

# GREYHOUND RACING AMENDMENT (GREYHOUND RACING INTEGRITY COMMISSION) BILL 2016

*First Reading*

**Bill introduced on motion by Mr Michael Daley, read a first time and printed.**

*Second Reading*

**Mr MICHAEL DALEY ( Maroubra ) ( 10:46 ): I move:**

That this bill be now read a second time.

One of the glories of the bearpit is that with the short distance between us and our political foes we get to judge our enemies from seeing the whites of their eyes, their body language and their demeanour. The Greyhound Racing Prohibition Bill 2016 was delivered by the Deputy Premier with his hands trembling, trepidation in his eyes and a doubt about what he was doing—make no mistake about that. And well might he have delivered the bill in that frame of mind because it is a stain on this Government, a stain on The Nationals, that will never be erased.

The Greyhound Racing Amendment (Greyhound Racing Integrity Commission) Bill 2016 provides for Labor's response to the report of the Special Commission of Inquiry into the Greyhound Racing Industry in NSW undertaken by Commissioner McHugh. I admit that this bill is not a perfect response. The Government will not allow for a considered response—in fact, it will not allow for the response to these difficulties in the greyhound industry that was recommended by Commissioner McHugh. Commissioner McHugh's recommendation 1 stands out above all 80 recommendations. Indeed, the commissioner put this recommendation alone in a box in his report to highlight it. The recommendation says:

Given the findings of the Commission concerning the management and governance of the greyhound racing industry, the Parliament of New South Wales should consider whether the industry has lost its social licence and should no longer be permitted to operate in NSW.

The salient word in that recommendation is "Parliament". Commissioner McHugh, a former High Court judge, is one of Australia's most eminent jurists and he uses language with precision. When he said "the Parliament" he meant the Parliament. His primary recommendation was that his comprehensive report, which is not without flaws and has been criticised, be delivered to the Parliament, the people's House, so that the people's representatives could consider its voluminous detail and its significant recommendations—all 80 of them.

Mr McHugh recommended that the Parliament then conceive a response and that response would have been and should have been—if we had a mature, responsible and less sanctimonious Government ruling the State—that a joint select committee be formed to receive the report that was addressed to the Parliament and consider it in detail. The committee would seek advice and submissions from all of the citizens of New South Wales who have to date been deprived of an opportunity to be heard. This is a polarising debate, issue and report. The views are extreme and held deeply. There are few who hold to the middle ground. All of those people who hold all of those polarised views in their heart should have an opportunity to give evidence before a committee, to consider McHugh's special commission report, and for the joint select committee to report to the Parliament in the way that the special commission of inquiry recommended.

Nowhere in the 850 pages of the McHugh report will members see any recommendation or words that state: I, Commissioner McHugh, recommend that the Executive Government of New South Wales forthwith and without any further deliberation or consultation with the people of New South Wales or the industry immediately extinguish the greyhound racing industry in New South Wales

forever. Nowhere will members find that. But yesterday and today that is exactly what this weak, sanctimonious, lecturing Premier and the weak-kneed Deputy Premier have done to the people of the greyhound industry.

That considered response cannot now occur because under the cover of darkness, without forewarning or notice of the content of that atrocious bill, the upper House has voted to get rid of the greyhound industry. We cannot have a perfect response. This bill does what Labor and the Leader of the Opposition promised to do. Labor has consulted with the good people of the greyhound industry and, in response to their feedback, promised it would give the industry a second chance, it would introduce standards of the highest behaviour and rub out the undesirables in the industry. That is what this bill does. It stands in stark contrast to the exterminatory bill that yesterday passed through the upper House and that has been shamefully introduced to this place.

There has been terrible behaviour in the greyhound industry, as there is in a great many industries. We all abhor that. No doubt there are people in the greyhound industry who should be banned and prosecuted. Labor wants to root them out and expel them from the industry. This is a complex and difficult situation. No-one denies that. That is what government is about. I recall sitting in Cabinet when difficult considerations presented such as how to handle legal rights in response to terrorist acts. I recall during the global financial crisis Treasury walked into Cabinet and advised the Government that \$2 billion of recurrent revenue had fallen out of our budget. That is what difficult decisions are about in government.

When difficult decisions present themselves you see the strength of a government through its response to that situation. The Government's response to the McHugh report is immature, ill-considered, hasty, sanctimonious and weak. The Government knows it is a mistake. It should have changed its mind. It should have reconsidered and given people a second chance but it has not. All it has done is to augment and compound its ignorant and superior attitude with arrogance. That is bad governance. The simple fact is that in Australia in 2016 the right to be heard is a privilege. It is not a gift. It is a right. The right to defend oneself, to challenge decisions, to elicit facts and find fairness is inherent in so many aspects of our modern life. Procedural fairness and natural justice have become bywords entrenched in the legal system that protects our society.

They are entrenched in the field of employment. If a government worker bullies a fellow worker or steals a stapler from the stationery room he or she will be charged with misconduct, go before a panel and have the right to defend themselves, to be heard and appeal. If you are one of the thousands of good people, the overwhelming majority in the greyhound industry, those rights do not exist. They have yesterday and today been torn up and extinguished by this Government. Labor thinks those rights should continue to exist. This bill is Labor's response to the McHugh report and to the Government's assailing of good people, many of whom will now have no future. Many will be bankrupt, many will be ruined and all of them will be changed forever for the worse. This bill does what Labor promised it would do.

I turn to some of the provisions of the bill. The bill constitutes the Greyhound Racing Integrity Commission [GRIC] as a New South Wales Government agency. It provides for the appointment of a commissioner and a board of persons who, in the opinion of the Minister, have skills and experience relevant to the matters arising under the Act and who will assist the greyhound industry in obtaining their objectives. The principles and objectives of the GRIC in exercising its functions are in pursuit of many of the recommendations of the McHugh report.

They are: to ensure and protect the integrity of greyhound racing in this State; to maintain, protect and enhance animal welfare standards in the greyhound racing industry; to maintain transparency in the greyhound industry, including ensuring that records relating to greyhounds bred for the purposes of racing are publicly available; and it provides that if the GRIC, a member of staff of the GRIC or staff appointed by the GRIC become aware of any serious or repeated contravention of any legislation relating to the welfare of greyhounds that contravention must be reported to the RSPCA or the Animal Welfare League. For the first time in many years this bill provides a proper and

considered administrative structure for the greyhound racing industry and for the separation of the commercial and probative functions of those aspects of the industry.

The bill provides for the establishment of an animal welfare committee and for the appointment by a Minister of people who in the opinion of the Minister have the relevant experience and knowledge related to the ethics of animal welfare. It provides for the appointment of people nominated to the board who have extensive knowledge of animal welfare at a senior level and for the appointment of a person registered under the Veterinary Practice Act 2003 as a veterinary practitioner working in private practice. As the Leader of the Opposition promised, clause 22A provides for a life ban for persons who are found to have committed live baiting offences. It provides for the annual report of additional matters, including matters relating to breeding; for disciplinary action; for testing for prohibited substances; and prosecutions. You would expect that a sensible and considered administrator of the sport would take all that into account. Clause 41D states:

Any public land used for greyhound racing cannot be sold, leased or disposed of except with the approval of both Houses of Parliament.

Bring it back to the people's House. That is a provision that is completely and utterly lacking in the Government's bill. In fact, what the Government's bill does is liquidate the assets held in the greyhound racing industry and convert those assets into Crown land so they can be disposed of at whim. We have heard the Deputy Premier say in this place, "We will not allow that to happen." If there is one thing this Premier has proven in the five years he has been in office it is that he is the developers' friend. He is more interested in developers and overseas investors than he is in the welfare of the people of New South Wales. We on this side do not trust him in that regard. If he wants to put his money where his mouth is he will agree to our amendment when his bill comes to this place or better still he will instruct his troops to vote for our bill when it comes before the House on the next sitting day. In my 11 years in this place I cannot recall a more extraordinarily rash and ill-considered law. It is utterly without precedent.

**Mr Ray Williams:** Nothing like proroguing Parliament.

**Mr MICHAEL DALEY:** I notice Parliamentary Secretary Williams at the table, a man who is well known in the racing industry. He is trying to intimidate and big mouth while this debate occurs. There are people who will be eyeing off his industry—the Saracens are not at the gates of the racing industry; they are scaling its walls. You, my friend, should put your money where your mouth is, because in this game you cannot have two bob each way. There have been industry transitions in the past decades in New South Wales that were monumental at the time—in the prawning and fishing industries, in the forestry industry and now with Uber. What has characterised all of those industry transitions is that the debates, deliberations and considerations proceeded. They proceeded without being presumed. They proceeded in good faith. They proceeded in cooperation. They proceeded over a great period of time with financial assistance, and industry transition packages upfront and done in collaboration before legislation was rammed through the Parliament. But not when it comes to greyhounds.

What Premier Baird is saying to the good people in the greyhound racing industry is a very simple three-word response, "Go to hell." And we think that is a disgrace. Over recent weeks the Leader of the Opposition and I have been around the State visiting people in the greyhound racing industry. They are all battlers. They love their dogs. They hate more than anyone the wrongdoers in the sport. They want them rubbed out more readily than anyone else. The Premier does not know these people but, worse, he does not want to know these people, makes no attempt to know them and holds them in disdain. That is bizarre behaviour for a Premier who so wants to be loved. We want to give these people a chance. We do not want to criminalise them.

I note the introductory words of the Deputy Premier when he introduced the legislation today. He used phrases such as "It is with a heavy heart", "not lightly", "We have not proceeded quickly on this", "There has been considerable debate", and "It has been difficult". They are just weasel words. If

they are not accompanied by action, they are hollow words. And he concluded his speech by talking about wanting to protect innocent animals. So do we, but what about innocent people? He is rubbing them out and destroying their future. That is not good government. I conclude by speaking to the members of The Nationals who will be asked to come into this place in a fortnight and have a choice between two bills—one a bill for hope and the future, and the other a bill for the extinguishment of people's economic futures.

I say this to The Nationals: If you do not stick up for your own people in public life, they will lose faith in you. The Nationals have made a mistake. I feel sorry for many of The Nationals members in this place because they have been misled. Their leaders have let them down. Many of The Nationals are disappointed in their leaders' decisions; they are standing in nooks and crannies, lift wells and corridors, saying so to anyone who will listen. But they should mark this: The disappointment they feel in this erroneous decision of their leadership pales into insignificance against the disappointment that The Nationals constituency in the bush feels about them. A lack of principle and bravery in politics will bring you to that place in due course every time. I commend the bill to the House.

**Debate adjourned.**