

NSW Government Response – Select Committee on the Greyhound Welfare and Integrity Commission

Recommendation	NSW Government response
<p>1. That the core function of the Greyhound Welfare and Integrity Commission, as the independent regulator, should be to promote and protect the welfare of greyhounds, in line with community expectations, working collaboratively with the greyhound industry and participants.</p>	<p>Supported</p> <p>The Greyhound Welfare & Integrity Commission’s (GWIC) legislative objectives and functions are clearly articulated in the <i>Greyhound Racing Act 2017 (GRA)</i>, with its objectives including promoting and protecting the welfare of greyhounds, safeguarding integrity and maintaining public confidence in the industry. The Government does not intend to amend these objects and functions.</p> <p>In practice, GWIC collaborates extensively with greyhound racing industry participants, including through regular meetings with industry peak bodies (Greyhound Racing NSW (GRNSW), the NSW Greyhound Breeders, Owners and Trainers Association (GBOTA) and Greyhound Clubs NSW (GCNSW)) as well as through its establishment of the Greyhound Industry Participant Advisory Council (GIPAC), comprising owners, trainers, breeders and club officials.</p> <p>GWIC is committed to exploring further initiatives to ensure it continues to constructively engage with industry. It is noted that the Select Committee report acknowledged and welcomed the improvements with GWIC’s industry collaboration efforts over the past two years.</p>
<p>2. That the Greyhound Welfare and Integrity Commission build an open and collaborative relationship with racing industry participants.</p>	<p>Supported</p> <p>As above.</p>
<p>3. That the NSW Government consider appointing an independent statutory commissioner to oversee and review the activities and expenditure of the Greyhound Welfare and Integrity Commission every three years, with the first year to focus on:</p> <ul style="list-style-type: none"> • role and culture • financial efficiency • procedural fairness during investigations. 	<p>Not supported</p> <p>Consistent with all NSW Government agencies, GWIC’s expenditure and operational efficiency is overseen and monitored by:</p> <ul style="list-style-type: none"> • the Department of Enterprise, Investment and Trade • NSW Treasury • the Audit Office of NSW • the Independent Commission Against Corruption

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	<ul style="list-style-type: none"> • NSW Ombudsman. <p>GWIC is also subject to Parliamentary oversight, including through bi-annual Budget Estimates hearings.</p> <p>The creation of a separate statutory body to oversee an independent Commission would impose an unnecessary and costly regulatory burden on the NSW greyhound racing industry and community.</p> <p>As a government agency, GWIC states it is a model litigant and applies robust and transparent processes that ensure its investigative and disciplinary processes are procedurally fair and timely.</p>
<p>4. That the NSW Government appoint a ministerial advisory panel consisting of representatives from the Greyhound Welfare and Integrity Commission, Greyhound Racing NSW, Greyhound Breeders Owners and Trainers Association and industry participants, to meet every three months to inform:</p> <ul style="list-style-type: none"> • decisions about the regulation and operation of the industry • the independent commissioner's three yearly reviews, as per Recommendation 3. 	<p>Noted</p> <p>The creation of a Ministerial advisory council would be inconsistent with the recommendations of the Greyhound Industry Reform Panel and the legislative provisions in the GRA and impose a cost burden on the NSW greyhound racing industry and community. It is noted that the GRA expressly prohibits the Minister directing GWIC in relation to certain matters, including decisions to institute criminal proceedings or take disciplinary action.</p> <p>GWIC acknowledges the need to build strong collaborative relationships with industry stakeholders and participants and in 2021 it established the Peak Industry Bodies Group, comprising GRNSW, GBOTA and GCNSW to provide a forum to discuss emerging issues and areas for collaboration.</p> <p>Through this channel, as well as its GIPAC and Animal Welfare Committee, GWIC's consultative networks allow it to take feedback in relation to its role in regulating the industry into account when determining its operational and policy settings.</p>

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<p>5. That both Greyhound Racing NSW and the Greyhound Welfare and Integrity Commission be required to appear before the relevant Portfolio Committee for a specific hearing at least annually.</p>	<p>Noted The GWIC executive regularly appears before twice yearly Budget Estimates hearings when invited. It is noted that Greyhound Racing NSW is not a NSW Government agency.</p>
<p>6. That the Greyhound Welfare and Integrity Commission improve the accessibility of its processes to industry participants by:</p> <ul style="list-style-type: none"> • conducting greater outreach and education programs • ensuring options for the dissemination of information are available to those who do not have ready access to technology, especially in regional New South Wales. 	<p>Supported GWIC is collaborating with GRNSW to carry out State-wide face-to-face education events throughout 2023 to improve participant understanding of the racing rules, Code of Practice requirements and GWIC's processes. GWIC is also enhancing its dissemination of information via YouTube video series and enhanced use of social media to improve its communication with industry participants.</p>
<p>7. That the NSW Government conduct a review into funding arrangements for the three racing codes, including but not limited to the point of consumption tax, Tabcorp distributions and tax harmonisation.</p>	<p>Supported-in-principle Changes to the Point of Consumption Tax came into effect from 1 July 2022. The NSW Government is considering a review of tax and funding arrangements of the NSW wagering and racing industries.</p> <p>It is noted that the 2017 greyhound racing reforms included funding of \$30 million in capital grants for GRNSW to upgrade track facilities to make them safer for greyhounds, with funding approved for 30 projects across 20 tracks to date.</p>
<p>8. That the Greyhound Welfare and Integrity Commission:</p> <ul style="list-style-type: none"> • introduce specialised training and accreditation of veterinarians and inspectors to improve understanding of racing greyhounds • make recommendations for the adoption of national standards for veterinarians and inspectors in greyhound racing. 	<p>Supported GWIC notes it now has specialised greyhound training programs in place for it Stewards, On-Track Veterinarians and Inspectors. GWIC will make representations to Greyhounds Australia, the peak national body for greyhound racing, in relation to the adoption of a national training program for Veterinarians and Inspectors.</p>

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<p>9. That the Greyhound Welfare and Integrity Commission continue to adequately fund training, cadetships, development and educational opportunities to maintain industry knowledge, upskill existing staff and engage new recruits.</p>	<p>Supported In 2022 GWIC commenced employment of cadet stewards who will be required to complete Certificate IV in Racing Services. This is the first cadet program in the industry’s history.</p> <p>GWIC notes its On-Track Veterinarians are re-trained by leading greyhound industry veterinarians. It is also looking to develop internships as a future pathway for its veterinarians.</p>
<p>10. That the Greyhound Welfare and Integrity Commission review its policies, in collaboration with industry representatives, to ensure that they are suitable for racing greyhounds.</p>	<p>Supported-in-principle The GRA requires GWIC to consult with GRNSW in relation to the making of new rules and policies. In addition to this, GWIC consults with key industry stakeholders, including the GIPAC, on all new policies or changes to existing policies.</p>
<p>11. That the NSW Government advocate through National Cabinet for an overhaul of the national rules on prohibited substances by:</p> <ul style="list-style-type: none"> • reviewing the list to determine the scientific basis for the inclusion of prohibited substances (such as cobalt), the reasons for their inclusion and the relative detection levels upon which prosecutions are commenced • publishing the outcomes of any research and the review • adjusting the prohibited substances list based on the outcomes, if needed • ensuring that the rationale for the inclusion of each prohibited substance, and in what quantities, is communicated clearly to industry participants. 	<p>Not supported It is noted that the Australian Government and National Cabinet has no role in relation to the regulation of greyhound racing, which is administered at a state level.</p> <p>Greyhounds Australasia is responsible for setting national rules for adoption by member jurisdictions. If any concerns are identified in relation to the national rules, including in relation to prohibited substances, GWIC and GRNSW can advocate to Greyhounds Australasia directly.</p>

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<p>12. That the Greyhound Welfare and Integrity Commission replace swab testing with blood tests to ensure that testing for prohibited substances is as accurate as possible.</p>	<p>Partially supported</p> <p>GWIC notes that no jurisdiction in Australia or New Zealand has moved to completely replace urine sampling with blood sampling for swabbing purposes. In addition to cost implications, there are integrity and welfare concerns with the taking of blood sample for swabbing purposes.</p> <p>GWIC has committed to exploring greater use of blood tests for swabbing and will discuss with the industry through its consultative processes.</p>
<p>13. That the NSW Government take action to enable the Greyhound Welfare and Integrity Commission to implement:</p> <ul style="list-style-type: none"> • a tiered system that reflects the seriousness of any breach, whereby low-level offences can be managed with appropriately scaled punishments • practices that ensure greater procedural fairness and timeliness in their investigations and prosecutions. 	<p>Supported</p> <p>GWIC’s existing regulatory framework includes a tiered approach, allowing GWIC to respond proportionately to breaches of its rules and policies, taking into account the specific circumstances of the individual and the offence committed. The majority of low-level breaches are dealt with by way of issuing cautions, reprimands or small monetary fines. Only serious breaches are dealt with through disciplinary hearings.</p> <p>GWIC’s website includes extensive information about its disciplinary framework, including Penalty Guidelines and decisions, to inform participants about its practical application. GWIC has also recently introduced a regional approach to its management of disciplinary hearings.</p> <p>As a government agency, GWIC states it is a model litigant and applies robust and transparent processes that ensure its investigative and disciplinary processes are procedurally fair and timely. GWIC notes its focus over the past twelve months has been on introducing a regional approach to its management of disciplinary hearings.</p> <p>GWIC notes that over 75% of its disciplinary matters are dealt and determined within days or weeks, with its finalisation of disciplinary matters better than any other greyhound racing jurisdiction in Australia or New Zealand from a timeliness perspective.</p>

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<p>14. That the NSW Government:</p> <ul style="list-style-type: none">• introduce a tribunal system, independent of the Greyhound Welfare and Integrity Commission, to adjudicate on breaches of the greyhound racing rules in a less formal, less costly and more accessible manner• provide for any appeal from the tribunal system to be to the local court.	<p>Not supported</p> <p>GWIC’s existing regulatory framework includes a tiered approach, allowing GWIC to respond proportionately to breaches of its rules and policies, taking into account the specific circumstances of the individual and the offence committed, with the majority of low-level breaches dealt with by way of issuing cautions, reprimands or small monetary fines. GWIC’s website includes extensive information about its disciplinary framework, including Penalty Guidelines and decisions, to inform participants about its practical application.</p> <p>It is noted that existing appeal processes, through GWIC internal review or the Racing Appeals Tribunal, provide for low-cost and accessible appeals. Providing for appeals to the Local Court would introduce additional costs and complexity for participants, while adding further burden to the court system.</p>
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