

July 7, 2015

Via Email

Carrie Fritz  
Executive Director  
Calgary Humane Society  
carrie.fritz@calgaryhumane.ca

Brad Nichols  
Manager of Animal Cruelty Investigations  
Calgary Humane Society  
brad.nichols@calgaryhumane.ca

Dear Ms. Fritz and Mr. Nichols on behalf of Calgary Humane Society:

**Re: Possible Animal Welfare Law Infractions at the Calgary Stampede**

Animal Justice Canada Legislative Fund (“Animal Justice”) is writing to express its concern with possible ongoing violations of Alberta’s *Animal Protection Act*<sup>1</sup> taking place during the rodeo portion of the Calgary Stampede (“Stampede”), and to encourage your office to act to prosecute animal cruelty as per your mandate.

Experts state that rodeo events as they are practiced at the Stampede inherently involve inflicting fear and pain onto animals.<sup>2</sup> Each year many animals are predictably injured and killed during the course of these events.<sup>3</sup> One animal has already been killed this year, on just the second day of the Stampede.<sup>4</sup>

---

<sup>1</sup> RSA 2000, c A-41.

<sup>2</sup> See e.g. Peggy W. Larson, “Rodeos: Inherent Cruelty to Animals,” *Humane Society Veterinary Medical Association*, January 15, 2015, online: [http://www.hsvma.org/rodeos\\_inherent\\_cruelty\\_to\\_animals?utm\\_source=bb011615&utm\\_medium=hsvmaweb&utm\\_campaign=advocacy](http://www.hsvma.org/rodeos_inherent_cruelty_to_animals?utm_source=bb011615&utm_medium=hsvmaweb&utm_campaign=advocacy).

<sup>3</sup> Since 1986, there have been at least 92 documented animal deaths at the Calgary Stampede. See e.g. Vancouver Humane Society, “Animal Deaths at the Calgary Stampede Rodeo & Chuckwagon Races,” online: <http://www.vancouverhumanesociety.bc.ca/wp-content/uploads/2010/08/Animal-deaths-and-injuries-at-the-Calgary-Stampede.pdf>. For a compilation of severe injury and death caused to animals in rodeos, many of which took place at the Calgary Stampede and other Alberta rodeos, see

Yet, not since 1950 has a Canadian rodeo or participant been prosecuted for animal cruelty.<sup>5</sup> Animal science,<sup>6</sup> public sentiment,<sup>7</sup> and the law<sup>8</sup> have evolved a great deal in the past 65 years.

The Calgary Humane Society (CHS) itself states that it is opposed to the use of animals in any form of entertainment that puts the animal at risk of suffering stress, pain, injury, or death,<sup>9</sup> and that it “fundamentally opposes high risk rodeo events.”<sup>10</sup>

While the CHS has successfully worked with the Stampede by making suggestions for reform—some of which have been heeded—ultimately, the CHS is not an advisor to the Stampede, and nor is it an employee. It is a law enforcement body. The role of the CHS is to independently enforce the law in accordance with its mandate and the rule of law.

The democratically enacted laws of Alberta are unequivocal that it is illegal to cause or permit animals to be unreasonably in distress.

This letter sets out, first, specific concerns with rodeo events, and second, Animal Justice’s position with respect to the law as it pertains to rodeo.

---

e.g. People for the Ethical Treatment of Animals, “Rodeo: Cruelty for a Buck,” online: <http://www.mediapeta.com/peta/PDF/Rodeo-Incidents-Factsheet.pdf>.

<sup>4</sup> CBC News, “Calgary Stampede: Horse euthanized after breaking leg in chuckwagon race,” July 5, 2015, online: <http://www.cbc.ca/news/canada/calgary/calgary-stampede-horse-euthanized-after-breaking-leg-in-chuckwagon-race-1.3138906>.

<sup>5</sup> *R. v. Linder*, [1950] 1 WWR 1035, 10 CR 44.

<sup>6</sup> See e.g. Helen S. Proctor, Gemma Carder, and Amelia R. Cornish, “Searching for Animal Sentience: A Systematic Review of the Scientific Literature,” *Animals* 2013, 3(3), 882-906, online: <http://www.mdpi.com/2076-2615/3/3/882>.

<sup>7</sup> E.g. 56 percent of residents of British Columbia, a province that has historically had a large rodeo tradition, are now opposed to rodeo. Insights West, “British Columbians Denounce Trophy Hunting, Furring,” November 26, 2013, online: <http://www.insightswest.com/news/british-columbians-denounce-trophy-hunting-furring/>.

<sup>8</sup> E.g. Chief Justice Fraser of the Alberta Court of Appeal has observed that Alberta’s animal protection law regime “is based on the concept that humans have a moral and ethical obligation to treat animals humanely. Thus, the old common law view that animals are property to be used – and sometimes abused – as humans see fit has long ago been tempered by legislative reform and the evolution of the law.” As such, what was permissible when the Stampede rodeo spectacles were dreamed up a century ago may no longer be legally permissible. See *Reece v. Edmonton (City)*, 2011 ABCA 238 (dissenting on other grounds).

<sup>9</sup> Calgary Humane Society, Animals in Entertainment Position Statement, online: <http://www.calgaryhumane.ca/wp-content/uploads/2014/07/Animals-in-Entertainment-Oct-2014.pdf>.

<sup>10</sup> Calgary Humane Society’s Role in the Calgary Stampede, online: <http://www.calgaryhumane.ca/calgary-humane-societys-role-calgary-stampede/>.

## **ONGOING CRUELTY DURING STAMPEDE RODEO EVENTS**

Rodeo events as they are practiced at the Stampede involve deliberately causing animals to experience fear and pain, and knowingly exposing them to risk of injury and death.

Dr. Peggy Larson is an accomplished and internationally respected large-animal veterinarian and former rodeo participant. Earlier this year, Dr. Larson stated: “In my opinion, and based on my extensive training and experience, it is impossible to create a humane rodeo.”<sup>11</sup>

Accordingly, all major animal protection organizations in Canada are opposed to rodeo. The Canadian Federation of Humane Societies (CFHS) states that it is “opposed in principle to rodeo and is working towards the ultimate abolition of this activity.”<sup>12</sup> The CFHS is comprised of 51 Canadian animal protection organizations, nine of which are in Alberta, including the CHS.<sup>13</sup> Rodeo is also opposed by virtually all major international animal welfare organizations in countries where the events are practiced.<sup>14</sup>

### ***Calf Roping***

Calf roping is so violent that Canada’s public broadcaster will not air portions of it on television.<sup>15</sup> Yet, this violence is observed by children in real time at the event; in fact, the Stampede boasts a “family-friendly atmosphere.”<sup>16</sup>

---

<sup>11</sup> Peggy W. Larson, DVM, MS, JD, “Rodeo: Inherent Cruelty to Animals,” *Humane Society Veterinary Medical Association*, January 15, 2015 online at: [http://www.hsvma.org/rodeos\\_inherent\\_cruelty\\_to\\_animals?utm\\_source=bb01161.5&utm\\_medium=hsvmaweb&utm\\_campaign=advocacy](http://www.hsvma.org/rodeos_inherent_cruelty_to_animals?utm_source=bb01161.5&utm_medium=hsvmaweb&utm_campaign=advocacy).

<sup>12</sup> Canadian Federation of Humane Societies, “Animals in Entertainment,” online at: [http://cfhs.ca/info/animals\\_in\\_entertainment#rodeo](http://cfhs.ca/info/animals_in_entertainment#rodeo).

<sup>13</sup> Canadian Federation of Humane Societies, “Find a Member,” online: [http://cfhs.ca/info/find\\_a\\_member/](http://cfhs.ca/info/find_a_member/).

<sup>14</sup> E.g. the national SPCAs of America, Australia, and New Zealand opposed rodeo; rodeo is outright banned in the U.K.

<sup>15</sup> Peter Fricker, “Is CBC being honest about calf-roping?” June 16, 2015, online: <http://www.vancouverhumanesociety.bc.ca/is-cbc-being-honest-about-calf-roping/>.

<sup>16</sup> Calgary Stampede, “Stampede Park Terms of Entry,” online: <http://www.calgarystampede.com/stampede/terms-of-entry>.

Young calves are tormented so that they will burst out of holding chutes at top speeds. After being roped, the terrified calves are slammed to the ground once to get them to stop moving, and then a second time so their legs can be tied.<sup>17</sup> The calves may cry out, suffocate, and defecate from fear and stress.<sup>18</sup> They can suffer from broken and fractured bones; throat, neck, and spinal cord injuries; and paralysis and even death.<sup>19</sup>

The Vancouver Humane Society, too, has singled out calf-roping as particularly cruel, calling it “a cruel spectacle of animal abuse”<sup>20</sup> and calling for it to be banned.

### ***Chuckwagon Racing***

The Stampede itself taglines chuckwagon racing as a “Half mile of hell.”<sup>21</sup> Several teams of horses pulling wagons, flanked by riders on horses, race around a crowded track competing for \$150,000. Such high stakes hardly encourage caution.

At top speeds on the packed course, accidents causing injuries and deaths are not uncommon. The horses—bred for maximum exertion—are particularly susceptible to respiratory and cardiovascular problems, and may die during the race.<sup>22</sup> In other words, the likelihood of injury is bred into their very DNA, and yet the animals are knowingly exposed to the risk of harm.

At least 50 horses have died during Stampede chuckwagon racing events since 1986.<sup>23</sup>

---

<sup>17</sup> Canadian Federation of Humane Societies, “Animals on the Farm: Calf roping,” online: [http://cfhs.ca/farm/calf\\_roping/](http://cfhs.ca/farm/calf_roping/).

<sup>18</sup> Animal Legal Defense Fund, “Rodeo Facts: The Case Against Rodeos,” online: <http://aldf.org/resources/when-you-witness-animal-cruelty/rodeo-facts-the-case-against-rodeos/>.

<sup>19</sup> Canadian Federation of Humane Societies, “Animals on the Farm: Calf roping,” online: [http://cfhs.ca/farm/calf\\_roping/](http://cfhs.ca/farm/calf_roping/).

<sup>20</sup> Vancouver Humane Society, “The Calgary Stampede – a spectacle of animal abuse,” online at: <http://www.vancouverhumanesociety.bc.ca/the-calgary-stampede/>.

<sup>21</sup> Calgary Stampede, “GMC Rangeland Derby: Half mile of hell. Hours of gripping entertainment.” online: <http://www.calgarystampede.com/stampede/shows/gmc-rangeland-derby>.

<sup>22</sup> Kentucky Equine Research Staff, “Heart Problems in Horses,” December 20, 2010, online: <http://www.equinews.com/article/heart-problems-in-horses>.

<sup>23</sup> Global News, “By the numbers: animal deaths at the Calgary Stampede,” online: <http://globalnews.ca/news/266118/by-the-numbers-animal-deaths-at-the-calgary-stampede/>.

### ***Steer Wrestling***

This event involves someone chasing a frightened steer and wrestling him to the ground, with all four legs flipped into the air, as fast as possible. This inevitably causes the sensitive animals to endure considerable stress, and they can suffer from torn tendons, sprains, bruises, and broken bones.<sup>24</sup> In 2013<sup>25</sup> and 2014<sup>26</sup> at the Stampede, steers were killed when their necks were broken.

### ***Bucking Events***

In bucking events, riders compete to stay mounted on a bucking horse or bull. Bucking is not natural for these animals; they must be provoked to exhibit this extreme behaviour. According to the Canadian Federation of Humane Societies—of which CHS is a member—“Flank straps are tightened around the groin to cause the bucking, and result in severe sores. Spurs dig into the bull’s flesh and electric prods are used to encourage aggressive behaviour.”<sup>27</sup>

The animals can become so distracted from fear and pain that they may run into fencing, posts, or chutes. Because they buck beyond their normal capacity, they risk breaking their backs.<sup>28</sup>

### ***The Social Value of the Rodeo Portion of the Stampede***

Rodeo is so inherently inhumane that it has been outright banned by the City of Vancouver,<sup>29</sup> the District of North Vancouver,<sup>30</sup> the United Kingdom,<sup>31</sup> the

---

<sup>24</sup> Animal Legal Defense Fund, “Rodeo Facts: The Case Against Rodeos,” online: <<http://aldf.org/resources/when-you-witness-animal-cruelty/rodeo-facts-the-case-against-rodeos/>>

<sup>25</sup> Vancouver Humane Society, “Animal Deaths at the Calgary Stampede Rodeo & Chuckwagon Races,” online: <http://www.vancouverhumanesociety.bc.ca/wp-content/uploads/2010/08/Animal-deaths-and-injuries-at-the-Calgary-Stampede.pdf>.

<sup>26</sup> Wes Gilbertson, “Steer euthanized after suffering severe injury in Stampede incident,” July 12, 2014, Calgary Sun, online: <http://www.calgarysun.com/2014/07/12/steer-euthanized-after-suffering-severe-injury-in-stampede-incident>.

<sup>27</sup> Canadian Federation of Humane Societies, “Rodeos,” online: <http://cfhs.ca/farm/rodeos>.

<sup>28</sup> Peggy W. Larson, DVM, MS, JD, “Rodeo: Inherent Cruelty to Animals,” *Humane Society Veterinary Medical Association*, January 15, 2015 online at: [http://www.hsvma.org/rodeos\\_inherent\\_cruelty\\_to\\_animals?utm\\_source=bb01161](http://www.hsvma.org/rodeos_inherent_cruelty_to_animals?utm_source=bb01161).

<sup>29</sup> City of Vancouver, By-law No. 9288, *A By-law to amend Business Prohibition By-law No. 5156 regarding inhumane practices and modernization* (16 May 2006), online: <http://former.vancouver.ca/blStorage/9288.PDF>. See s 7; Schedule A, nos 5-12. This bylaw prohibits calf roping, goat roping, and tie-down roping; horse tripping; steer busting; steer wrestling; the use of electric prods and other shocking devices; the use of bucking or frank straps, sticks, whips, spurs, and

Netherlands,<sup>32</sup> Australian Capital Territory,<sup>33</sup> and at least five American jurisdictions.<sup>34</sup> Moreover, dozens of jurisdictions have banned particular rodeo activities or tools.<sup>35</sup>

Although rodeo is nostalgically presented as a part of our collective heritage, rodeo as it is practiced at the Stampede barely resembles ranching traditions. At best, it is a sensationalized caricature of ranching chores-turned-competition with \$2 million in prize money incentivizing performance and speed. Audience members pay from \$40 to \$295 per ticket to be entertained. As Curtis Gillespie has observed:

Some rodeo events do have a somewhat tenuous connection to the past, but others have no particular link to Western heritage. Calf roping is practised on ranches, though in a much gentler form than you'll see at the rodeo. Steer wrestling, however, was never a part of a cowboy's life. Horses were bucked in order to break them, but the Stampede has reversed this by creating a line of horses bred to buck. Chuckwagon races were dreamt up by [American showman Guy] Weadick to take advantage of the growing popularity of car

---

wire tie-downs; the use of caustic ointments; and the use of forcible handling techniques, including hitting, poking, kicking, roping, tail twisting, and raking.

<sup>30</sup> District of North Vancouver, By-law No. 6423, *Animal Performance Bylaw*, 27 January 1992, online: <http://www.dnv.org/upload/documents/bylaws/6423.pdf>, s 3. This bylaw bans most forms of animal entertainment, including rodeo.

<sup>31</sup> *Animal Welfare Act 2006*, ch 45, Schedule 4, online: [http://www.legislation.gov.uk/ukpga/2006/45/pdfs/ukpga\\_20060045\\_en.pdf](http://www.legislation.gov.uk/ukpga/2006/45/pdfs/ukpga_20060045_en.pdf). In 2011, an Early Day Motion was introduced in the House of Commons stating, "That this House is deeply concerned by the Calgary Stampede, to be held between 8 and 17 July 2011; believes that any attention paid to the rodeo will gloss over the cruelty of the spectacle; notes that in Great Britain rodeo events have been illegal since 1934; and urges UK citizens not to attend the event."

<sup>32</sup> Rick Parker, *Equine Science*, 4th ed (Clifton Park, NY: Delmar, Cengage Learning, 2013) at 47.

<sup>33</sup> *Animal Welfare Act 1992*, A1992-45, online: <http://www.legislation.act.gov.au/a/1992-45/current/pdf/1992-45.pdf>. See s. 18.

<sup>34</sup> Showing Animals Respect and Kindness, "Locations with Prohibitions or Restrictions on Rodeos or Rodeo Events," (2015) online: <http://www.sharkonline.org/index.php/animal-cruelty/rodeo-cruelty/755-locations-with-prohibitions-or-restrictions-on-rodeos-or-rodeo-events>. See also People for the Ethical Treatment of Animals, "Legislation Prohibiting or Restricting Animal Acts," (2004) online: [http://www.prijatelj-zivotinja.hr/data/file\\_92.pdf](http://www.prijatelj-zivotinja.hr/data/file_92.pdf).

<sup>35</sup> E.g. California (prohibits electric prods once the animal is in the chute); Nevada (prohibits steer roping); Ohio (prohibits flank straps); Rhode Island (prohibits all calf roping except breakaway roping); St. Charles, Illinois (prohibits electric prods once the animal is in the chute); Baltimore, Maryland (prohibits spurs); Baltimore County, Maryland (prohibits calf roping); Montgomery, New Jersey (prohibits electric prods); Greenburgh, New York (prohibits rodeos on public property); Southampton, New York (prohibits electric prods, shocking devices, flank and bucking straps, wire tie-downs, sharpened spurs, bull hooks, and bullwhips); Leestown, Virginia (restricts the use of flank straps, electric prods, and spurs). Pittsburgh, Pennsylvania (prohibiting bucking straps, electric prods, and sharpened or fixed spurs). Germany (prohibits calf roping).

racine. And bull riding? As former Stampede Ranch bronc rider Ron MacLean told me, "Why would a cowboy, or anyone, ever want to get on a bull for any reason?"<sup>36</sup>

The Stampede itself even obliquely admits its rodeo events are not designed to preserve and demonstrate actual heritage: "Clearly as time has passed the lines between historical working cowboys [and] rodeo cowboys... have blurred."<sup>37</sup>

Causing harm to animals is of particular concern when that cruelty takes the form of a gratuitous entertainment spectacle. The message it sends to society, including the many children in attendance and watching on TV, is that tormenting and abusing animals is not only acceptable, but fun. Desensitizing people to violence against the vulnerable is a grave social concern.

The Stampede's own data reveal that only 16 percent of Stampede attendees go to the rodeo.<sup>38</sup> The Stampede can celebrate community and heritage while also fulfilling its important economic role for the city without subjecting animals to cruelty.

## **ALBERTA LAW MAY PROHIBIT RODEO OR CERTAIN ASPECTS OF RODEO**

The Alberta *Animal Protection Act* prohibits causing or permitting an animal to be in distress.<sup>39</sup> Animals are considered to be in distress if they are "injured, sick, in pain or suffering,"<sup>40</sup> or if they are "abused or subjected to undue hardship, privation or neglect."<sup>41</sup>

The Act does not apply when the distress results from "an activity carried on... in accordance with reasonable and generally accepted practices of animal... management [or] husbandry...". Notably, there is no specific exemption for animal entertainment practices of any kind.

---

<sup>36</sup> Curtis Gillespie, "Under Scrutiny: Animal Care at the Calgary Stampede," *Alberta Views*, Vol 15, No 5, June 2012, pgs 38-43. Online at: <https://albertaviews.ab.ca/2012/05/30/under-scrutiny/>.

<sup>37</sup> Calgary Stampede, *The Heritage of Rodeo*, online at: <http://corporate.calgarystampede.com/animal-care/heritage-of-rodeo.html>.

<sup>38</sup> Curtis Gillespie, "Under Scrutiny: Animal Care at the Calgary Stampede," *Alberta Views*, Vol 15, No 5, June 2012, pgs 38-43, online at: <https://albertaviews.ab.ca/2012/05/30/under-scrutiny/>.

<sup>39</sup> RSA 2000, c A-41, section 2(1) and 2(1.1).

<sup>40</sup> RSA 2000, c A-41, section 1(2)(b).

<sup>41</sup> RSA 2000, c A-41, section 1(2)(c).

Given that rodeo has no resemblance to animal husbandry, and allowing that rodeo may be “generally accepted,”<sup>42</sup> arguably the only relevant exception to the distress prohibition is if distress results from *reasonable animal management practices*. “Reasonable animal management practices” as they relate to rodeo are not defined.

In other words, there is a general prohibition on causing animals to be in distress, which applies to rodeos; the only exemption is if the distress results from reasonable animal management practices. That is the extent of provincial law regulating rodeo events.

Despite the Stampede’s claims that it strictly adheres to the law,<sup>43</sup> the reality is that the law is quite obviously disturbingly vague regarding rodeos; no standards are specified, and it is not clear which, if any, rodeo practices are permitted. What is clear is that even if certain practices are generally accepted,<sup>44</sup> these practices must also be *reasonable* to escape application of the legislation.

If any rodeo practices are permitted under the Act, there is no direction as to limits, although common sense as well as the very rule of law indicate that there obviously must be some; there is no blanket exemption for rodeo. In other words, the legislation is unclear where the line would be drawn between lawfully permissible and lawfully impermissible acts and omissions. When would distress caused to an animal qualify for an enumerated exemption, and when would it not, thus running afoul of the legislation?

In the absence of legislative clarity, it is the judicial branch of government, not the executive branch, that is best situated to make these complex adjudications of the law.

It is statistically highly improbable that no act or omission of animal cruelty has been committed by any rodeo or rodeo participant in Canada, including the Calgary Stampede, since 1950. It follows, then, that enforcement of the law has been insufficient.

There is no judicial or legislative direction on when, if ever, distress inflicted on rodeo animals is “reasonable.” However, considering all major animal protection organizations are opposed to rodeo, animals at the rodeo predictably and

---

<sup>42</sup> This unclear term is not defined in law. Although we have no guidance on by whom an activity should be “generally accepted” (is it the industry itself? The public?) the dominant discourse is that generally accepted practices are self-defined by the industries that perpetuate the practices in question. This interpretation defies common sense and may not withstand judicial scrutiny, in whole or in part. However, in a jurisdiction like Alberta where the legislation also requires a practice to be “reasonable,” the “generally accepted practices” question need not be resolved.

<sup>44</sup> See note at 40.



gratuitously suffer, and the rodeo is of dubious social value, it stands to reason that a court would find at least some aspects of rodeo cruelty to be *unreasonable*, in which case they would be prohibited for causing animals to be in distress.

Catherine Fraser, chief justice of the Alberta Court of Appeal—the highest office of the highest court in the province—recently stated that in light of the fact that the Alberta legislature has accorded animals certain rights, law enforcement has a duty to ensure those rights are enforced in accordance with the law.<sup>45</sup>

That is, the law protects animals from distress, and law enforcement is obliged to prosecute cases of non-compliance—not to yieldingly accommodate an industry that stands to gain financially from animal suffering.

The CHS “fundamentally opposes high risk rodeo events.”<sup>46</sup> Given the CHS views at least some aspects of rodeo as practiced by the Stampede to be unreasonable, it presumably follows that it also ought to view these aspects as therefore incompatible with Alberta animal protection law.

The CHS is the only body in a position to bring appropriate evidence before a court for adjudication. Pursuant to its mandate and in keeping with Chief Justice Fraser’s observations, it must do so.

## CONCLUSION

The Calgary Humane Society is opposed to high risk rodeo events. The Calgary Humane Society is also the sole organization tasked with enforcing animal welfare laws in Calgary. These laws prohibit causing or permitting animals to be unreasonably in distress. It is not clear whether and which rodeo activities can be considered reasonable, thus qualifying for an exemption under the legislation. The proper venue for an adjudication of lawfulness in the absence of legislative clarity is the courts.

The appropriate course of action for a law enforcement body that has grave animal welfare concerns with particular activities is to prosecute those activities for unlawful animal cruelty, not to state its opposition in a policy statement.

The Chief Justice of Alberta’s Court of Appeal has stated that law enforcement has a duty to enforce the animal protection laws that have been democratically enacted by the Alberta legislature. As the gatekeeper of animal welfare prosecutions in the City

---

<sup>45</sup> *Reece v. Edmonton (City)*, 2011 ABCA 238 (dissenting on other grounds).

<sup>46</sup> Calgary Humane Society’s Role in the Calgary Stampede, online at: <http://www.calgaryhumane.ca/calgary-humane-societys-role-calgary-stampede/>.

of Calgary, the Calgary Humane Society has not only the ability but the responsibility to bring its grave, and appropriate, animal welfare concerns before the courts for adjudication.

We urge you to execute this mandate swiftly and decisively.

Yours truly,

A handwritten signature in blue ink, consisting of a large loop followed by a series of smaller loops and a horizontal line extending to the right.

Animal Justice  
Per: Anna Pippus  
Director of Farmed Animal Advocacy  
APippus@AnimalJustice.ca