inquiry in mind. The information from existing breed associations and microchip registers could be collected to start the National Register and to contact known horse owners, however a new system would certainly be required, with thorough identification of all horses, and a department created to oversee it.

(b) The benefits of a national register, including for animal welfare, biosecurity safety, backyard breeding and the integrity of trade in horses

ACA have identified one compelling and unique benefit to the National Register for recreational horse owners, which is the potential to significantly reduce horse thefts. By ensuring that all horses must have proof of ownership paperwork, theft would undoubtedly be reduced, and the slaughter of stolen horses could be prevented - assuming that the records are kept up to date and accurate.

Animal Welfare

Providing a record of every horse born in our country, and tracing what happens to them over the course of their lives has no intrinsic ability to improve welfare, without deliberate action to support it from a dedicated enforcement agency. It could also create new welfare issues if it is not implemented with care. If the industry continues to turn a blind eye, then collecting the information serves no purpose at all. The horse industry will need a dedicated agency ready and willing to respond to the issues identified by the National Register.

Safety

The assumption that knowing how many owners a horse has had might aid in rider safety comes at the increased risk of poorer welfare outcomes for those horses. Having had a lot of owners doesn't mean a horse is 'bad' nor should it be treated as such. A trainer or rider's ability is more of a reliable indicator of how safe they are, and assumptions made without detailed medical and training records attached are worse than no knowledge at all.

Horses are a live animal, with their own thoughts, and a department that supported horse owner education programs would have a much greater impact on safety for horse owners than just tracking how many people were unsuccessful in keeping or training that horse. In the right hands, few horses are genuinely problematic. Over time, the department would become proactive, instead of reactive. With better education, horse and rider welfare could be improved dramatically, reducing fatalities, and reducing the disposal of poorly treated horses.

Taking into account privacy concerns, problem owners who create problem horses may not be identifiable in the horse's past, and the horses themselves will be the ones to suffer as a result. Injured new owners will want to file compensation claims against the previous owner, when those individuals may have actually worked hard to rehabilitate poorly treated horses. This puts the reliable rescue agencies and professional trainers at higher risk of leaving the industry due to increased litigation, leaving behind increasingly poorer educated and inexperienced horse owners.

A Department of Equine Welfare could flag owners that frequently appear in long ownership chains, and arrange to meet with and educate reoccurring problem owners. They would also be able to identify the owners improving these trends. Legislative changes could provide better solutions to this issue, than just traceability, such as a compulsory 30 day cooling off period on all horse sales and leases.

Backyard Breeding

In regards to backyard breeding, the register is unlikely to have much influence. A pure bred horse is likely to be registered with its breed association, and so the national register would likely be a part of that, and sport horses and pony club mounts would be similar, but those that are not intended for showing or competition, that are being sold locally for trail riding or farm work, or as companions are unlikely to be affected by register laws, as neither the sellers nor the buyers would see it as important.

Wastage in the racing industry is well known, but this also occurs in other breeds, where foals are raised in large herds on country acreages, and only the best examples of the breed are brought to the exclusive stud in the city's rural fringe to be sold for thousands of dollars.

By ensuring that all breeders would need to register all of their foals within a few days of birth (no more than 7, but ideally within 2-4 days if the system is internet based, with prohibitively expensive late registration fees), any foals that are considered substandard for the breed (including racing) could not be culled before maturity without a record of their existence. The registration needs to occur long before these decisions are normally made. This may help reduce the mass breeding problem that is currently mostly invisible.

Having breeders pre-register their foals once the mare is confirmed pregnant for a discount on the foal registration could encourage more compliance, and also demonstrate who is confident in the quality of the animals they are breeding, and who is not. Unethical breeders are likely to find loopholes to continue their practices no matter what sort of registration system is introduced, by simply registering mares and foals under a family member's name etc, to avoid triggering unwanted attention. This is a serious problem that a National Register cannot prevent. Improved legislation for all horse breeders could address this modern problem.

Biosecurity

Biosecurity would be enhanced if all horse owners can be contacted quickly with accurate information. Most horse owners would likely voluntarily join such a database for this purpose alone. Registering the horses themselves would not be necessary to achieve this goal, but it's also not a common problem or a large risk.

The registration of horses is as unlikely to enhance the response of a biosecurity event any more than a basic voluntary owner database, which is what most of NSW's horse owners agreed to in the wake of the Equine Influenza epidemic. The horses would all need to be tracked in real time, if it is to be any more useful, due to the frequent travel many horses undertake.

Integrity of Trade

The register could improve integrity of trade, depending on what information is available to potential buyers, as it would be harder to falsify the horse's past. The most helpful way this could be utilised by people purchasing horses is to know who the horse's previous owners were, especially if the same names arise frequently on problem horses.

Being able to search a database for horse owner's names would certainly be a serious privacy concern without strict controls on who can access that information. In the age of the Aussie Farms website and the increasing rate of Animal Rights Terrorism, who have targeted horses in the past, the security and welfare of horse owners, as well as their horses should be paramount. A database that could display all horses' current locations to users should not be considered for this reason.

Other Considerations

Existing Government Departments are currently not in a position to monitor detailed tracking of individual animals, and their frequent transportation. Also the horse industry is not accustomed to daily paperwork, compliance requirements, or governmental reporting. There is no enforcement agency currently established capable of handling the implementation or enforcement of a National Horse Register.

A National Register would have to be very simple and not time consuming to ensure that it is adhered to, and is therefore useful. An overly detailed system, such as including all medical records, or recording every time a horse leaves its own property, is likely to become too much work, resulting in the system failing to achieve its objectives. We have already seen the failings of the Companion Animal Registers which have so few requirements already.

Too much information about all horses stored in one location could pose a data security risk, and potentially assist the thieves of horses. Keeping the National Register a simple ownership record, as well as interstate/international travel, with all other information maintained by owners at their discretion would reduce misuse or abuse of the system.

(c) Overseas models of national tracking systems for horses

The UK's Passport system for all horses is a simple paper or smart card that must be kept within reasonable proximity of the horse at all times. They are generally issued by Breed Associations, and the British Horse Society.

It identifies the horse, as well as any drugs the horse has been given over its life. The main purpose is to track animals for the human food chain. It also states whether the owner has agreed that the horse may be slaughtered. The passport is used to provide the animal's Unique Equine Life Number when attending competition, breeding, rehoming, and using services from vets, transport companies, insurance companies etc.

The Unique Equine Life Number is a system developed to operate worldwide, providing a unique identification number for every horse, and would be worthwhile incorporating into the National Register. Several Australian breed societies already use this system.

This is a simple system that could easily be adopted here, and could accommodate various methods of identification. Australian horse meat is sent overseas for human consumption and Australia should not spend resources to accommodate a trade that is illegal in our own country.

Horse meat has been used in the pet food trade for decades, and to date has not had any significant biosecurity or poisoning incidents. Many horse owners' primary interest in a registration system is to ensure that their own horse cannot end up slaughtered after being sold or stolen.

An alert system that informs previous owners by email or SMS if a horse's no-slaughter status is changed by a current owner would help prevent this. A compulsory waiting period after a horse's slaughter status is changed would give previous owners time to purchase the horse back, or arrange another home. A 30 or 45 day waiting period would be appropriate. This would also be an incentive for most horse owners to keep their contact information up to date, even if they no longer own horses. This could be legislated along with a compulsory 30 day cooling off period for all horse sales and leases, to ensure that horse thefts are not replaced by blackmail attempts.

The purpose of the Australian National Horse Register has been proposed to improve welfare for all of the horses in our National Herd, not just those who are lucky enough to be registered. And a simple smart card, along with legislative improvements, would serve this purpose as well as allow for unforeseen extensions to the database in future.

Identification

Microchipping is often hailed as a fool proof method of identification, but microchips are only designed to last for up to 20 years, and a horse can live twice that long. This leaves a gaping loophole for fraud, horse theft and unintentional misidentification. It's also expensive and the chips can sometimes move deep into the horse's neck and become unreadable. Microchipping is not a reliable way of identifying horses for their natural lifespan.

Freeze branding is an older technology, but is reliable and less expensive to apply. It is possible to forge, but is not easy to forge well. Freeze branding requires similar training to microchipping but doesn't require a special reader, making it more easily accessible than microchipping. If the Unique Equine Life Number is adopted, part of this number could be used as the brand to be able to instantly check that the smartcard being presented is with the right horse.

Hot branding is often traumatic for the horse and damages deeper layers of the skin and underlying tissues. It should not be considered for compulsory identification.

Newer technologies such as iris scanning, equine facial recognition and other software options would need to be more readily available to all vets, saleyards, slaughterhouses and wild horse capturers etc to be viable options. If these options can operate on standard mobile devices, without requiring specialist equipment, they may be a more reliable and cost effective way of identifying horses than older technologies. Most of these options are still in various stages of development, but may be ready by the time a National Register is implemented. These systems would make registering and identification of wild horses, and unhandled horses possible, closing more potential loopholes.

The racing industries have long established branding methods that should be permitted to continue, as this would also allow for thoroughbreds and standardbreds to continue to be recognised apart from all other breeds.

A smart card could allow for a combination of identification methods, including unique identifying marks such as Whorls, face and leg markings, and scars, making it inexpensive and accessible to users in the industry.

(d) Funding, enforcement and penalty implications

As the racing industry makes up around 80% of the horse industry, and protecting their horses' welfare is the main impetus for a national register being proposed, it seems reasonable that the bulk of the cost is borne by the racing industries. Funding free registrations to all horse owners to initially start up the register would ensure compliance. Tax dollars from gambling could substantially subsidise the cost to the industry, and subsidise the creation and operating costs of a new Department of Equine Welfare.

Registered breeders should be able to claim tax deductions on their registrations, but thoroughbred and standardbred foals should still cost significantly more to foal register than other breeds.

Backyard breeders (non-commercial breeders, who cannot claim a tax deduction) should receive a discount to ensure greater compliance with the system, up to a maximum number of foals. If they are over breeding, it should raise a red flag and warrant an inspection from the Department of Equine Welfare. The number of foals a mare can have should also be limited by legislation, and flag attention from the Department if this is exceeded. A rebate should be made available to owners when they geld their colt to incentivise owners to de-sex as well as ensure the database is properly updated.

Vets should not be made to report non-compliance to ensure that no owner has a reason to deny a horse essential medical care.

Enforcement would be difficult considering the industry is barely regulated at the present time, and this is another reason that a new department is required. Some revenue would be generated from noncompliance, late foal registrations and penalties for Clubs and event organisers if they do not record registration numbers on their entry forms. Horse purchasers are also likely to influence compliance, more than regulators could in those transactions. Transfer of Ownership fees should be kept to a minimum for recreational owners to ensure compliance, as without up to date information, the Register serves no purpose.

A new government funded Department of Equine Welfare and a dedicated Horse Industry Ombudsman will need to be created to manage the new horse register and its enforcement, but also to be prepared to respond to what the industry learns about itself as a result of the National Register's lifetime tracing.

(e) Related matters

With the implementation of a National Register for all horses, it would be necessary to update in excess of 30 horse related legislative documents (not including racing specific legislation) to reflect the new changes, as horses currently have no single document that applies nationally and covers all horses. This is actually a huge hurdle that needs to be addressed before the National register could come into effect successfully.

This would be an opportunity to update and consolidate all the different laws that currently exist that affect horses and their owners into one National Equine Act, including the requirements of the National Horse Register. This would eliminate the contradictions, exemptions and loopholes

that currently exist, and is especially necessary for horses being transported interstate for slaughter, competition and breeding.

Horses are not livestock, and the laws currently applied to horses that are intended for the commercial meat trade are inappropriate. Horse keeping laws have not been updated in decades to meet current community welfare expectations. Adding horses to the Companion Animal Acts of each state would be more suitable than the existing situation, but would still require major revisions. A new National Equine Act would help meet the goals of the national register, as well as drastically improve welfare standards for all horses by providing consistency across all states and territories, as well as update old regulations that no longer apply or are no longer appropriate to modern horse keeping.

Without this essential update, the requirements of the National Register will be forced to vary state by state, opening up more loopholes than it closes, and making compliance more difficult and confusing for those who relocate or transport horses interstate and internationally.

Animal Care Australia believes the National Register, no matter what format it is developed in, is not feasible on its own, without consolidating all horse legislation into a single document. This legislative change could have more positive effects on the welfare of all horses in the industry than the national register itself.

The formation of a Department of Equine Welfare is also absolutely essential to oversee and enforce the National Equine Act, and the National Horse Register as there is currently no alternative. With the support of the Inquiry Committee, the horse industry could be substantially improved to secure better welfare outcomes for all horses in our community, as well as raise the standards for the people who work with and keep horses for the betterment of all.