

ANIMAL WELFARE (RODEOS) CODE OF WELFARE 2003 REPORT

Introduction

1. This report accompanies the draft Animal Welfare (Rodeos) Code of Welfare 2003 which has been developed by the National Animal Welfare Advisory Committee (NAWAC), pursuant to the Animal Welfare Act 1999 (the Act). The Act requires that when NAWAC recommends a code of welfare to the Minister of Agriculture (to issue it), the code must be accompanied by a report (section 74). That report must note:
 - (a) The reasons for the committee's recommendation;
 - (b) The nature of any significant differences of opinion about the code, or any provision of it, that have been shown by the submissions;
 - (c) The nature of any significant differences of opinion about the code, or any provision of it, that have occurred within the committee.
2. It should be noted that the Act does not define 'significant differences'. While there were a variety of different opinions expressed in the submissions, NAWAC did not consider that all differences necessarily represented significant differences of opinion. NAWAC has taken the view that significant differences are either where there are large numbers of submissions which are contrary to a minimum standard in the draft code or where a submission puts forward scientific justification for a different or alternative minimum standard. NAWAC notes, however, that in some instances there is a lack of scientific support or justification for a particular procedure and that procedure or practice has an historical reason for being carried out and for being carried out in a particular manner. In some cases NAWAC has taken what is in its considered opinion, a pragmatic approach based on the information at hand. NAWAC notes that some individuals or organisations may vary in their interpretation of what are significant differences.
3. Rodeos in the main are run under the auspices of the New Zealand Rodeo Cowboys Association (NZRCA) which was formed 50 years ago and oversees 34 rodeos annually. It has a membership of approximately 1200. As well as overseeing rodeos, the Association also runs training schools to teach contestants (cowboys) the skills required to compete in rodeos. A small, undetermined number of steer riding events are run at country shows but it is believed that this is very much of a minor nature. The Bull Riding Association also runs bull-riding competitions. All such activities would be subject to this code.

4. The deemed code of welfare was one of the first voluntary codes to be developed (1992). From this time, the NZRCA has had a requirement for all injuries and deaths of animals to be recorded at each rodeo, which is completed by the attending veterinarian. These have provided a useful historical database allowing the tracking of injuries over the years.

Public Consultation

5. The Act allows for any individual or organisation to draft a code of welfare. The draft code was drafted by NAWAC in association with the NZRCA and underwent a 'pre-notification' consultation on 10 October 2001. Four submissions were received. This consultation is a requirement of the Animal Welfare Act 1999 (see section 71(2)(c)).
6. The code was publicly notified on 13 December 2001, by public notices in the major newspapers in the four major centres, sent to all major libraries and to specific interested parties, as required by section 71(3) of the Act. NAWAC wishes to point out that it decided not to make any final decisions on the draft code until it had received submissions. The code is required to be publicly consulted, and for NAWAC to make up its mind prior to this consultation would mean that the Committee was not following due process, by acting in a biased and predetermined manner.
7. A total of 11 written submissions were received during the submission process. A summary of submissions is included in Appendix A.
8. NAWAC did not receive any oral submissions although it did meet on one occasion with representatives of the NZRCA.

Main issues raised by submissions

9. Opposing submissions called for either the banning of rodeos or individual rodeo events, and objected to the use of animals in a way which causes pain, suffering and/or death. The contention was that rodeos are:
 - not relevant to New Zealand culture or society
 - not traditional
 - not necessary and
 - would cause very little economic hardship if banned.
 Opposing submissions also noted that animals were goaded or coerced into participating which they saw as contrary to the Act, since it inevitably causes animals unnecessary pain and distress.
10. Opposing submitters also noted that the code:
 - serves only to document current practices, which are well below being acceptable
 - fails to enforce public expectations of sound animal welfare practice
 - is on the extreme of public acceptance of animal treatment and
 - contravenes sections of the Animal Welfare Act
11. Opposing submitters targeted the following events as the most important activities to be banned:
 - calf roping due to the injuries sustained and the stress caused, and

- children's events as they are sending the wrong messages about the treatment of animals and animal welfare.
12. A number of submissions advocated that experienced large-animal veterinarians should:
- be present at all times at rodeo events
 - have access to all areas holding animals
 - have the last say on all animal welfare decisions and
 - complete a written report at the end of each rodeo, which should be submitted to an external auditing agency such as the Ministry of Agriculture and Forestry.

Specific Significant Differences

13. NAWAC has prepared an analysis of submissions received and has made recommendations on them (see Appendix A). The following are the significant differences (considered by NAWAC to have arisen) between the draft code submitted for public consultation and submissions received. It should be noted that differences were taken to be rejections of the code – either wholly or in part. NAWAC points out that it has considered all submissions and all aspects of the draft code.
14. There are a number of minimum standards, where the animal welfare implications are clearly self-evident and require no explanation for their inclusion e.g. the provision of food. NAWAC has decided that it will not provide comment on those minimum standards or recommended best practices, but will provide explanations on minimum standards which it believes are complex, controversial or on which it received submissions that were significantly differences of opinion. Minimum standards as drafted may have been amended for a number of reasons including: to make them legally robust, to ensure a more effective coverage of the issue, to replace an existing minimum standard, to change a recommended best practice to a minimum standard, or to delete or replace one as originally drafted by a new recommended best practice or minimum standard.
15. The draft code as publicly consulted was named Animal Welfare (Rodeos and Live Entertainment) Code of Welfare and contained a small section on live entertainment. NAWAC has subsequently decided that the code should only address rodeos and that live entertainment should be included in another code of welfare. That section has therefore been deleted.
16. NAWAC considered a number of general issues before deliberating on the specifics of the rodeo code. They were whether or not rodeos:
- (a) are an unethical use of animals;
 - (b) have potential to cause pain, suffering and distress to animals which outweigh any perceived entertainment, sporting, social, or economic benefits;
 - (c) have significant New Zealand historical cultural value;
 - (d) provide skills to competitors that are of direct use in modern agriculture which cannot be acquired through proper training programmes or on the job training; and
 - (e) provide a bad example to the general public and, in particular, to children in how to respect and appropriately treat animals.

NAWAC recognises that there are arguments for and against each of these issues, none of which could be resolved unequivocally. Accordingly, although reservations remained, NAWAC believes that given the application of the minimum standards and recommended best practices as proposed by NAWAC, there are sufficient safeguards in place to protect animals used in rodeos. Nevertheless NAWAC wishes to encourage those involved to give ongoing careful consideration to these matters.

Notwithstanding the above, one member of NAWAC recorded a significant difference, considering that rodeos are an unacceptable activity as enumerated in (a) to (e) above.

Banning of rodeos

17. A number of submitters called for the banning of rodeos or at least individual events. While NAWAC recognises that rodeo events have a limited relevance to farming practices in New Zealand, the skills that are a necessary part of competing in rodeos may have application to those rural people involved in extensive farming situations such as large sheep and cattle stations. Participation in rodeos provides a means for those involved with stock to demonstrate their handling skills competitively, thereby expressing their empathy for and understanding of animals, and to develop self-esteem and community respect. Rodeo is one of many competitive activities involving animals that are significant to rural communities and rural cohesion, such as A & P shows, racing, polo, shearing competitions, hunting, pony club, eventing and dog trials. Notwithstanding the major rural nature of rodeos, there is also an urban following. NAWAC disagrees with the view that there would be little or no economic consequences if rodeos were to be stopped. On the contrary, many small towns where rodeos are mainly held, may derive a significant income from holding an annual rodeo.
18. The Act prohibits animal fighting ventures, where it is clear that the object of the fighting is to inflict pain and distress and often death, and therefore it is obvious that this would be contrary to the Act. The Act does not prohibit rodeos. It is a well-established principle that activities that are not banned by the Act cannot be banned through a code of welfare. To ban rodeos would require an amendment to the Act, made in accordance with the parliamentary process. Notwithstanding this, it is certainly within NAWAC's terms of reference to recommend to the Minister that certain procedures or activities should be banned, if it so decided.
19. The NZRCA has collected statistics over the last 20 years and reports that there is a very low level of injuries. Injuries are probably overestimated since any sort of injury from a small laceration to a fractured limb or death are recorded. In the period January 1999-February 2000, injuries recorded by veterinarians, from trucking and yarding associated with rodeos, as well as those related to the events, numbered 42 out of 5527 animals (0.76%). Calf roping accounted for 4 of those injuries (out of 646 calves) and one calf was euthanased. Reports from the USA also indicate that there are few injuries associated with the modern rodeo. For example, one minor injury out of 915 calf-roping runs (August-September 1994), 15 injuries from 27,767 animal runs at 19 rodeos (1998-1999) and 15 injuries from 26,584 animal runs at 21 rodeos (1998-2000).
20. Opposing submissions called for the banning of rodeos entirely or at least certain events because they inflict pain or cause distress and sometimes death. NAWAC noted the care taken to avoid animal abuse and to avoid infliction of pain and distress, by long

established rules and procedures. NAWAC recognises that certain events may have more potential to cause pain and suffering, such as the roping of calves, as pointed out by some submitters. NAWAC has therefore recommended a number of minimum standards that regulate such activities and which are recommended to reduce or prevent the risk of pain and suffering occurring. These include minimum weights, minimum ages, maximum number of times an animal can be used, that calves must not be busted etc.

Animal Welfare Officer

21. One submitter suggested that the recommended best practices should become minimum standards and another suggested that the role should be carried out by the veterinarian. Other suggestions were that they should have a knowledge of the Act and should be able to demonstrate competency.
22. NAWAC believes that the concept of an animal welfare officer is a sound one and that by identifying such a role, it highlights and reinforces that animals have to be treated appropriately and with due care. NAWAC notes that the final arbiter on animal welfare is the veterinarian and that it is the rodeo organiser's role to ensure that contestants are conversant with the code. In addition both the organiser and the animal welfare officer must be competent to assess the welfare of animals used in the rodeo.

Presence of a veterinarian

23. A number of submitters noted that a veterinarian should be present, have access to all areas holding animals, have the last say on all animal welfare decisions and complete a written report at the end of each rodeo which should be submitted to an external auditing agency such as the Ministry of Agriculture and Forestry.
24. NAWAC is in agreement that a veterinarian should be present throughout the rodeo. As with other sporting activities involving animals such as horse racing and three-day eventing, where there is a greater risk of injury, a veterinarian is present. While the veterinary reports collected over the past years indicate a very low number of injuries, NAWAC still believes that a veterinarian should be present to provide an independent professional opinion, and that as rodeos provide entertainment, there is a greater responsibility to ensure welfare support. NZRCA has had a requirement since before the voluntary code was developed that a veterinarian should be present. In virtually all rodeos currently, a veterinarian is present; exceptions are in small towns where there may be only one veterinarian in the district. In recognition of this, NAWAC has recommended a minimum standard that requires a veterinarian to be present at all times unless called away to an emergency. In addition it has recommended as a recommended best practice that a veterinarian is present at all times. NAWAC has also recommended minimum standards that a veterinarian must check all animals and that the veterinarian is the final arbiter on welfare matters. A recommended best practice has been included requiring the veterinarian to complete an injury report. This in fact is current practice.

Calf roping

25. A number of submitters believed this event to be particularly stressful and that calves were at a high risk of being injured. The NZRCA has argued that the statistics gathered over several years do not indicate a high level of injuries. Records show that the injury rate is between 0.21% or in numerical terms 4 injuries out of 2273 calves (over 4 years). These figures apply to both calves used for roping and for riding. Calves used for roping can be used more than once, so actual injuries against actual number of times used will be less than these figures.
26. NAWAC recognised that while the statistics indicate a very low injury rate, the statistics do not necessarily reflect injuries not seen such as bruising or straining (of muscles and tendons) or show levels of fear or distress. There have been few published studies investigating the welfare of calves in calf-roping events. One Californian study in 1974/1975 concluded that there was no significant difference in the stress incurred in calves that were roped compared to the stress incurred in calves that were not roped. However, the measurements were presumably taken at the end of the day and therefore did not measure any short-term stress, but the measurements used did show that if there was any stress, it was of a limited nature. NAWAC decided that it required more information on the welfare of calves used in calf roping events, and specifically the effects of the calf coming to an abrupt halt when successfully roped. It therefore requested that MAF commission a research project through its Operational Research Funding programme, to look at the effects of calf roping on calves.
27. A small, indicative study was subsequently carried out at the Raetahi rodeo on 15-16 March 2003. None of the calves were injured and they showed no obvious behavioural signs indicating injury or distress. In fact, over the last 13 years at this rodeo, during which the present veterinarian has been in attendance, no calves have been injured during roping. Physiological indicators of stress did show statistically significant effects of being in the competition and being roped, but the increases were relatively small, especially when compared to those seen during transport and slaughter. Despite the limitations of this study, it was concluded that the measurements used did not identify any significant compromise to the welfare of the calves.
28. As a consequence of this study, NAWAC has introduced further requirements concerning this event, including a new minimum standard regarding the frequency of use.

Children's Events

29. A number of submitters noted that allowing children to compete in rodeos does not teach them respect for animals, and reinforces that animals are inferior and to be exploited for entertainment. The NZRCA pointed out that children are strictly supervised and encouraged at all times to respect and treat all animals in a responsible manner, in keeping with the principles of the NZRCA.
30. The use of spurs by children was also discussed by NAWAC. There were no minimum standards proposed regarding the use of spurs in the draft, which was publicly consulted and hence a possible reason for no public submissions on this issue. The NZRCA pointed out that the use of spurs is monitored and also noted that spurs are also used by

children in other riding activities. NAWAC accepts that the use of spurs is monitored and that the same rules will also apply to children if they wear them. NAWAC notes that Minimum Standard 10(c) requires that spurs must not be used in a way that harms the animal, and therefore considers this matter is adequately covered by the code.

31. NAWAC considers that children should be able to participate in events at rodeos. Rodeos are very much family affairs with often a number of family members participating in different events. To prevent children from participating would be discriminatory and if recommended, should also apply to other activities where children are involved with animals. However NAWAC notes the comments made by the NZRCA and has included this as General Information, which in fact reflects current practice.

Water

32. One submitter noted that water should be provided ad lib and this should be a minimum standard. NAWAC has recommended a minimum standard which requires the stock contractor provides adequate care, including food and water at all times. NAWAC believes that this adequately addresses the concerns of this submission.

Recommendation

33. NAWAC recommends that you should issue the draft code as recommended to you, with the amendments and additions that NAWAC has made. NAWAC requests that you make this report publicly available when you issue the code.



Professor David J Mellor
Chairman
National Animal Welfare Advisory Committee
24 September 2003