

INQUIRY INTO GREYHOUND WELFARE AND INTEGRITY COMMISSION

Organisation: Greyhound Welfare and Integrity Commission

Date Received: 4 December 2020



Submission to the Legislative Council Select Committee Inquiry into the Greyhound Welfare and Integrity Commission

December 2020



Foreword.....	4
Term of Reference (a): The policies, procedures, mechanisms, and overarching principles of the Commission in relation to industry participants	5
1.1 Overview	5
1.2 Policies	8
1.3 NSW Greyhound Welfare Code of Practice	8
1.4 Engagement with industry stakeholders and participants	9
1.5 Services for industry participants	10
1.6 Race day integrity and welfare services.....	11
Term of Reference (b): The appropriateness of disciplinary action for those industry participants breaching legal requirements as set out by the Commission	13
2.1 Overview	13
2.2 Disciplinary action at greyhound race meetings.....	15
2.3 Other disciplinary action by the Commission	16
Term of Reference (c): The options for appeal by industry participants who breach legal requirements as set out by the Commission	17
3.1 Racing Appeal Tribunal	17
3.2 Internal review by the Commission	18
Term of Reference (d): The combined relationship of the Commission, the industry operator Greyhound Racing NSW, and industry participants in relation to the overall greyhound racing industry	19
4.1 Formal relationship	19
4.2 Liaison between GWIC and GRNSW	20
4.3 Relationship with participants	20
4.4 Other relationships	21
Term of Reference (e): The existing funding agreement between the Commission and Greyhound Racing NSW with a view to considering recommended options .	22
5.1 Overview.....	22
5.2 Existing income sources	22
5.3 Expenditure.....	23
Term of Reference (f): The actions, conduct and effectiveness of the Commission and GRNSW, in particular in relation to its role in improving the welfare of greyhounds.....	24
6.1 Greyhound Welfare Code of Practice	24
6.2 The greyhound population	24
6.3 Registration and accreditation of industry participants	26
6.4 Stronger penalties and offences	26
6.5 Greyhound Industry Animal Welfare Committee	27
6.6 Breeding controls and sustainability.....	27

6.7 Race injury trends	29
6.8 Race Injury Review Panel	31
6.9 First response to critical race-related injuries	32
6.10 Racecourse infrastructure.....	32
6.11 Greyhound retirements	33
6.12 Greyhound deaths	33
6.13 Kennel inspection program.....	36

Foreword

The Commission is pleased to provide this submission to the Select Committee Inquiry into the Greyhound Welfare and Integrity Commission which was established by the Legislative Council on 23 September 2020. This submission addresses each term of reference for the Inquiry.

The Commission is committed to securing a prosperous greyhound racing industry by improving welfare and integrity. Genuine public confidence in greyhound racing can only be built through demonstrating high standards of welfare, integrity and compliance within the industry.

Achieving these standards requires the industry and the Commission to work cooperatively, and for the Commission to support the industry by being a trusted, fair, firm and impartial regulator, by providing excellent customer service, and by listening and responding to participants.

The feedback the Commission has received from participants clearly indicates that, in just two short years, the Commission has come to be recognised as an effective and efficient regulator. Increased scrutiny of the industry has in my view led to a significant improvement in participant attitudes and behaviour which has resulted in noticeable improvements in the welfare of greyhounds.

This Inquiry provides the Commission with a valuable opportunity to provide information about its role and achievements to date.

Any queries regarding this submission may be directed to Mr Steve Griffin, Interim Chief Executive Officer, on _____ or to me by email at _____

Alan Brown AM
Chief Commissioner
3 December 2020

Term of Reference (a): The policies, procedures, mechanisms, and overarching principles of the Commission in relation to industry participants

1.1 Overview

The Commission is constituted by the *Greyhound Racing Act 2017* ('Act') – the Act itself, the *Greyhound Racing Regulation 2019* and the Greyhound Racing Rules shape many of the Commission's principles, policies, procedures and operating mechanisms.

Guidance as to the Commission's principal objectives is contained in section 11 of the Act, which are to:

- (a) Promote and protect the welfare of greyhounds
- (b) Safeguard the integrity of greyhound racing and betting
- (c) Maintain public confidence in the greyhound racing industry.

Section 12 of the Act outlines the Commission's functions which are as follows:

- (a) To control, supervise and regulate (subject to the Act) greyhound racing in the State
- (b) To initiate, develop and implement policies relating to the welfare of greyhounds
- (c) To undertake research and investigation into any aspect of the breeding of greyhounds and of greyhound racing generally
- (d) To consult with animal welfare bodies in developing changes to legislation relating to the welfare of greyhounds
- (e) To provide the Minister with such information, advice or reports as the Minister may request
- (f) To inform the Minister about any event or matter that may adversely affect the integrity of greyhound racing
- (g) Such other functions as are conferred or imposed on the Commission by or under the Act or any other Act.

Also, the Act provides for the following additional functions – registering greyhounds, greyhound racing industry participants and greyhound trial tracks; preparing a code of practice for the welfare of greyhounds; and making greyhound racing rules.

The Commission's Strategic Plan 2018 – 2021 at [www.gwic.nsw.gov.au/ data/assets/pdf file/0005/891311/Strat-Plan_FNL.pdf](http://www.gwic.nsw.gov.au/data/assets/pdf_file/0005/891311/Strat-Plan_FNL.pdf) outlines how the Commission will:

- Promote and protect the welfare of greyhounds throughout their lives
- Safeguard integrity by ensuring that standards and practices are aligned with community expectations
- Build public confidence in the industry by fostering welfare and integrity improvements
- Efficiently and effectively control, supervise and regulate greyhound racing in NSW.

The Commission's approach to its work stems from the recommendations of the Greyhound Industry Reform Panel ('Reform Panel') which the Government established in 2017 to [report](#) on administration of greyhound racing. Most of the recommendations for which the Commission is responsible have been implemented.

The programs conducted by the Commission to achieve the aims and recommendations of the Reform Panel, and the goals in the Commission's Strategic Plan, are shown below:



The following diagram elaborates on the programs, including program outcomes for 2019/20:

Veterinary aftercare and advisory services	<ul style="list-style-type: none"> • Ensure greyhounds that are injured on the track receive appropriate veterinary care in accordance with the directions of the Commission's On-Track Vets • Provide participants with appropriate veterinary advice to ensure sound animal welfare outcomes are achieved 	<ul style="list-style-type: none"> • 5 499 post-race examinations • Regular follow up phone calls • Race Injury Review Panel reviewed 170 injuries
Welfare of racing greyhounds	<ul style="list-style-type: none"> • Ensure that all racing greyhounds are fit to compete; receive immediate veterinary care when required; and are examined when performance falls short of expectations • Monitor racing in hot weather and provide welfare advice to Stewards • Necessary to protect the welfare of greyhounds and improve public confidence in the sport • Achieved through the provision of vets at every race meeting conducted in NSW. 	<ul style="list-style-type: none"> • Lowest overall injury rate in the Apr-Jun quarter since 2018 • Lowest ever rate of catastrophic injuries in Q4 (0.5/1000)
Rehoming facilitation	<ul style="list-style-type: none"> • Assist greyhound racing participants who are in need of additional support to rehome greyhounds and/or facilitate temporary care arrangements • Ensure greyhound welfare outcomes are maintained when participants fall on hard times • Provided on an 'as needs basis' by GWIC customer service staff and inspectors 	<ul style="list-style-type: none"> • 74% decrease in non-medical euthanasia since new Rehoming Policy was introduced
Routine kennel inspection program	<ul style="list-style-type: none"> • Ensure registered greyhounds in NSW are being kept and cared for according to required industry animal welfare standards and policies • Physical kennel inspections routinely conducted by GWIC inspectors 	<ul style="list-style-type: none"> • 181 kennel inspections including routine, new kennels, new participants and follow-ups
Target kennel inspections	<ul style="list-style-type: none"> • Regularly monitor participants in the industry whose compliance with animal welfare standards is at risk and/or falls short of requirements • Prevent animal welfare harms occurring • Assist participants meet required standards • Conducted by inspectors 	<ul style="list-style-type: none"> • 128 targeted kennel inspections including intelligence or swabbing based, out of competition swabbing, welfare checks and follow-ups
Tracking of registered greyhounds program	<ul style="list-style-type: none"> • Achieve public confidence with the industry by ensuring participants comply with notification requirements • Targeted interventions to confirm whereabouts of greyhounds • Annual audits to confirm whereabouts of greyhounds 	<ul style="list-style-type: none"> • Targeted program introduced in 2019 to be revolutionised in 2021 with new scanning capabilities
Register participants and greyhounds	<ul style="list-style-type: none"> • Ensure only persons who are 'fit and proper' to participate in the industry are registered. • Ensure registered participants are competent to perform their roles in the industry 	<ul style="list-style-type: none"> • 3 284 participants (excl owners) • 20 168 registered greyhounds
Develop standards and policies for the industry	<ul style="list-style-type: none"> • Develop policies and standards for the industry that achieve integrity and welfare outcomes 	<ul style="list-style-type: none"> • Rehoming Policy revised • Race Day Hydration & Hot Weather Policy revised • Code of Practice approved
Provide information and educate the industry	<ul style="list-style-type: none"> • Help participants meet requirements through continuous delivery of information, assistance and education initiatives 	<ul style="list-style-type: none"> • Regular web and social updates • 20 fact sheets and flyers published this year • 40 stakeholder meetings/ events
Monitor industry practice and performance	<ul style="list-style-type: none"> • Undertake analysis and produce reports to inform stakeholders about how the industry is tracking against integrity and welfare measures 	<ul style="list-style-type: none"> • Breeding & whelping stats • Retirement & end of life report • Injury statistics
Detect and investigate wrongdoing in the industry	<ul style="list-style-type: none"> • Detect and address wrongdoing in the greyhound racing industry to prevent harm and build public confidence 	<ul style="list-style-type: none"> • Action for wrongdoing taken against 93 participants • 172 of 183 charges proven
Racing integrity	<ul style="list-style-type: none"> • Ensure that greyhound racing is conducted fairly according to the rules • Necessary to provide assurance and confidence to the wagering public that greyhound racing in NSW is conducted on a fair and level playing field • Achieved through oversight by stewards of every race meeting conducted in NSW and 'off track' wagering and other analysis 	<ul style="list-style-type: none"> • Daily Stewards' Reports • Protocol for track inspections and race abandonment • Best practice stewarding
Prohibited substances detection and deterrence program	<ul style="list-style-type: none"> • Maintain the integrity of racing by deterring and detecting the use of prohibited substances • Protect greyhound welfare through preventing use of drugs in racing animals • Improve confidence in greyhound wagering product • Involves multiple capabilities to conduct on track and off track swabbing; swabbing analysis and investigative and disciplinary processes • Review swabbing policy and practice to ensure they are best practice 	<ul style="list-style-type: none"> • 7 557 race day swabs tested • 178 out of competition swabs taken • 77 positive results • 30 threshold warnings issued for cobalt and arsenic

1.2 Policies

As noted above, the Commission is specifically empowered to initiate, develop and implement policies relating to the welfare of greyhounds.

Since 1 July 2018, the Commission has introduced the following policies designed to protect the welfare of greyhounds:

- Code of Practice for Breeding, Rearing and Education
- Code of Practice for the Keeping of Greyhounds in Training
- Race Day Hydration and Hot Weather Policy
- Swabbing Policy
- Trial Track Policy
- Greyhound Rehoming Policy.

The Code of Practice for Breeding, Rearing and Education and the Code of Practice for the Keeping of Greyhounds in Training were introduced pending development and commencement of a statutory code of practice for the welfare of greyhounds in accordance with sections 35 and 36 of the Act. These Codes will be rescinded when the NSW Greyhound Welfare Code of Practice comes into effect on 1 January 2021.

The Race Day Hydration and Hot Weather Policy sets out specific requirements where racing in hot weather, and otherwise for the welfare of greyhounds while kept in race day kennels. This Policy was strengthened prior to the 2019-20 summer racing season in response to ongoing research by the Commission's veterinary officials in relation to the provision of water in race day kennels.

Swabbing of racing greyhounds is a key welfare and integrity strategy to prevent and detect the presence of banned substances within greyhounds, and the Swabbing Policy details the Commission's policy and procedures in relation to greyhound swabbing. Swabbing procedures are subject to ongoing review.

The Trial Track Policy details requirements that support the registration and operation of greyhound trial tracks. These requirements are designed to protect the welfare of greyhounds at trial tracks.

The Greyhound Rehoming Policy is designed to promote rehoming of retired greyhounds and prevent unnecessary euthanasia. This Policy sets out minimum standards that participants must meet if rehoming greyhounds they do not wish to retain. It also imposes restrictions on greyhound euthanasia. Part 6.13 of this submission contains more information about this Policy.

1.3 NSW Greyhound Welfare Code of Practice

Introduction of a statutory welfare code was a key recommendation of the Reform Panel. Section 35(1) of the Act requires the Commission to prepare a code of practice for the welfare of greyhounds, for submission to the responsible Minister.

In 2018, the Commission commenced preparation of a code in close consultation with the Greyhound Industry Animal Welfare Committee which is established by section 33. Greyhound Racing NSW ('GRNSW'), as the body responsible for the industry's commercial operations, was also consulted from the early stages.

In early 2020, the Commission released a draft NSW Greyhound Welfare Code of Practice for public consultation. The draft Code was published on the Commission's website and the

Government's *Have Your Say* website and was publicised through industry channels. In addition, the Commission conducted a program of visits to greyhound racing clubs to brief participants about the draft Code.

Following consideration of the 244 submissions received in the first quarter of 2020, the Commission finalised a Code for approval by responsible Ministers. The final draft was fully supported by GRNSW and the Greyhound Breeders Owners & Trainers' Association ('GBOTA').

The Government announced the NSW Greyhound Welfare Code of Practice on 30 June 2020. It will come into effect on 1 January 2021.

The Code sets out enforceable minimum standards for the welfare of greyhounds, across the following areas:

- Nutrition and hydration
- Health and wellbeing
- Greyhound breeding
- Housing and environment
- Transporting greyhounds
- Exercise, socialisation and enrichment
- Training, trialling and racing
- Rehoming greyhounds as companion animals.

The Code will drive long-term improvements in animal welfare across the NSW greyhound racing industry. In particular, standards relating to the exercise, socialisation and enrichment needs of greyhounds will facilitate future rehoming of greyhounds. The Code is unique among statutory greyhound welfare codes in that it provides for the welfare of retired greyhounds that remain in the care of registered participants.

In the lead-up to the Code's commencement, the Commission has focussed on industry awareness of obligations and other requirements in the Code and on encouraging voluntary compliance. In partnership with GRNSW and GBOTA, the Commission conducted information sessions online and at greyhound racing clubs during October and November 2020. Also, the Commission produced a series of Industry Practice Guides to facilitate interpretation and provide additional guidance about obligations in the Code.

Visit <https://www.gwic.nsw.gov.au/welfare/code-of-practice-for-the-welfare-of-greyhounds> for more information about the Code.

1.4 Engagement with industry stakeholders and participants

The Commission is committed to full and effective engagement with industry stakeholders and participants.

The Commission places importance on people who are knowledgeable about the greyhound racing industry and who have specific expertise or a leadership role. The Commission reaches out to participants through:

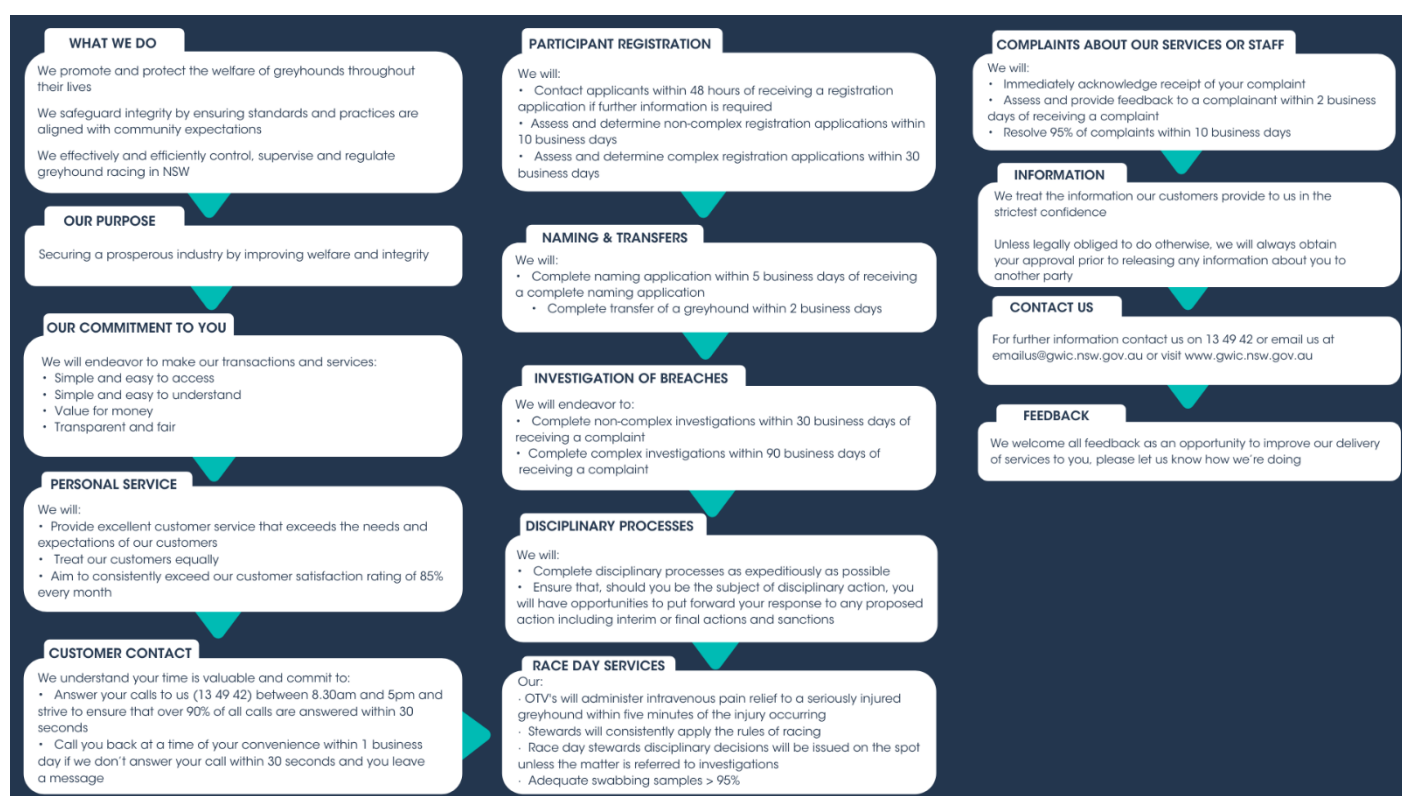
- Regular visits to greyhound racing clubs – in addition to stewards and veterinarians always attending race meetings, the Commission has a program of regular visits to clubs to seek and provide information and assist participants that have service needs

- Liaison with GBOTA which operates nine of the 34 greyhound racing tracks in NSW – Commission officials meet regularly with GBOTA board members and staff to exchange information and consult on policy and service delivery topics
- A Greyhound Industry Knowledge Network which was established in 2019 to provide a sounding board on policy and other proposals
- Social media – the Commission has a social media presence on Facebook and Twitter and monitors feedback provided by participants on these sites and on the Commission's own website
- Programmed visits to kennels maintained by greyhound participants
- Targetted surveys of industry participants and other greyhound racing officials
- A GWIC Participant Advisory Council which was established during the fourth quarter of 2020 to provide industry participants with the opportunity to have direct input into the Commission's development of industry policies and the Commission's services.

1.5 Services for industry participants

The Commission aims to meet expectations every time an industry stakeholder or participant comes into contact with the Commission. The Commission invests in its business to ensure customers are provided with the best possible level of service.

The Commission's Customer Charter articulates what customers can expect when they interact with the Commission, allowing them to hold the agency to account and provide feedback to improve service provision.



The Customer Charter can also be accessed at:

https://www.gwic.nsw.gov.au/data/assets/pdf_file/0004/892057/Customer-Service-Charter.pdf

To test customer satisfaction, the Commission instigated an ongoing process of surveying its customers. Surveys are conducted at no cost and responses are anonymous. The first round

of this survey activity involved 399 industry participants who had conducted business with the Commission in early 2020.

Of the 106 participants that responded, 86% indicated satisfaction with the Commission's services. While this was a pleasing result, the Commission continues to explore and implement service improvements that will increase customer satisfaction levels.

The Commission separately surveyed greyhound racing club managers, being key stakeholders in relation to services that the Commission provides on-track. Of the respondents, 94% rated the overall quality of the Commission's race day services between very high and acceptable quality. Additionally:

- 79% were satisfied or very satisfied with stewards' management of race meetings
- 84% were satisfied or very satisfied with the services provided by Commission veterinarians.

Where club managers provided feedback on service improvements, the Commission is taking steps to act on the suggestions made.

In 2019, the Commission embarked on a service delivery transformation of its registration and notification processes.

By making registration applications and notifications available as online forms and by streamlining processes, the Commission has been able to significantly reduce processing times, providing participants with improved service.

Take-up of online transactions is currently around 60% of transaction volumes. In an industry where the availability of online services was low and the uptake minimal, Commission staff promote online usage by attending race meetings to help participants become familiar with online transactions. The Commission is planning to introduce online kiosks at major racetracks in 2021, enabling participants to complete transactions while attending a race meeting.

As online service uptake increases, the Commission has driven down service turnaround times. The average processing time for determination of registration applications is now 6.2 days.

The Commission operates a busy telephone-based customer service line. In 2019/20 18,157 calls were received by its customer service line, and 14,876 transactions were processed.

1.6 Race day integrity and welfare services

The Commission's stewards attend every race meeting and are guardians of integrity at racetracks. In 2019/20, stewards attended 1,092 race meetings at 32 greyhound racetracks around NSW. Stewards supervised 10,998 individual races in which 6,520 greyhounds participated.

A Commission veterinary officer also attends every race meeting to conduct pre-race examinations which ensure that each greyhound presented for racing is fit to race. Veterinarians also conduct post-race examinations and attend to any injuries.

In 2019/20, Commission veterinarians conducted more than 78,900 pre-race examinations and 5,449 post-race examinations.

Also, veterinarians determine the length of time that an injured greyhound will not race so that its injuries can heal ('stand down'). If necessary, veterinarians will humanely euthanase greyhounds which have suffered a catastrophic injury in a race. Veterinarians provide guidance on nutrition, medication and injury rehabilitation to greyhound trainers while at tracks.

The extremely hot weather and resultant bushfires between October 2019 and January 2020 severely impacted the race calendar, industry participants and the Commission's workforce. Stewards and veterinary practitioners rallied to find a solution, often at short notice. Race meetings were re-scheduled to a cooler time of day and, on some occasions, continued with fewer races than originally scheduled.

Also, stewards and veterinarians were available at designated locations in fire-ravaged areas as a source of advice for affected participants and assistance for their greyhounds. They were instrumental in helping participants assess the damage to their facilities and begin the journey to recovery.

Term of Reference (b): The appropriateness of disciplinary action for those industry participants breaching legal requirements as set out by the Commission

2.1 Overview

Whilst Term of Reference (b) envisages that disciplinary action can be taken against a person for “breaching legal requirements as set out by the Commission”, the Commission’s power to take disciplinary action is governed by sections 58 and 59 of the Act.

Under section 58(1), the Commission can take disciplinary action where a person:

- Has contravened a provision of the Act, the regulations, the NSW Greyhound Welfare Code of Practice (once in force) or the Greyhound Racing Rules, or
- Is not a fit and proper person to be registered (having regard in particular to the need to protect the public interest as it relates to the greyhound racing industry).

The Commission has taken disciplinary action only for matters within the scope of section 58(1).

Most disciplinary matters dealt with by the Commission arise from circumstances where a greyhound presented for racing, or a greyhound that undergoes out-of-competition testing, produces a biological sample (usually urine) which is found to contain a permanently banned substance or a substance that is prohibited when a greyhound is being presented for a race.

Other reasons for disciplinary action include misconduct at a race meeting and matters relating to welfare including trialling a greyhound without a registration, failure to comply with a requirement of a Commission policy, or use of unapproved lures to train greyhounds.

In accordance with the requirements of section 58(3), the Commission is committed to applying a procedurally fair process when conducting disciplinary action. The principle of procedural fairness requires that participants are afforded a reasonable opportunity to provide a response after being made aware of all of the evidence, allegation(s) and the action proposed to be taken by the Commission.

The Commission’s approach to penalties flowing from disciplinary action is protective rather than punitive.

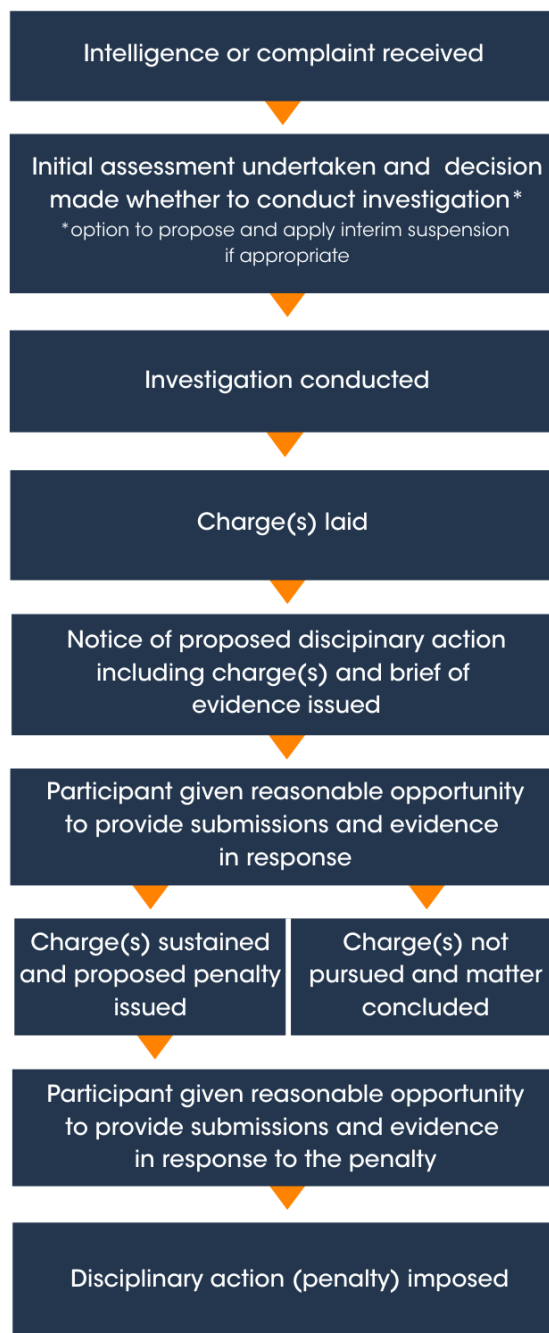
The process followed in disciplinary proceedings is detailed below:

DISCIPLINARY ACTION PROCESS

Prohibited substance matters



Other matters



Appeal and internal review rights advised

Appeal (where lodged) heard by independent Racing Appeals Tribunal (RAT)

Outcome of RAT appeal recorded and any variation to the disciplinary action taken is applied

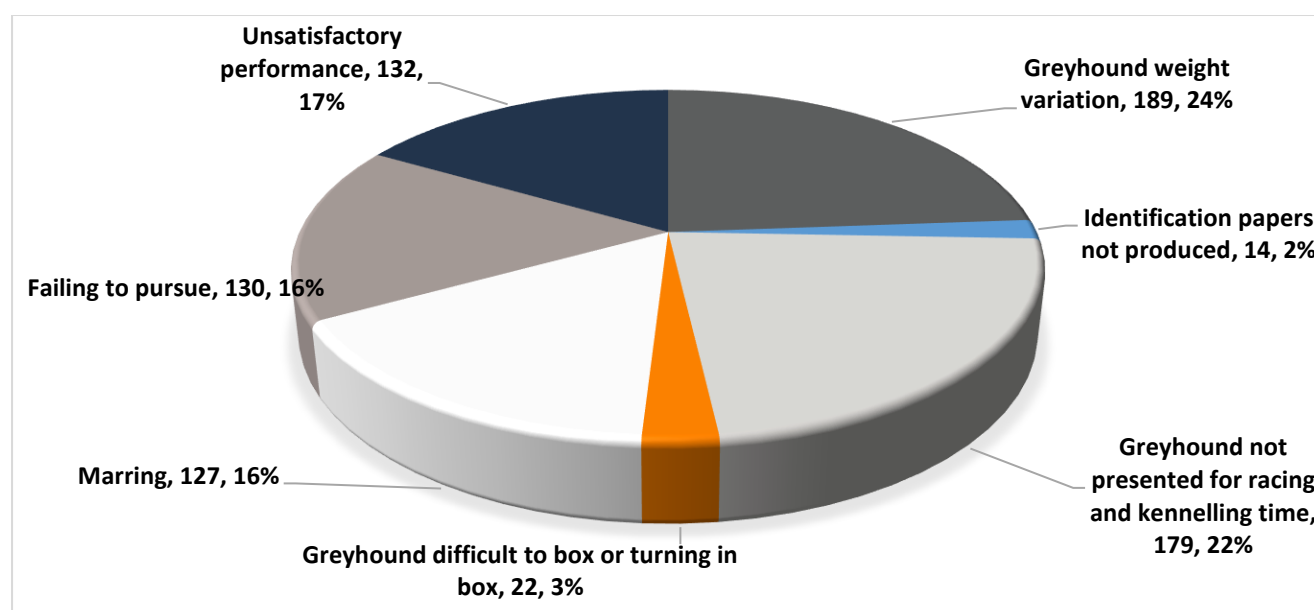
As shown in the diagram above, the Commission includes in its disciplinary processes an additional step that allows a participant following an adverse finding to address the proposed penalty that the Commission's decision-maker intends to impose.

In prohibited substance matters, the Commission has applied the penalty precedents developed and imposed by GRNSW when it was responsible for disciplinary functions up to June 2018. This provides a consistent and transparent approach to the way the Commission deals with participants who breached the prohibited substance rules.

2.2 Disciplinary action at greyhound race meetings

Commission stewards can take disciplinary action under Part 6 of the Act for a breach of specified Greyhound Racing Rules that occur on or at a track. In 2019/20, stewards issued 793 Notices of Disciplinary Action ('NDAs'). Of these, 389 related to the performance of a greyhound in a race (marring, failure to pursue or unsatisfactory performance) and 404 related to other breaches such as presenting an underweight or overweight greyhound. NDAs issued by stewards typically result in imposition of a fine.

The chart below details the rule breaches for which NDAs were issued by stewards in 2019/20:



2.3 Other disciplinary action by the Commission

Disciplinary action taken as a result of the detection of a prohibited substance(s) or following an investigation is undertaken by the Commission's office-based staff, with the decision-maker(s) of the matters having delegated power to make such decisions under an instrument of delegation pursuant to section 10 of the Act.

In 2019/20, the Commission issued a total of 183 charges against 93 participants. Eleven charges were not sustained, while 172 were found proven (see the table below).

Charges proven in 2019/20

Type of charge	Number of charges proven
Prohibited substance	76
Participant conduct	96

Penalties are determined on an individual case-by-case basis, with guidance from relevant precedent and each matter being assessed on its merits.

The determination of penalty is informed by precedent established over time (including within the NSW greyhound racing industry, by the Racing Appeals Tribunal and in other jurisdictions), the particular circumstances surrounding the offence(s) and the subject participant, the presence and weight of aggravating and/or mitigating factors in each case, any submissions and evidence provided by or on behalf of the person concerned, and jurisprudence from the Racing Appeals Tribunal.

Under sections 58 and 59 of the Act and applicable Greyhound Racing Rules, the Commission has the power to take action to suspend a person's registration pending the outcome of an inquiry into a matter. Mostly commonly this is an interim suspension of a participant's registration(s), being a power also derived from Rule 92(5)(c) of the Greyhound Racing Rules. In two particular matters, the Commission has also taken action to interim disqualify and interim 'warn off' two persons.

Every time the Commission seeks to take any disciplinary action against a person, section 58(3) is followed.

In 2019/20, the Commission issued 21 interim suspensions against 20 participants (one participant was interim suspended in two matters). Of these, final disciplinary action was taken within 2019/20 in 14 matters and one matter did not result in final disciplinary action being taken. Final disciplinary action in five of the matters has been taken in 2020/21 and one matter is pending final disciplinary action (as at 12 November 2020).

The Commission has instituted an early warning notification system where trainers with greyhounds returning cobalt and arsenic concentrations in race-day swabs approaching the 100ng/ml for cobalt or 800ng/ml for arsenic threshold, will receive a notification letter advising them to address their food supplement and husbandry routine and obtain further veterinary advice. NSW is the only state to provide this service to trainers.

Term of Reference (c): The options for appeal by industry participants who breach legal requirements as set out by the Commission

Whilst Term of Reference (c) envisages that there are “options for appeal by industry participants who breach legal requirements as set out by the Commission”, rights of appeal are specified by the *Racing Appeals Tribunal Act 1983* and rights of review are specified by the *Greyhound Racing Act 2017*.

As outlined in response to Term of Reference (b), the Commission continues to only take disciplinary action for matters within the scope of section 58(1) of the Act.

Depending on the nature of the decision, there are two avenues of redress for persons aggrieved by a Commission decision.

3.1 Racing Appeal Tribunal

The NSW Racing Appeals Tribunal ('Tribunal'), which is constituted by section 5 of the *Racing Appeals Tribunal Act 1983* ('RAT Act') has jurisdiction to hear an appeal from a person who is aggrieved by any decision of the Commission (section 15A(2)), including a decision of a steward appointed by the Commission (section 15A(1)(a)).

Clause 9 of the *Racing Appeals Tribunal Regulation 2015* ('RAT Reg') sets out the types of Commission decisions which may be appealed:

- To disqualify or warn off a person
- To cancel the registration of, or to refuse to register, a person
- To cancel the registration of, or to refuse to register a greyhound (including registration of a greyhound as a sire and registration of a litter of greyhounds)
- To cancel the registration of, or to refuse to register, a greyhound trial track
- To impose a condition on the registration of any person, greyhound, or greyhound trial track
- To fine a person an amount of \$200 or more
- To disqualify a greyhound, if the disqualification is made in conjunction with the imposition of a penalty on the appellant or any other person
- To suspend any licence, right or privilege granted under the Greyhound Racing Rules
- To suspend the registration of any person, greyhound or greyhound trial track
- To place an endorsement on the registration certificate of a greyhound for marring or failing to pursue the lure, that gives rise to a suspension of the greyhound for a period of more than four weeks, or
- Relating to the application or operation of a provision of the Greyhound Welfare Code of Practice deeming greyhound housing areas used before the commencement of the Code to comply with the Code.

An appeal must be lodged within seven days of the decision by the Commission, although the Tribunal may be prepared to consider an out-of-time appeal. Persons who lodge an appeal may apply to the Tribunal for a stay of penalty pending determination of the appeal.

The RAT Act provides that the Minister may appoint a suitably qualified person or persons as the Tribunal.

Under section 17A of the RAT Act, the Tribunal may do any of the following in respect of an appeal:

- Dismiss the appeal
- Confirm the decision appealed against or vary the decision by substituting any decision that could have been made by the steward or the Commission
- Make such other order in relation to the disposal of the appeal as the Tribunal thinks fit.

The outcomes of the Commission's decisions appealed to the RAT are detailed in the table below:

2018/2019		2019/2020	
Dismissed	Upheld	Dismissed	Upheld
4	2	5	2

The Tribunal's decisions are published on the Commission's website at <https://www.gwic.nsw.gov.au/integrity/appeals-to-racing-appeals-tribunal/appeal-decisions>.

3.2 Internal review by the Commission

Section 91 of the Act allows for internal review of certain decisions by the Commission, as an alternative or in addition to any right of appeal to the Tribunal. A reviewable decision is a decision made by a single Commissioner, or a person acting under a delegation given by the Commission under section 10 of the Act, where the decision is to:

- Refuse to register a person, greyhound or greyhound trial track
- Impose a condition on the registration of a person, greyhound or greyhound trial track
- Take disciplinary action under the Act.

An application must be made within 28 days of the original decision, be in writing, and state fully the grounds of the application.

The Commission may direct that the original decision be stayed pending the outcome of the internal review, where an applicant so requests.

Under section 91(5), an application for internal review is to be dealt with by a Commissioner or a member of staff who was not substantially involved in making the original decision. Under section 91(7), a reviewer may confirm, vary or revoke the original decision.

Through the Commission's protocols, only the Commissioners and the Chief Executive Officer can determine an internal review application.

The Commission has received and determined four applications for internal review since inception on 1 July 2018.

Internal review decisions are published on the Commission's website at <https://www.gwic.nsw.gov.au/integrity/internal-review/internal-review-decisions>.

Term of Reference (d): The combined relationship of the Commission, the industry operator Greyhound Racing NSW, and industry participants in relation to the overall greyhound racing industry

4.1 Formal relationship

Separation of the commercial and regulatory functions of the greyhound racing industry was a key recommendation of the Greyhound Industry Reform Panel. The Reform Panel's recommendations were accepted by the Government. These included recommendations relating to the future role of GRNSW, the then proposed integrity commission, and measures to ensure the independence of the integrity commission from industry and within government.

Key recommendations were implemented through the enactment of the Act – it constituted the Commission, reconstituted GRNSW as a commercial entity, and established the basic governance structure for the greyhound racing industry in NSW.

The formal relationship between the Commission and GRNSW reflects this statutory separation of roles and powers, while at the same time providing for inter-dependency and other linkages.

The main respective functions are summarised in the table below:

Commission	GRNSW
Industry registration	
<ul style="list-style-type: none"> Registers participants Registers greyhounds Registers trial tracks Registers greyhounds 	<ul style="list-style-type: none"> Registers greyhound racing clubs
Industry education	
<ul style="list-style-type: none"> Sets registration requirements for participants Provides advice and information in relation to Commission policies and procedures 	<ul style="list-style-type: none"> Conducts education programs for participants
Greyhound racing tracks	
<ul style="list-style-type: none"> Approves minimum track standards Develop, implement and monitor trial track requirements 	<ul style="list-style-type: none"> Sets minimum track standards Ensures compliance with minimum track standards
Greyhound race meetings	
<ul style="list-style-type: none"> Supervises greyhound race meetings by stewards and on-track veterinarians Conducts pre- and post-race examinations of greyhounds 	<ul style="list-style-type: none"> Schedules greyhound race meetings Manage the nominations and grading of racing greyhounds
<ul style="list-style-type: none"> Ensures integrity of racing and betting 	<ul style="list-style-type: none"> Liaises with greyhound racing clubs to ensure smooth running of meetings Promotes greyhound racing Determines and distributes prize money

Greyhound welfare	
<ul style="list-style-type: none"> • Sets animal welfare standards • Monitors the whereabouts and wellbeing of greyhounds registered in NSW throughout their lives • Ensures compliance with animal welfare standards • Provides secretariat for Animal Welfare Committee 	<ul style="list-style-type: none"> • Manages greyhound adoption programs including Greyhounds As Pets (GAP) • Represented on Animal Welfare Committee
Funding	
<ul style="list-style-type: none"> • Funded by GRNSW and NSW Government 	<ul style="list-style-type: none"> • Funded by wagering revenue, distributions from Point of Consumption tax revenues (NSW Government) and own-sourced income

In addition, the Act requires the Commission to consult with GRNSW in the preparation of a code of practice for the welfare of greyhounds, and in the making of greyhound racing rules.

The allocation of functions as set out in the Act provides the Commission and GRNSW with distinct but complementary roles in the control and management of greyhound racing.

4.2 Liaison between GWIC and GRNSW

As a key stakeholder, the Commission liaises with GRNSW at strategic and operational levels.

The Chief Commissioner and Chief Executive Officer conduct frequent formal and informal dialogue with their GRNSW counterparts to discuss issues of mutual concern such as greyhound rehoming, development of minimum track standards, development of education programs for participants, arrangements for meeting public health requirements during the COVID-19 pandemic, and GRNSW's funding of the Commission.

At an operational level, senior Commission staff work closely with their GRNSW counterparts regarding the conduct of race meetings, track quality, weather conditions, race injuries and other mutual topics.

There is a formal Memorandum of Understanding between the Commission and GRNSW to, amongst other things, enable the effective sharing of information necessary for both organisations to exercise their respective functions.

GRNSW is represented on the Commission's Race Injury Review Panel and on the Greyhound Industry Animal Welfare Committee, for which the Commission provides secretariat services.

4.3 Relationship with participants

The Commission works closely with GBOTA, as the industry's principal representative body. Senior Commission staff meet regularly with GBOTA representatives to canvass participant issues and exchange information. The Commissioners and Chief Executive Officer meet with the GBOTA board usually on a quarterly basis.

The Commission's regular liaison with GBOTA forms just one aspect of its engagement with participants, which was canvassed in relation to Term of Reference (a).

4.4 Other relationships

The Commission executed information sharing agreements with the NSW Police Force and the RSPCA NSW under section 90 of the Act. These agreements provide a legal basis for the Commission and these agencies to share or exchange information relevant to greyhound welfare and integrity matters, and to access each other's expertise and operational capability.

Term of Reference (e): The existing funding agreement between the Commission and Greyhound Racing NSW with a view to considering recommended options

5.1 Overview

Whilst Term of Reference (e) envisages that there is a funding agreement between the Commission and GRNSW, the legislative scheme does not provide for such an agreement.

Rather, section 24(1)(f) of the Act states that one of the functions of GRNSW is to fund the costs of the Commission.

Section 24(1)(f) is reiterated in the operating licence granted to GRNSW on 3 July 2017, where it is specified that GRNSW must make an annual contribution to the Commission's costs as directed by the responsible Minister. In addition, the operating licence stipulates that GRNSW will be responsible for all of the Commission's operating costs from July 2022.

5.2 Existing income sources

The Commission's income is sourced jointly from Government grants, the Government's point of consumption tax on wagering, payments from GRNSW and own-source revenue such as registration and other transaction fees, as shown in Table 1. The Government grant ceases on 30 June 2021.

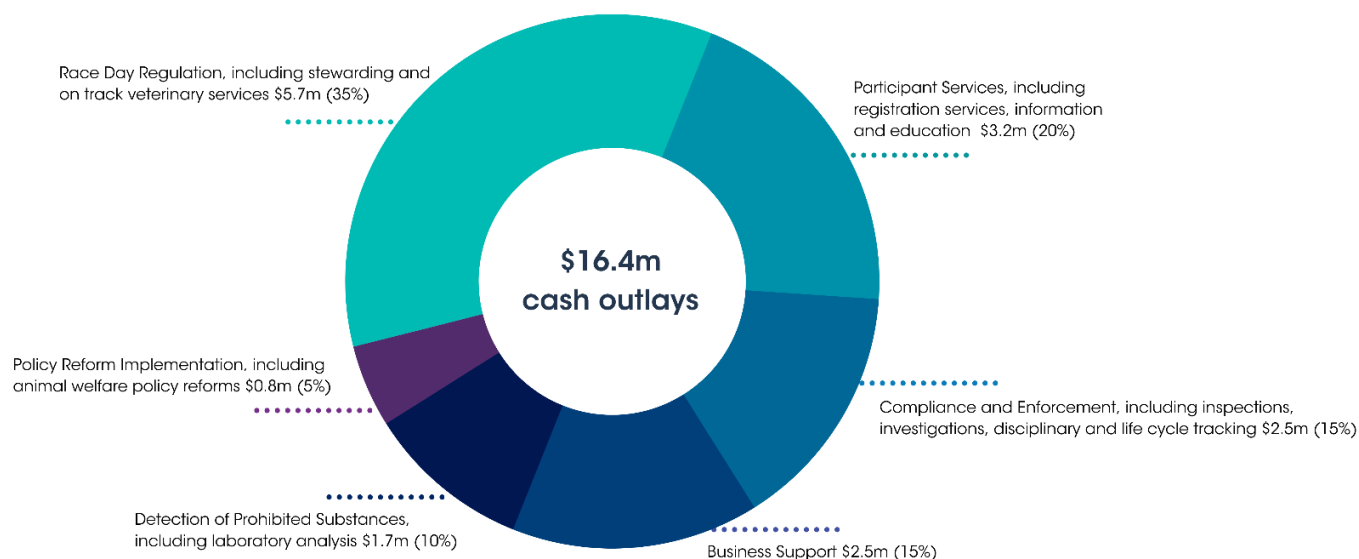
Source of funding	Actual for Financial Year 2018/19	Actual for Financial Year 2019/20	Budgeted for Financial Year 2020/21
GRNSW	\$9.2m	\$8.4m	\$11.2m
State Government grants	\$5.2m	\$3.0m	\$1.0m
Point of consumption tax on wagering	\$2.0m	\$4.0m	\$4.0m
Total grants and contributions	\$16.4m	\$15.4m	\$16.2m
Own source revenue from registrations	\$0.3m	\$0.7m	\$0.3m
Total funding	\$16.7m	\$16.1m	\$16.5m

Source: GWIC management reports

5.3 Expenditure

The Commission's overall program of work is represented in a diagram at Part 1.1 above.

The Commission operates on a model of fiscal restraint. In delivering its services, the Commission spent \$16.4m (cash) in 2019/20, with costs attributable to the categories of functions shown below:



The Commission's costs in its first two years were influenced by the following factors:

- Start-up costs and capacity-building requirements
- Implementation of key industry reforms as required by the Act and the NSW Government response to the Greyhound Industry Reform Panel
- The need for significant investment in information systems and data quality to implement effective tracking of registered greyhounds and recording of participants
- Delivery of updated customer service interfaces, including online services
- Delivery of day-to-day racing functions, including oversight of race meetings, registration and related transaction functions, and compliance and disciplinary measures.

In light of these requirements, the Commission's outlays in 2019 and 2020 compare favourably with those incurred by GRNSW before 1 July 2018 when the Commission commenced operations.

The Commission's costs also compare favourably with those of Greyhound Racing Victoria (GRV), which performs similar integrity and welfare functions. GRV reported a cost of \$19.3m for its integrity and welfare functions in 2018/19. While recognising that differences between the two organisations make a simple comparison of costs impossible, the Commission assessed the cost of 'like for like' functions performed by GRV at \$15.3m.

In addition, the Commission operates at many more tracks which are spread over a much larger geographical area than its counterpart in Victoria, and also has a larger remit as the Commission's jurisdiction extends to retired greyhounds that remain in the care of registered participants. Visit the Commission's [website](#) for this information, published on 29 July 2020.

Term of Reference (f): The actions, conduct and effectiveness of the Commission and GRNSW, in particular in relation to its role in improving the welfare of greyhounds

Section 11(a) of the Act states that one of the principal objectives of the Commission is to promote and protect the welfare of greyhounds. This objective is at the core of the Commission's work, and is reflected in its Strategic Plan, operational priorities and day-to-day decision-making.

To ensure greyhound welfare, the Reform Panel recommended an animal welfare plan made up of four components:

- An enforceable greyhound industry code of practice for animal welfare
- Whole of life cycle tracking of greyhounds so the whereabouts of a greyhound is known throughout its life
- Licensing and accreditation of industry participants that imposes obligations on them to appropriately care for a greyhound at each stage of its life
- Stronger penalties and new offences that deter and punish cruelty to greyhounds and animals potentially used in live baiting.

6.1 Greyhound Welfare Code of Practice

As noted on pages 8 and 9 above, the Act provides the legislative regime for a code of practice relating to the welfare of greyhounds. The first ever NSW Greyhound Welfare Code of Practice was approved by the responsible Ministers and announced by the Government on 30 June 2020. It comes into effect on 1 January 2021.

The Code sets out standards for the keeping, treatment, handling and care of greyhounds. It includes standards for the facilities, equipment and conditions at premises where greyhounds are kept, trialled, trained or raced. In addition, the Code sets standards for the procedures and practices to be adopted for keeping, trialling, training and racing greyhounds.

The Commission developed the Code in consultation with the Greyhound Industry Animal Welfare Committee as provided for under section 35(4) of the Act and with GBOTA, GRNSW and industry participants at large as provided for under sections 35(4) and (5).

It is working closely with industry stakeholders to ensure industry participants understand the requirements under the Code and prepare for its commencement on 1 January 2021.

This includes the publication of industry practice guides and other resources which can be found on the Commission's [website](#).

The Commission is confident that the Code will significantly contribute to the widespread acceptance and adoption of improved welfare practices throughout the greyhound racing industry.

6.2 The greyhound population

The need for effectively tracking the whereabouts of every registered greyhound featured prominently in the reports from the McHugh Special Commission of Inquiry and the Reform Panel, following concerns expressed at the potential disappearance (and presumed death)

of large numbers of young healthy greyhounds deemed no longer suitable as racing dogs. Whole of life cycle tracking is the term used frequently to explain the process to establish the whereabouts of every racing industry greyhound which is designed to prevent the accountability problem from recurring.

Whilst there are no specific provisions within the Act that set out how whole of life tracking is to occur, the legislation provides the Commission with jurisdiction over every greyhound with registered participants. This includes puppies, greyhounds used for breeding purposes, greyhounds that are racing and retired greyhounds that remain with participants.

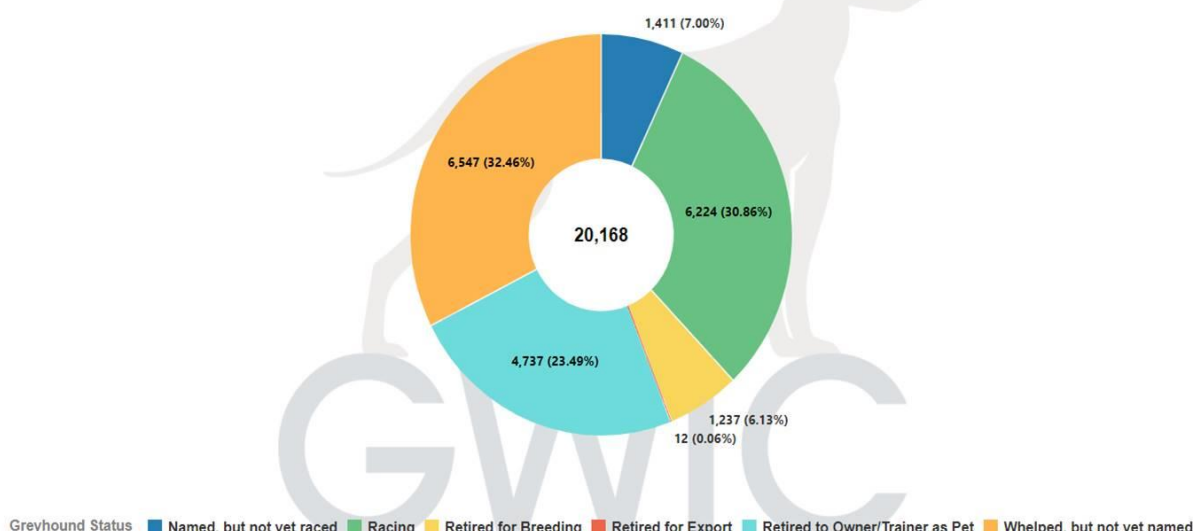
The Commission's regulatory role ceases at the point in time when a registered greyhound is transferred to a non-participant whereupon the greyhound is required to be registered with the NSW Pet Registry.

For greyhounds within the Commission's jurisdiction, the Commission has initiated programs to confirm the whereabouts of greyhounds as follows:

- Whereabouts tracking for pups entering their pre-race training phase
 - This program is ongoing and focuses on confirming the status and whereabouts of greyhounds between the ages of 12-18 months
 - It is during this period that greyhounds are being prepared for and assessed on their suitability to race
- Greyhound Register Reconciliation Program (GRRP)
 - This program was undertaken by the Commission during 2020 to validate the greyhound data transferred to the Commission by GRNSW
 - Commission staff contacted 4,795 registered industry participants to confirm the current status and location of 15,118 greyhounds which were under 10 years of age and which had no recorded industry activity since 1 July 2018
 - Enquiries regarding the status and whereabouts of the 15,118 greyhounds was completed, with further action underway in relation to updating the NSW greyhound register and any required compliance activity
 - This program has generated a population estimate of 20,168 greyhounds.

These activities are underpinned by a regulatory requirement introduced in September 2019 by clause 10 of the *Greyhound Racing Regulation 2019* that requires the owner or custodian of a greyhound to inform the Commission when a greyhound is whelped and whenever there is a change in the premises at which a greyhound is kept.

As a result of the GRRP and improvements in compliance with notification requirements, the Commission is now able to provide a reliable estimate of the number of greyhounds kept by registered participants in NSW. The industry greyhound population as at 18 October 2020 (project completion date) is estimated to be 20,168. The following graph provides information about the status of these greyhounds:



These programs have provided the Commission with much-needed confidence in the reliability of the greyhound records for which it is responsible. Additional tracking programs based on specific risk criteria will continue to be implemented on an ongoing basis, including the potential for regular electronic scanning of greyhounds from 2021.

6.3 Registration and accreditation of industry participants

Reform Panel recommendations 65 to 72, relating to the registration of industry participants and identification of their training needs, have been largely implemented.

Progression to full implementation of industry competencies is underway and will be enhanced when online knowledge testing for registration of key participant roles commences in early 2021 and becomes mandatory from mid-2021.

6.4 Stronger penalties and offences

Reform Panel recommendations 106 to 112 and 114 to 116, relating to regulatory offences and penalties, were fully implemented by the Government.

This included amendments to section 530 of the *Crimes Act 1900* to treat live baiting as 'serious animal cruelty' and to introduce a new offence where a person recklessly commits a serious act of animal cruelty, with a maximum penalty of three years' imprisonment.

Most contraventions and other wrongdoing are dealt with by the Commission taking disciplinary action against an industry participant under Part 6 of the Act, but the Commission also has the power to issue penalty infringement notices for certain offences under the Act and the Regulation or commence prosecution for offences under the Act, the Regulation or the *Prevention of Cruelty to Animals Act 1979*. The Commission may also refer matters to the RSPCA for investigation / prosecution when appropriate.

Additional animal welfare reforms and related Commission initiatives are explained below.

6.5 Greyhound Industry Animal Welfare Committee

Sections 33 and 34 of the Act provide for the establishment of this Committee and set out its functions. The Committee comprises a person with expertise in animal welfare or behaviour, a chief veterinary officer or nominated delegate from the NSW public service, and representatives of RSPCA NSW, GRNSW and the broader greyhound racing industry.

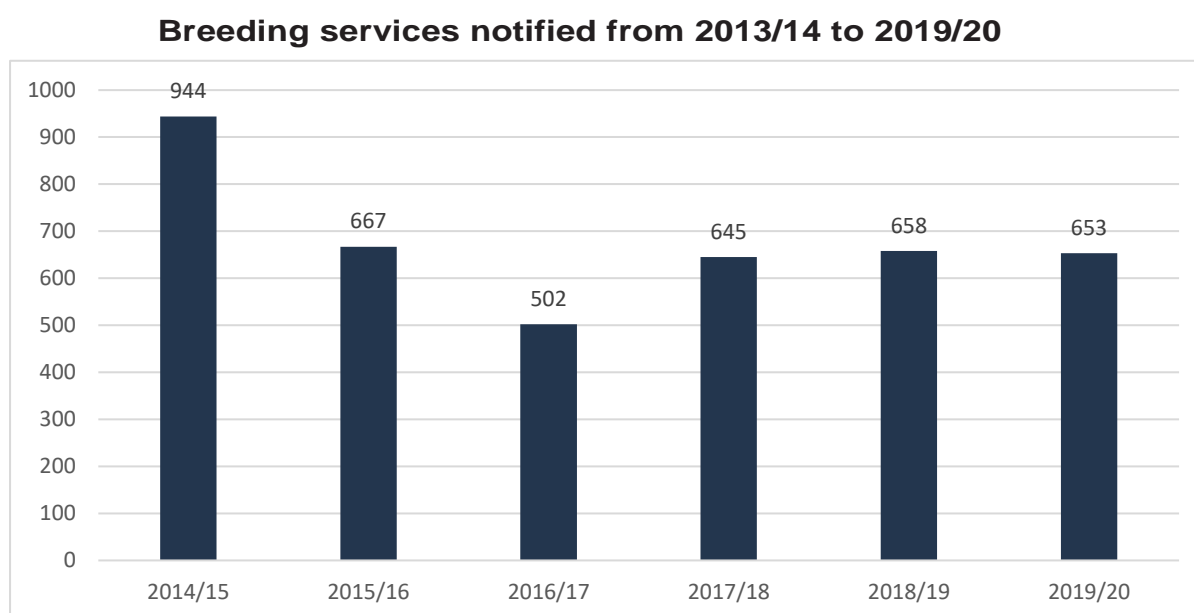
The Chief Commissioner established the Committee in 2018. It met 14 times in 2018/19 and seven times in 2019/20. It has met actively in 2020/21 to date. Visit the Commission's [website](#) for the current composition of the Committee. A report of the Committee's activities is published in the Commission's annual report.

The existence of the Committee provides a valuable contribution to the work of the Commission and the Committee itself acknowledges the important role it plays.

6.6 Breeding controls and sustainability

A key issue identified in the McHugh Inquiry and the Reform Panel reports was overbreeding and its associated consequence of high unnecessary euthanasia rates. Sustainable breeding, which the Commission defines as ensuring that *breeding does not exceed rehoming capacity whilst being sufficient to meet the needs of racing*, is essential to maintaining public confidence in the industry.

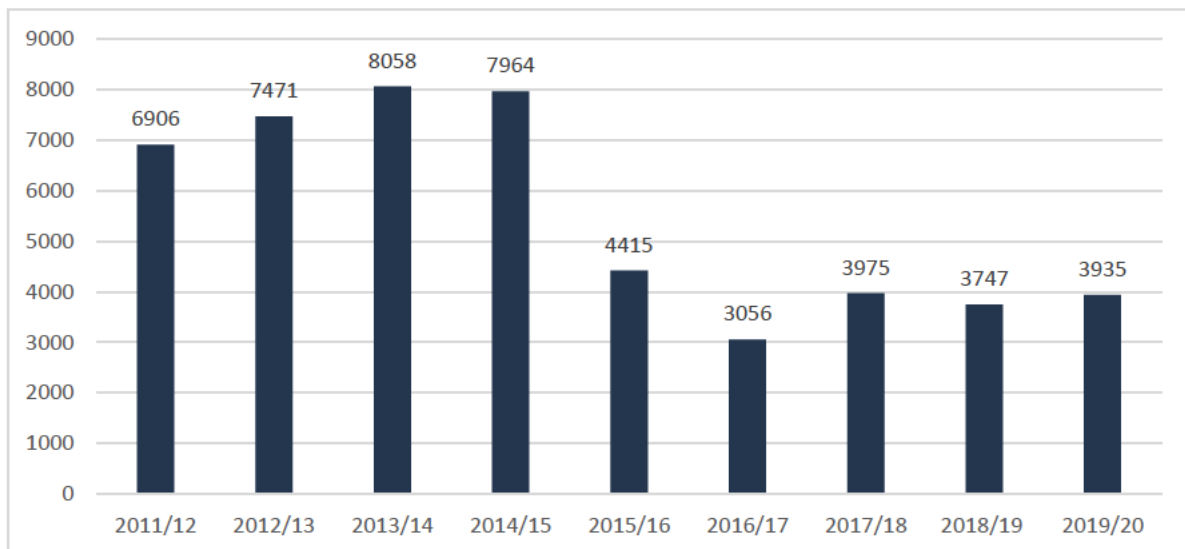
The Commission regularly publishes data on breeding numbers and actively monitors trends. Trend line analysis is shown in the following table:



Source: 2014/15 – 2018/19 from OzChase 25/8/2020; 2019/20 from OzChase 10/9/20.

A total of 3,935 pups were whelped in NSW. The number of litters whelped has increased gradually from a low point in 2016/17 but does not approach the level seen before 2016. The chart below shows the trend in the number of greyhounds born:

Number of pups whelped in NSW from 2011/12 to 2019/20

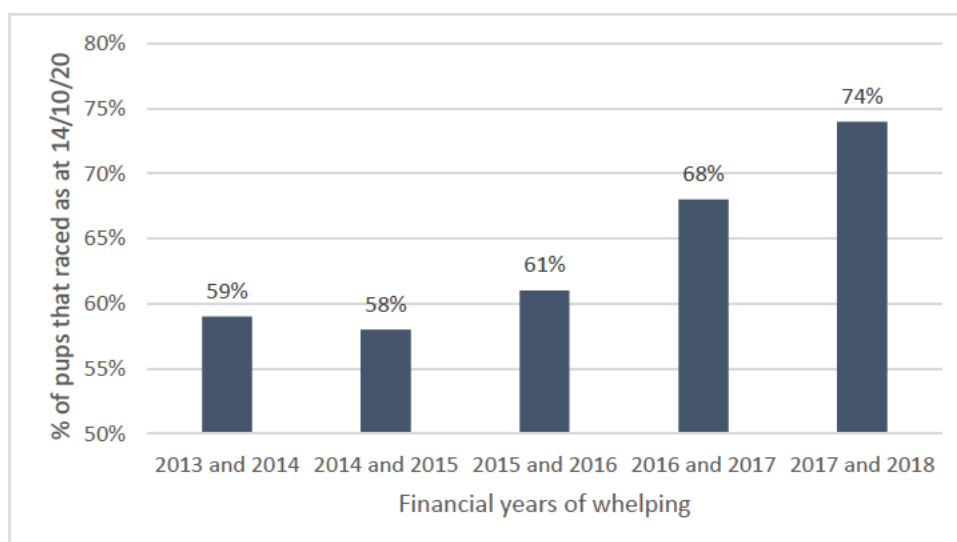


Source: 2011/12 – 2017/18 from GRNSW annual reports, 2018/19 – 2019/20 from OzChase 10/9/2020.

An increase in the ratio of pups that get to the track was identified by the Reform Panel as a key welfare goal for the industry. Increasing the whelp-to-race ratios reduces the potential for unnecessary euthanasia and also reduces demand for rehoming.

The percentage of pups whelped in NSW that go on to race in one or more Australian jurisdictions has increased by about 15%, from 58% to 61% for those pups born in or prior to the 2015/16 financial year, to 74% for those pups born in the 2016/17 and 2017/18 financial years. This trend is depicted in the chart below:

Percentage of NSW-born pups that have raced



(Source: OzChase 14/10/2020)

The drivers for the increase may include:

- Improved breeding selection for racing characteristics
- Improved rearing and training methods resulting in more pups with chase motivation

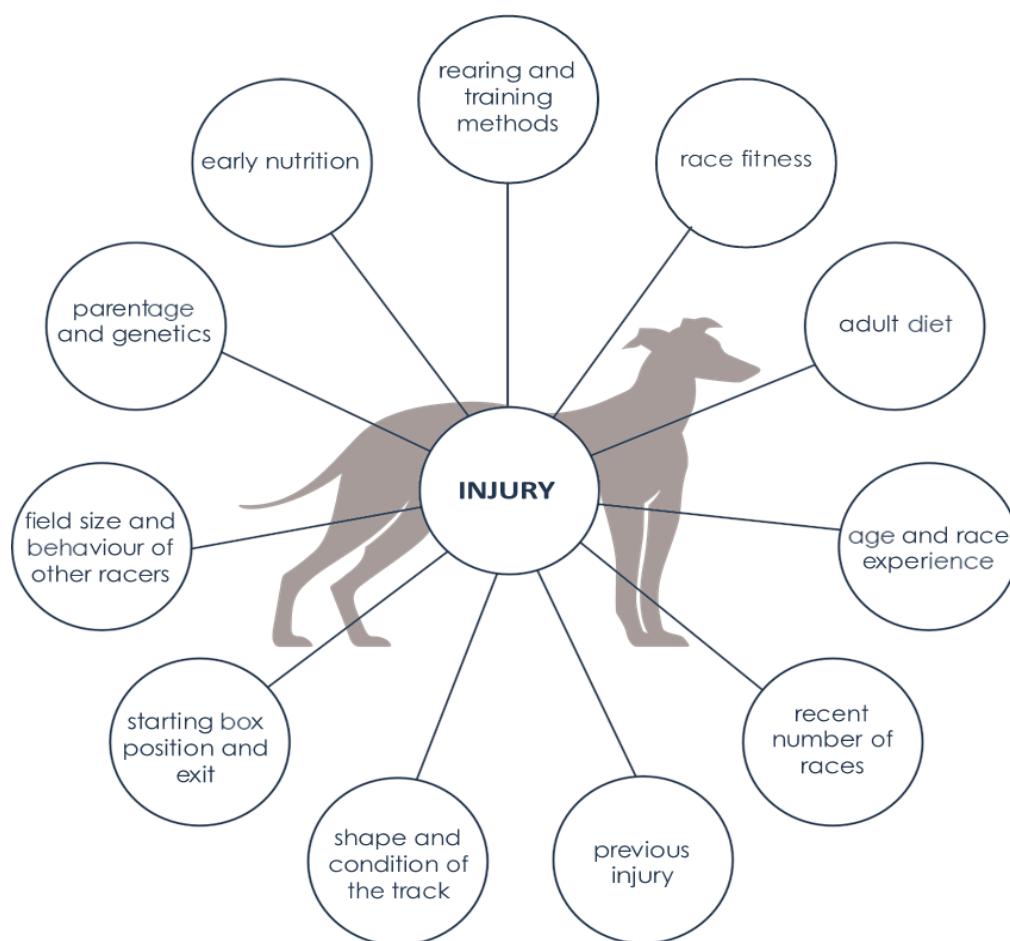
- The industry making more effort to train available pups following a decline in whelping numbers since 2016.

It is the Commission's view that it is premature to implement breeding incentives or disincentives at this time as current trends indicate that breeding numbers are sufficiently restrained by market forces and the Commission's ongoing monitoring provided that race programming is managed correspondingly.

Rehoming capacity must be sufficient to cater for current and future numbers to avoid unnecessary euthanasia of otherwise healthy greyhounds. Providing adequate and sufficient rehoming facilities is a GRNSW responsibility.

6.7 Race injury trends

Reducing the level of greyhound race injuries remains a key animal welfare objective of the Commission and is linked to other objectives such as reducing greyhound euthanasia. A range of factors have been identified as potential contributors to racing injuries:



In 2019/20, 5449 post-race examinations of greyhounds were performed by on-track veterinarians and 2447 greyhounds were found to have injuries requiring a stand down period. This translates to an injury rate of 3.1% of race starters.

Most race injuries (91.9%) required a stand down period of 42 days or less. Serious injuries which may have required surgery, were career ending or life threatening accounted for 8.1%

of all injuries (Major II and catastrophic), at a rate of 2.5 per 1000 starts. Race injury numbers reported do not include those injuries which require no stand down period from racing.

Greyhound race injuries – 2019/20

Injury category ¹ and stand down period	Number	Injuries per 1000 starts ²	Proportion of all injuries
Minor: 1-10 days	1,176	14.9	48.1%
Medium: 14-21 days	744	9.4	30.4%
Major I: 28-42 days	329	4.2	13.4%
Major II: more than 42 days	146	1.8	6.0%
Catastrophic: euthanased or sudden death	52	0.7	2.1%
Veterinary examinations detecting injury for which stand-down period required	2,447 ³	31.0	-

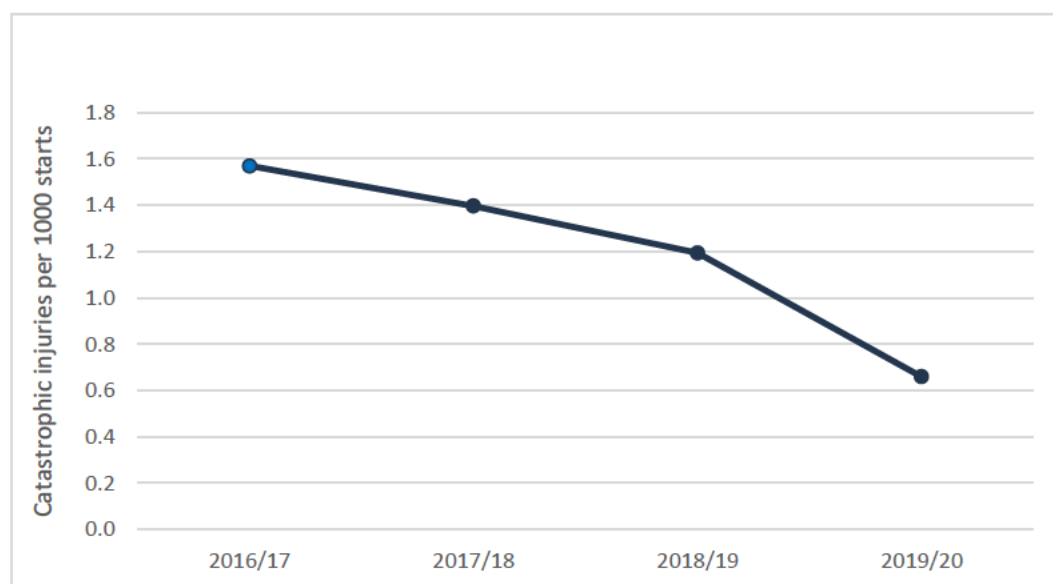
¹ Where an individual greyhound sustains injuries in more than one injury category, only the more severe category is used in reporting. Numbers do not include examinations or injuries from trials, return-to-racing examinations or pre-race examinations.

² Injuries per 1000 starts is an industry standard for measuring the rate of injury

³ 2,447 equates to 3.1% of total number of starters, 78,946

While the total race injury rate has increased since 2016/17, the rate of catastrophic injuries has declined. This trend is detailed in the table below:

Annual rate of catastrophic greyhound racing injuries



The most recent reports – for Q2 and Q3 of calendar year 2020 – saw the lowest rate of catastrophic injuries since reporting began in 2016, with only 10 greyhounds suffering catastrophic injuries in Q2 and 11 in Q3, equating to a rate of 0.5 per 1,000 starts. This decline is consistent with a decrease in catastrophic injuries observed since 2017/18.

Q3 of calendar year 2020 also recorded the lowest total injury rate since 2018, with a total injury rate of 26.6 per 1,000 starts – a decline from a high point of 34.2 per 1,000 starts in Q4 of calendar year 2019 after adjusting for a re-categorisation of minor injuries.

The reports are published quarterly on the Commission's [website](#).

The Commission has established a number of initiatives to reduce the incidence and severity of injuries to greyhounds. These include:

- Improved classification of injuries, enabling the Commission to better distinguish serious, career-ending injuries – this includes creation of a serious (Major II) class of injuries to enable a focus on KPI for serious injury management
- Establishment of the Greyhound Examination Database, in partnership with the University of Technology Sydney, which allows accurate recording and reporting of greyhound injuries in real time
- Establishment of a Race Injury Review Panel, which reviews all major and catastrophic injuries to identify contributing factors and make recommendations to prevent similar injuries. The Panel comprises the Commission's Chief Veterinary Officer and Chief Steward, the Chair of the Greyhound Industry Animal Welfare Committee, a professional greyhound trainer, and a GRNSW track expert
- Working with GRNSW on track safety reform projects in conjunction with engineering safety experts including from the University of Technology Sydney (UTS) in order to improve understanding of the track-related dynamics of racing injuries.

The Commission advocates for priority attention to be given to those tracks that are above the average in relation to rates of catastrophic and serious injuries where track and race factors are thought to be the most significant factors contributing to the magnitude of injury.

6.8 Race Injury Review Panel

This Panel provides a mechanism for the systematic review of serious and catastrophic injuries to racing greyhounds. Its deliberations build a better understanding of the underlying causes of racing injuries and enable the development and implementation of preventative measures.

All catastrophic injuries that result in the euthanasia of a greyhound on welfare grounds and any sudden deaths occurring at race meetings are subject to a detailed case-by-case analysis by the Panel. The Panel also analyses the majority of all serious (Major II) injuries.

Contributing factors are assessed according to the following criteria:

- Race-related: race factors such as interference, collisions and falls
- Track-related: the conditions of the track at the time of the incident, track maintenance history and environmental influences
- Greyhound-related: the greyhound's racing history, including frequency of racing, its prior experience and performance, breeding and genetics, training influences, and previous injuries.

The Panel meets regularly and maintains a log of contributing factors and recommendations. Feedback and suggestions are provided to GRNSW where track quality is adjudged to be a contributing factor.

Reports of the Panel's findings are published on the Commission's website at <https://www.gwic.nsw.gov.au/about/reports-and-statistics/race-injury-review-panel-report>.

6.9 First response to critical race-related injuries

The Commission employs veterinary surgeons as ‘on track vets’ (‘OTVs’) to provide veterinary oversight of greyhounds at racecourses across NSW. The OTVs are either employees of the Commission or private veterinary practitioners who carry out their duties as OTVs for the Commission under contract.

OTVs conduct both pre-race and post-race examinations of greyhounds and undertake a vital role in providing immediate care and treatment of greyhounds that are injured whilst racing. Their work includes the provision of pain relief, initial diagnosis, stabilisation of injury and advice to trainers on further injury management. In circumstances where a greyhound has suffered a catastrophic injury, OTVs also undertake euthanasia where that is unavoidably necessary.

OTVs have played a significant role in changing industry attitudes that sometimes saw euthanasia of an injured greyhound as the preferred option. In particular, OTVs – being at the coalface of treating greyhounds injured at the tracks – have assisted with the education of trainers on treatment options that are available for injured greyhounds and have assisted participants to access the GRNSW race injury rebate scheme which provides financial support for treating injured greyhounds.

In mid-2019, the Commission developed internal guidelines for the management of serious injuries and euthanasia in racing greyhounds. The purpose of the guidelines was to provide advice to the OTVs in dealing with serious injuries that occur at race meetings, ensuring consistency in decision-making.

Whilst the number of serious injuries requiring immediate euthanasia of greyhounds at racetracks has declined in the recent past, the Commission established an expert panel in June 2020 to explore whether further reductions are possible and whether additional guidance or support can be provided by OTVs in their role as ‘first responders’.

The expert panel recommended that the Commission develop a public facing principles-based document which reaffirms the Commission’s welfare focus and strengthens public confidence. It identified focus areas to consider in developing principles, including the overarching need to protect greyhound welfare and to acknowledge that the attending OTV is best placed to make decisions on the management of the most serious racing-related injuries, including euthanasia trackside if appropriate on animal welfare grounds.

The expert panel observed that achieving further reductions in on-track euthanasia is an important consideration from an ethical and societal perspective. It commented that the downtrend in catastrophic injuries in recent years is evidence that reductions are possible, and it expressed the view that the greyhound racing industry should develop a continuous improvement mindset.

The Commission has adopted the expert panel’s findings and recommendations, and will be implementing them in 2021 following consultation with key stakeholders.

6.10 Racecourse infrastructure

Racecourse infrastructure can impact materially on the number, nature and severity of race injuries.

Notwithstanding the decline in race injuries, the Commission does not own or manage racecourses and is not able to directly influence decisions which impact the safety of

greyhounds when racing. However, the Commission works closely with GRNSW to ensure that tracks are safe for racing. In addition, the Commission has approved minimum track standards developed by GRNSW. The Commission anticipates that a date will be set for all clubs to fully meet the standards.

6.11 Greyhound retirements

The Commission was notified of 1,405 greyhound retirements that occurred in 2019/20.

During that year, over one-third (37%) of retired greyhounds were retained by their registered owner or trainer as a pet or breeding greyhound, while 23 (2%) were retired to another greyhound racing industry participant. Greyhounds in the care of a participant remain registered under the Act.

A total of 858 greyhounds (61%) were retired outside the industry, either privately (17%) or through rehoming organisations. The Greyhounds As Pets (GAP) program managed by GRNSW received 246 (18%) while other greyhound rehoming agencies accepted 373 (27%) retired greyhounds

Greyhound retirements reported to the Commission – 2019/20

Destination	Greyhounds	%
Retained by owner or trainer	524	37%
Gone to another registered participant as a pet	23	2%
Rehomed to a non-participant privately by owner or trainer	239	17%
Accepted by Greyhounds as Pets	246	18%
Accepted by another animal adoption or rescue agency	373	27%
Total	1405	100%

6.12 Greyhound deaths

Unnecessary euthanasia of greyhounds remains a key issue facing the greyhound racing industry in NSW.

The Commission's Greyhound Rehoming Policy aims to address this through the following objectives:

- Maximise opportunities for rehoming greyhounds that are retired from or otherwise unsuitable for racing
- Eliminate all unnecessary euthanasia of healthy greyhounds
- Ensure that, where it is necessary to euthanase a greyhound, euthanasia is conducted in a humane manner and under very specific conditions.

The Policy establishes the general principle that euthanasia of a greyhound must only be performed by a veterinary practitioner using humane methods, where the veterinarian certifies that the greyhound is suffering from an intractable condition or injury that causes significant pain or discomfort or a marked reduction in quality of life such that it would be inhumane or would otherwise compromise the welfare of the greyhound to delay euthanasia, or where the owner has followed the rules about attempting to rehome the dog and has been unsuccessful.

Under the Policy, euthanasia of a greyhound may be performed by a person who is not a veterinarian in an emergency, but only where each of the following circumstances is satisfied:

- The euthanasia is necessary to relieve the greyhound's suffering
- A veterinarian is unable to attend in a timely manner, or transporting the greyhound to a veterinarian would unreasonably prolong suffering
- A veterinarian has been specifically consulted.

If a greyhound is not suffering from an intractable condition or injury that causes significant pain or discomfort or a marked reduction in quality of life, the Policy requires that the owner comply with strict minimum rehoming attempts before considering euthanasia. If having followed the procedure set out in the Policy, and if the owner then intends to have the greyhound euthanased, the owner must notify the Commission of that intention at least 10 business days before euthanasia can occur. That provides the Commission with an opportunity to check the bona fides of the proposed euthanasia.

The Policy was strengthened in December 2019 to increase rehoming requirements and improve transparency in the reporting of rehoming attempts. Initial data following introduction of these changes shows a promising decline in the number of greyhounds euthanased. While it is too early to draw definitive conclusions, the trend is encouraging.

Also, the Commission draws attention to standards 9.4 and 9.5 in the Greyhound Welfare Code of Practice which, when effective from 1 January 2021, will impose additional controls on the euthanasia of greyhounds:

- 9.4 It is an offence for a participant to transfer a greyhound in circumstances where the participant knows, or ought to know, or has reason to believe, that the greyhound may be euthanased.
- 9.5 It is an offence for a participant to euthanase a greyhound, or cause a greyhound to be euthanased, other than in emergency circumstances where:
 - (a) delaying euthanasia would result in the greyhound experiencing unacceptable pain and suffering
 - (b) a veterinarian has been consulted but is unable to attend in a timely manner
 - (c) transporting the greyhound to a veterinarian would unreasonably prolong its suffering, and
 - (d) the euthanasia is performed using humane methods.

In addition, under Part 7 of the Code, participants will have greater obligations to socialise with and prepare greyhounds for rehoming. A purpose of these standards in the Code is to further reduce the number of greyhounds that are euthanased because of a belief they are unsuitable for rehoming. However, this could add pressure to an already stretched rehoming capacity.

A total of 685 greyhound deaths were reported during 2019/20 (excluding deaths occurring at racetracks). Of these, 68% were euthanased and 32% died without medical intervention. Of those euthanased, 81% (380) were euthanased by a private veterinarian for medical reasons such as injury or illness. Only 6% were euthanased following failure of attempts to rehome the greyhound.

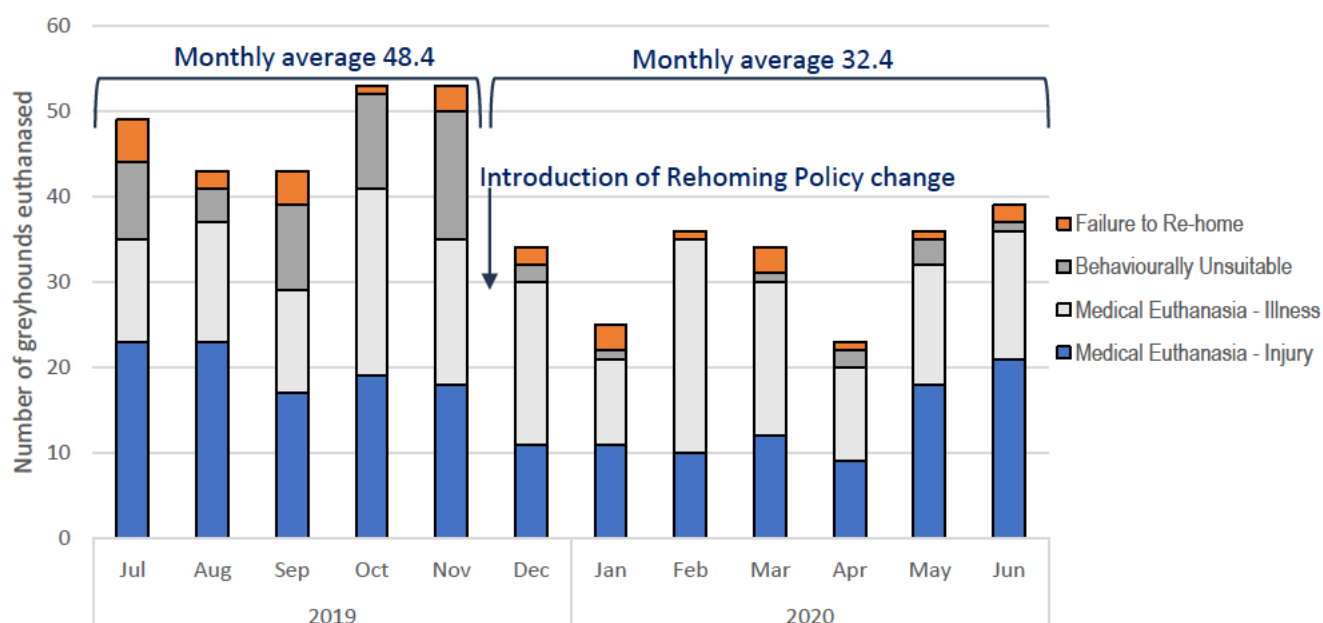
Greyhound deaths reported in 2019/20 (not at racetracks)

Mortality by type and cause	Number	%
Euthanasia		
Due to injury	192	41%
Due to illness	188	40%
After a private veterinarian certified that the greyhound was behaviourally unsuitable for rehoming (typically aggressive)	59	13%
At owner's request after rehoming attempts failed	28	6%
Emergency	1	0.2%
Euthanasia total	468	100%
Death		
Due to injury or accidental causes	81	37%
Due to illness, age or natural causes	136	63%
Death total	217	100%

Source: OneGov.

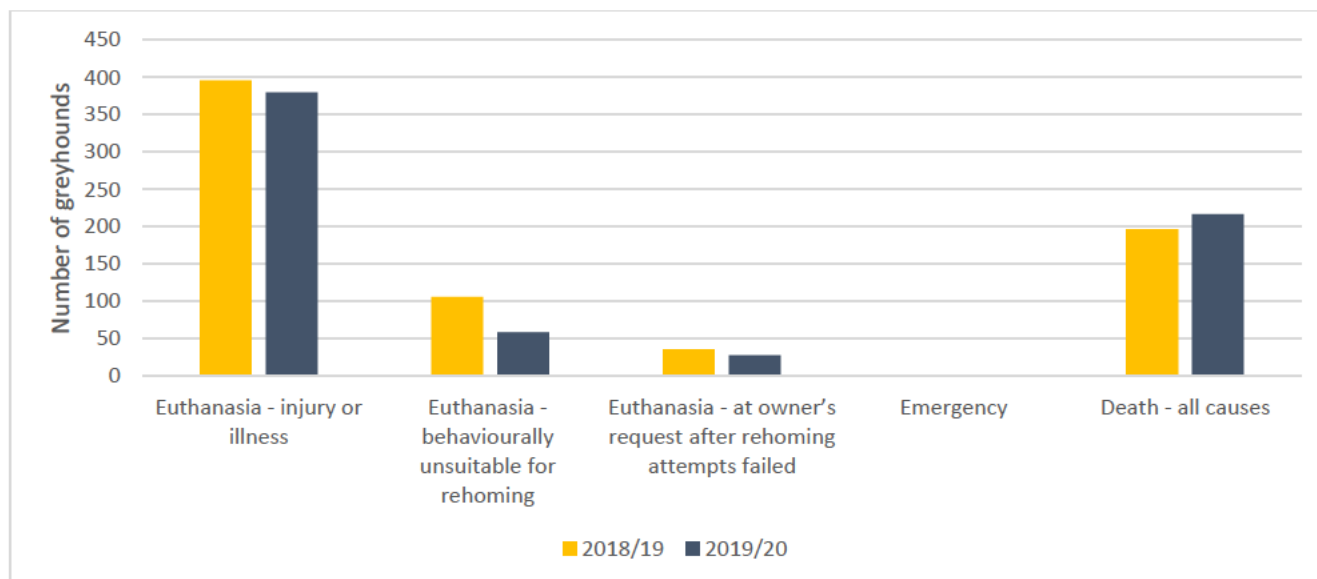
The change in the Policy in December 2019 saw a 33% decline in the monthly average number of greyhounds euthanased overall in the first seven months of the operation of the Policy.

Euthanasia by stated reason 2019/20 (not including racetrack euthanasia)



Slightly fewer greyhound deaths off racetracks occurred in 2019/20 (685) compared to 2018/19 (735). Fewer euthanasias occurred in 2019/20 but deaths (without medical intervention) were somewhat higher, as shown here:

Comparison of greyhound mortalities reported in 2018/19 and 2019/20 (not including those at race meetings).



Source: OneGov.

6.13 Kennel inspection program

The Commission's kennel inspection program forms a key part of its compliance strategy. This program also provides direct interface with participants, and inspectors provide guidance on requirements and on best practice in animal welfare.

Inspections are primarily conducted as part of a routine program but may also result from intelligence, detection of a positive swab at a race meeting, a new or changed registration, the construction of new kennels or a follow-up on directions previously issued. The Commission conducted 1,008 initial inspections of kennel premises and 81 follow-up inspections between 1 July 2018 and 30 June 2020. During those inspections, the identities of 5,103 greyhounds were checked.

All inspected kennel premises are assessed against current policies – the Code of Practice for the Keeping of Greyhounds in Training and the Code of Practice for Breeding, Rearing and Education. Kennel premises will be assessed against the NSW Greyhound Welfare Code of Practice from 1 January 2021.

Commission inspectors are also 'officers' under the *Prevention of Cruelty to Animals Act 1979*. Where possible breaches of the *Prevention of Cruelty to Animals Act 1979* are detected, applicable provisions of that Act are considered and acted on where appropriate.

Up to 30 June 2020, Commission inspectors issued 156 verbal instructions, 54 written work directions and 59 written animal welfare directions.

Instructions and directions given during inspections included:

- Seek veterinary advice for:
 - advanced dental disease
 - fleas and ticks
 - lupus

- Establish or maintain kennel treatment records
- Increase the dimensions of kennels
- Undertake kennel maintenance to remove welfare hazards to greyhounds (such as sharp edges, holes in floor)
- Address kennel hygiene (such as remove built-up faeces and clean floors of built-up urine)
- Replace or clean beds and bedding
- Provide shade in outdoor yards.

Commission inspectors use body-worn cameras when conducting kennel inspections and at properties where greyhounds may be located. Use of these cameras is empowered under section 75 of the Act and is part of the Commission's commitment to transparency and fairness.

Footage from body worn cameras is securely stored in an uneditable form, in a system (Evidence.com) that records user access. Participants whose premises have been inspected may request to view the relevant body-worn camera footage, except to the extent that another person's personal information would be disclosed, at no cost.