The use of whips in Thoroughbred racing in Australia

Introduction

Thoroughbred racing has been a popular sport and interest in Australia for over 200 years, with attention primarily focussed on the achievements and prize money won by horses, trainers and jockeys. The Thoroughbred racing industry is sizeable, with nearly 400 clubs nationwide, over 19,000 races held annually, over 11,000 horses registered to race, over 19,000 mares bred every year, over $600 million in prize money and billions of dollars wagered (Racing Australia 2016).

However, over recent years, questions have been raised regarding the care and welfare of Thoroughbred racehorses. The need and right to whip horses merely for sport and wagering is being increasingly questioned by the community due to animal welfare concerns. Jockeys use whips in either hand and will strike a horse using a forehand motion or a backhand motion. Forehand whip use is defined by the thumb pointing down the shaft of the whip (similar to holding a tennis racquet), whereas the whip is carried like a ski pole when using a backhand motion (McGreevy et al 2013a).

The RSPCA is opposed to the use of whips for the purpose of enhancing performance in racing due to the pain and distress they inflict on horses. Several different studies have identified areas of concern including the level of pain inflicted by whipping, jockeys failing to adhere to whip rules which are designed to reduce the adverse impact of whipping on horses and inadequate penalties for rule infringements.

The response by the Australian racing industry to calls to cease whipping is to amend the whip rules which have no effect in eliminating the punishment inflicted on racehorses. In fact, some changes have divided the industry leading to confusion, inequity and inconsistency relating to the enforcement of these rules. It is clear that racing authorities are not currently considering abolishing whips. Whipping is entrenched in Thoroughbred racing as a normal and accepted practice. Thus, its removal will require a cultural shift, especially by jockeys, trainers and owners, and this is likely to take some time.

The following information describes the results of key research and the response by the racing industry to these findings as well as to community pressure.

Is whipping painful?

The racing industry has stated many times that whipping doesn't hurt horses and that it is only the forehand strike which has the greatest force. A new landmark study has shown that there is no significant difference between the number of nerves contained within and the thickness of the outer layer of skin (epidermis) between humans and horses [Tong et al 2020]. Although the study showed that the next layer of skin (the dermis) was thicker in horses than humans, this layer does not contain nerve endings and so does not contribute to the detection of pain. The results from this research not only refute claims that the skin layer which contains nerve endings is thicker in horses compared to humans but demonstrate that both species have the same density of nerve endings, thereby demonstrating that the skin has a similar structure to detect pain. Furthermore, thermal imaging shown on an ABC Catalyst program in March 2015 revealed that inflammation was evident for more than 30 minutes following a medium whip strike on a human thigh. Thus, if whip strikes from a padded whip cause pain to humans, then we can assume they also cause pain to horses.

A pivotal study of footage of the whip action of 21 jockeys during the final stages of 15 races involving 31 horses revealed some disturbing findings (McGreevy et al 2012). It showed that the whip caused a visual indentation on the horse's body on 83% of impacts, with the unpadded section making contact (considered to be more painful than padded section and contravenes the Rules of Racing) on 64% of impacts. Although the study showed that normal whip use results in visible indentations, it is not known if this causes pain or inflammation. However, even when a padded whip strikes a horse, mechanoreceptors in the skin are activated, causing deformation of tissues (Evans & McGreevy 2011). This raises the question as to whether padded whips are pain-free.

The McGreevy et al 2012 study also showed that the whip struck the abdomen almost twice as many times as the hind leg. It has been reported elsewhere that the abdominal area in horses is particularly sensitive to touch (BHA 2011). Thus, the British Horseracing Authority prohibits jockeys from striking this area of the body. However, no such rule exists in Australia to protect horses from being struck in this vulnerable area.

Another study which examined whip use of six jockeys showed that there were significant differences in force between jockeys and in fact the force was greater with backhand compared to forehand use (McGreevy et al 2013a). However, the findings from a different study dispute this where the forehand strike was deemed harder (Noble et al 2014). Prior to this research, only forehand strikes were included in the total of five permissible strikes prior to the last 100 metres. However, in December 2015, both forehand and backhand strikes were to be counted when assessing compliance with this rule.

Does whipping distress horses?

To assess animal welfare, the impact on both physical and mental states must be considered. Animals suffer due to experiencing fear and anxiety, especially when pain is inflicted. Fear and anxiety result in a negative emotional state, which in turn can interfere with normal cognitive or thinking processes. Horses may become distressed and therefore difficult to handle, further compounding their negative mental state.

The racing industry describes whips as an 'encourager' to urge horses to run faster. However, the use of the whip especially in the final stages of a race when a horse is fatigued and is physically unable to accelerate, demonstrates a lack of understanding by jockeys of a horse's natural response (McGreevy & McLean 2007). Put simply, if a horse is punished for running fast by whipping, then it is likely that the horse will decelerate rather than accelerate. This inevitably leads to more whipping causing further fear and anxiety. Therefore, based on learning theory, whipping a horse to perform better is deemed illogical, unnecessary and therefore cruel.

Claims to retain whips

Safety

The racing industry has made many claims as to why jockeys need to use whips, including safety reasons to enable a change to a horse's direction if they are likely to collide with another horse or trackside objects. A recent UK study has found that 'whipping free' races having only 40% of incidence reports compared to 'whipping permitted races' with 60% of total reports (Thompson et al 2020). Interference is described as the actions of one horse or jockey affecting another on course, which may or may not involve physical contact. This study demonstrates that interference was more prevalent where whipping is permitted which is not consistent with claims that whips are needed to reduce interference. Another study also showed that the hand used for whipping for a total of 400 jockeys was evenly divided between those riding clockwise with those riding anti – clockwise. This study was undertaken to determine if the whip was predominantly held in the outside hand to counter a horse's natural tendency to veer away from the bend (McGreevy & Oddie 2011). The results did not support claims that the whip is used for safety

reasons to guide horses to avoid collisions irrespective of the direction of the track. Less than half of the jockeys held the whip in their left hand (outside hand) on a clockwise track whereas over 90% held the whip in the right hand (outside hand) whilst racing on a counter-clockwise track. The authors concluded that the predominant hand used for whipping was based more on the handedness of the jockey rather than the direction of the track given that on average about 86% of people are right-handed.

However, a further study by Knight and Hamilton (2014) disputes this conclusion as they did not find a difference in the right handedness of jockeys with regard to the direction of the track, i.e. 71% of jockeys used their right hand for clockwise compared to 74% for counter-clockwise tracks). However, this study does not provide convincing evidence that the whip is used for safety reasons as the proportion of jockeys using their right hand compared to the left hand should have varied significantly for different track direction. Given the conflicting results from these studies, it appears that further research is required to resolve this issue.

Further to this, the results of a survey of British, Irish and Australian jockeys raises serious concerns warranting further investigation. About one third of respondents revealed that whipping can cause some horses to move dangerously in a sideways direction (McGreevy et al 2013b). Thus, not only are arguments supporting whip use for safety reasons questionable, but whipping may actually lead to safety risks.

Performance

Under the Rules of Racing, jockeys are required to 'ride their horse out' to ensure maximum performance. To facilitate this, there is no stipulated maximum number of whip strikes in the last 100 metres of the race, subject to several conditions including that whip use is not excessive and the horse is in contention to win prize money. A UK study which compared the number of interference reports also compared finishing times, with no significant difference in race finishing times between 'whipping free' with 'whipping permitted' races (Thompson et al 2020). This contradicts claims that whipping increases the speed of horses or reduces the loss of speed in the finishing stages when horses are fatigued.

To determine if there is a relationship between whip use and the performance of racehorses, the degree of whipping and speed at various stages in the race as well as final placing of horses were analysed (Evans & McGreevy 2011). It was found that horses ran faster when the whip wasn't used in the 600-400 metre section compared to an increase in whipping, especially by jockeys at the head of the field, in the last 400 metres and in particular the last 200 metres of the race as horses tired. The authors concluded that whipping fatigued horses in the final stages of a race did not affect performance thereby disputing any suggestion that it does. This study adds further evidence that whipping horses for sport, gambling and entertainment is not justified.

A further study found that apprentice jockeys whipped horses on average 3 times more than non-apprentice jockeys in the 400-200 metre section from the finish and that in the last 200 metres of the race apprentices used the backhand motion nearly twice as much as non-apprentices (McGreevy & Ralston 2012).

Industry review flawed

Like Australia, whipping in Thoroughbred racing in the UK has received significant attention. In response to criticism and community pressure, the use of whips in racing was reviewed by the British racing industry (BHA 2011). However, the review has been discredited on several counts and cautions individuals and agencies, particularly government and other decision makers, against using the report as a reliable source of information (Jones et al 2015). An in-depth analysis of the review revealed flaws in the process used to interpret and apply scientific information and public opinion research. It also lacked independence due to a major conflict of interest. The authors concluded that this review does not provide evidence on which to make sound judgements regarding the necessity for whips and their impact on the welfare of racehorses.

Do the whip rules protect horses?

The use of whips in Thoroughbred racing in Australia is governed by Racing Australia's Rules of Racing. In recent years the racing industry has made a series of changes to the Rules of Racing with regard to whip use. However, it is apparent that jockeys regularly breach the rules whilst others avoid being detected and/or penalised by stewards. One study showed 28 breaches of the whip rule by jockeys in almost 30 percent of the horses observed, with half of the breaches due to the arm being raised above shoulder height (McGreevy et al 2012). Similarly, a recent analysis of steward reports for 2013 and 2016 in NSW and the ACT showed that 24% of breaches were due to raising the whip above the shoulder (Hood et al 2017). Furthermore, whip breaches were more frequent in metropolitan rather than provincial courses, by jockeys finishing in the top three placegetters and 44% of the breaches were due to jockeys using more than five forehand strikes prior to the last 100 metres of the race. The authors concluded that more needs to be done by the industry to prevent whip rule breaches including greater education of jockeys.

Following the rule change from 10 permissible strikes to 5 strikes prior to the last 100 metres of the race there has been disputes and disagreements by jockeys, trainers and stewards. Amid continuing controversy and jockey protests, Racing Australia softened this whip rule in January 2017, effectively resulting in stewards having more discretion to avoid being imposing infringements. By amending rather than revoking the rule it allows the industry to avoid criticism that they have taken a retrograde step in terms of animal welfare but at the same time appeasing disgruntled industry members who want more leeway for jockeys to whip horses prior to the final 100 metres. The revised rules mean that jockeys who exceed five strikes can avoid being penalised if they do not whip their horse in every stride after the 100 metre mark.

This isn't the only whip rule which is essentially ineffective in protecting horses. It has also been noted that it is very difficult for stewards to monitor and therefore enforce the rule which prohibits the seam of the whip making contact on the horse (McGreevy et al 2012). This of concern as the seam is considered to cause more pain than the padded section of the whip.

There are numerous examples where jockeys who breach whip rules are only cautioned by stewards whereas it should be mandatory to report and fine any whip rule infringement. For example, when a horse is out of contention to win prize money but is still being whipped, the jockey usually only receives a warning but no fine. A recent study showed that this breach accounted for 12% of all whip rule infringements in NSW and ACT (Hood et al 2017). This is significant and currently fines for this breach rarely exceed $200, which is totally inadequate in terms of the gravity of this offence. Jockeys will continue to whip tired horses as the industry virtually condones this practice.

Do punters support whipping?

The racing industry claims that punters accept whipping as akin to ensuring that horses are 'ridden out' to maximise their performance and therefore financial return. However, a recent survey of over 1500 Australian residents, reveals a different perspective. Of those who watch or bet on horse racing between once a week and once or twice a year, 87% say they would continue to do so if rules did not allow horses to be whipped and 74% believed that whipping should stop (McGreevy et al 2018). Therefore, the argument that the industry has an obligation to meet the expectations of those gambling on races to continue whipping is unfounded.

What are the ethics associated with whip use?

An important aspect of ethical consideration is the recognition of intrinsic value of animals rather than focusing on instrumental value or the usefulness of an animal which primarily reflects human interests rather than animal interests. By ascribing intrinsic value to animals there is an acknowledgement of the moral obligation of people to treat such animals with respect, kindness and consideration. As society shifts to a greater awareness and understanding of the rights of animals, an increasing number of practices that adversely affect animals are being questioned. Causing pain and suffering to animals is to be prevented where possible and whipping racehorses for sport, financial gain or entertainment contravenes this principle.

A world recognised philosopher Professor Bernie Rollin also questions the image and impact of whipping horses for sport and profit on the minds and psyche of young people and children given that the general community encourages compassion and empathy to help create a kinder world (Rollin 2009).

Conclusion

There is a mounting body of evidence that the use of whips in horseracing causes suffering, is not justified and is not supported by the community. Furthermore, the current rules are not effective in safeguarding welfare as they are either inadequate, ignored by jockeys, not enforced by stewards and the minor penalties do not act as a deterrent. On this basis, the RSPCA continues to strongly advocate for jockeys to only be permitted to carry and use a whip for safety reasons, when it can be clearly demonstrated that such use is necessary.

References

Racing Australia (2016) Factbook 2015/2016

BHA British Horseracing Authority (2011) Responsible Regulation: A Review of the use of the whip in Horseracing, September 2011. London: British Horseracing Authority.

Evans DL & McGreevy P (2011) An investigation of racing performance and whip use by jockeys in Thoroughbred races. PLOS One 6, e15622.

Hood J, McDonald C, Wilson B, McManus P & McGreevy P (2017) Whip rule breaches in a major Australian racing jurisdiction: welfare and regulatory implications. Animals 7(4).

Jones B, Goodfellow J, Yeates J & McGreevy P (2015) A critical analysis of the British Horseracing Authority's review of the use of the whip in horseracing. Animals 5: 138-150.

Knight PK and Hamilton NA (2014) Handedness of whip use by Australian jockeys. Australian Veterinary Journal 92(7): 231-235.

McGreevy P & McLean A (2007) Roles of learning theory and ethology in equitation. Journal of Veterinary Behavior 2(4): 108-118.

McGreevy P & Oddie C (2011) Holding the whip hand – a note on the distribution of jockey's whip hand preferences in Australian Thoroughbred racing. Journal of Veterinary Behavior 6: 287-289.

McGreevy P & Ralston L (2012) The distribution of whipping of Australian Thoroughbred racehorses in the penultimate 200m of races influenced by the jockey's experience. Journal of Veterinary Behavior 7: 186-190.

McGreevy P, Corken RA, Salvin H & Black C (2012) Whip use by jockeys in a sample of Australian Thoroughbred races – an observational study. PLOS One

McGreevy P, Hawson LA, Salvin H and McLean AN (2013a) A note on the force of whip impacts delivered by jockeys using forehand and backhand strikes. Journal of Veterinary Behavior 8(5): 395-399.

McGreevy P, Caspar GL & Evans DL (2013b) A pilot investigation in the opinions and beliefs of Australian, British and Irish jockeys. Journal of Veterinary Behavior 8: 100-105.

McGreevy PD, Griffiths MD, Ascione FR, Wilson B (2018) Flogging tired horses: Who wants whipping and who would walk away if whipping horses were withheld? PLOS One 13(2): e0192843.

Noble G, Dodd J, Nielsen S et al. Determining forces generated using a padded whip and impacts on the horse. RIRDC Publication No. 14/075, Rural Industries Research and Development Corporation, Barton, ACT, September 2014.

Omnibus Poll (2017) of 1,533 Australians conducted by Digital Edge.

Rollin BE (2009) An ethicist's commentary on whipping horses. Canadian Veterinary Journal 50(2): 131-132.

Thompson K, McManus P, Stansall D et al (2020) Is whip use important to Thoroughbred racing integrity? What stewards' reports reveal about fairness to punters, jockeys and horses. Animals 10(11)

Tong L, Stewart M, Johnson I et al (2020) A comparative neuro-histological assessment of gluteal skin thickness and cutaneous nociceptor distribution in horses and humans. Animals 10(11): 2094