

Submission
No 44

INQUIRY INTO GREYHOUND WELFARE AND INTEGRITY COMMISSION

Organisation: Australian Veterinary Association (AVA)

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NSW Parliament Select Committee Inquiry - Greyhound Welfare & Integrity Commission

Submission from the
Australian Veterinary Association Ltd

Due date:
4 December 2020



Introduction

The Australian Veterinary Association (AVA) is the national organisation representing veterinarians in Australia. Our 9,000 members come from all fields within the veterinary profession, including clinical practitioners, government veterinarians, veterinarians in industry, and veterinarians in research and teaching.

Summary

The AVA welcomes the invitation to make a submission to the NSW Parliament Select Committee Inquiry into the NSW Greyhound Welfare & Integrity Commission (GWIC). This submission was written with subject matter expertise contributed by the AVA's Special Interest Groups:

- *The Australian Greyhound Working and Sporting Dog Veterinarians Group*
- *Australian Veterinarians for Welfare and Ethics Group*

The submission is made with the approval of the AVA's Head of Policy and Advocacy.

TERMS OF REFERENCE

That a select committee be established to inquire into and report on the Greyhound Welfare and Integrity Commission (the Commission) as the independent regulator of the greyhound industry in New South Wales with Terms of Reference highlighted in **bold type** below:

(a) the policies, procedures, mechanisms, and overarching principles of the Commission in relation to industry participants.

The AVA considers the policies procedures, mechanisms and overarching principles of the Commission to be suitable and appropriate.

The AVA notes GWIC's vision is "A greyhound racing industry which meets high animal welfare and integrity standards and enjoys public confidence."

We recognise that separation of the regulatory role from the operational aspect of the Commission was a key recommendation of the Greyhound Industry Reform Panel 2017

(lemma report) into the NSW greyhound industry. This very important issue was also raised by the AVA in our submission to the Greyhound Industry Reform Panel. We contend that this separation of powers needs to be further developed and strengthened.

We are pleased to see that GWIC now employs five full time veterinarians working in welfare, integrity and track veterinarian roles, in addition to the 17 veterinary contractors working in track veterinarian roles only.

The AVA is concerned with the low rate of kennel inspections as a percentage of total kennels in NSW. See tables below as supplied by the Commission upon request.

Notwithstanding COVID-19 restrictions curtailing inspections in the March to June period of 2019-20 and severely curtailed in 2020 year to date, the 2018-19 year is 747 inspections from 1,920 kennels, or 39%. Ideally, all kennels should be inspected every year. A 100% inspection rate each year. In addition, these inspection rates should be transparently reported in the Annual Report

New Kennel Inspections	18 - 19	19 -20	20 - YTD	
Routine	509	67	3	
Positive Swab	28	13	1	
New Kennels	19	32	23	
Greyhound Audit	-	13		
Licence (New / Upgrade)	77	61	32	
Intel / Invest / Welfare.	114	64	27	
Out of Competition Sample	0	11	4	
Total	747	261	90	1098
Follow up / Revisit Kennel Inspections				
Routine	13	12	9	
Positive Swab	2	3		
New Kennels	0	3	1	
Greyhound Audit	-	2	2	
Licence (New / Upgrade)	6	6	2	
Intel / Invest / Welfare	12	22	10	
Total	33	48	24	105
				1203

Kennels in NSW	1920
Already Inspected (Routine)	1020
Yet to be inspected	900

Recommendations:

1. The AVA recommends that the Commission continue to function as a welfare and integrity regulatory body separate to Greyhound Racing NSW (GRNSW).
2. The AVA recommends that more veterinarians should be employed in full time welfare and integrity positions and more training should be provided to these veterinarians, in particular in the area of race day procedures and injury detection.
3. The AVA recommends that that all registered premises be inspected at least once in each year. The AVA recommends that the inspection rate should be 100% of all kennels per annum. To do any less than this risks a serious welfare and integrity concern.
4. In addition, these inspection rates should be transparently reported in the Annual Report

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

The AVA notes that the GWIC website clearly states the processes of disciplinary action and the penalty ranges. Comparing these penalties to other state jurisdictions' penalties in several areas, these penalties are not excessive.

We appreciate that since the live baiting scandal in 2015 there have been some changes in penalties regarding the use of any animal product in the training and education of dogs.

There has also been the introduction of several categories of prohibited substances including Cobalt and Arsenic. Their detection and subsequent penalties have led to owner and trainer dissatisfaction. This was a national phenomenon and all jurisdictions have been dealing with the issue.

Some of the positive drug swabs were the result of overuse of injectable vitamin and tonic preparations. The AVA considers the use of such medications to be a welfare and integrity issue.

Penalties are also prescribed for the detection of prohibited substances which may be found in food sources such as knackery meat. Owners and trainers are repeatedly advised regarding the need for care when feeding such foods, but effective penalties must be applied where owners and trainers do not take adequate care.

Recommendation:

5. The AVA recommends a consistent disciplinary approach be taken for the detection of drugs and prohibited substances administered by injection or other parenteral route, or in food. Such penalties should be within a similar severity range as the penalties which are applied in other racing jurisdictions.

(c) the options for appeal by industry participants who breach legal requirements as set out by the Commission.

The AVA considers the options for appeal by industry participants who breach legal requirements as set out by the Commission to be adequate and fair. We do not believe that additional appeal avenues are warranted.

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

The AVA respects and upholds the combined relations and the separation of powers.

The AVA appreciate the roles and responsibilities of the three bodies that form the industry namely GRNSW, GWIC and the racing participants. We also appreciate that on a policy and industry basis, industry participants should be communicated to through the owners, breeders, and trainer's associations, not as individuals.

We recognise that GWIC is the controlling body that must administer the Greyhound Racing Act 2017, the Greyhounds Australasia rules, the local rules, the POCTA Act, the NSW Crimes Act 1900, particularly section 530 relating to serious animal cruelty offences and the Greyhound Welfare Code of Practice.

The AVA understands that some decisions and actions taken by the GWIC relating to animal welfare and integrity may not be palatable to industry participants, or their associations. However, this should not be a reason for the Commission to waiver on their responsibilities in this area. As always, effective consultation and communication can assist with carrying out regulatory responsibilities.

Recommendation:

6. The AVA recommends a proactive, formal reference meeting once per annum with the Commission, to address, discuss and progress industry issues.

(e) the existing funding agreement between the Commission and Greyhound Racing NSW with a view to considering recommended options.

The AVA notes that funding for GWIC is sourced from State Government grants, payments from GRNSW as required under their operating licence, the point of consumption tax on wagering, and own-source revenue such as registration fees. We understand that some of these sources may not continue and that GWIC is largely reliant on GRNSW for its funding.

We share a concern which GWIC has expressed in its 2018/19 report that the model by which it is funded by GRNSW under its operating licence directly places a requirement on the Commission to negotiate its financial requirements with GRNSW, the commercial arm of the industry.

This process runs counter to recommendations of the Greyhound Industry Reform Panel and places the Commission in a conflicted and non-arm's length relationship with GRNSW on an ongoing basis.

We note the recommendations of the Greyhound Industry Reform Panel, specifically recommendation 47 states *'The integrity commission's budget should be based on the efficient costs of performing its functions and it should seek annual funding from the consolidated fund via normal State budgetary processes'* and recommendation 48 *'As a condition of the operating licence, the commercial entity should fully offset the costs to Government of maintaining the integrity commission.'*

Recommendations:

The AVA supports the Reform Panel recommendations; however we have a number of additional recommendations:

7. It is our opinion that a more robust, fixed and transparent arrangement of funding, be budgeted directly by Government.
8. The AVA recommends an increase in the number of welfare and integrity veterinary inspectors in the Commission. This increase in staffing must be fully funded in the annual budget.
9. The AVA notes that there is a large proportion of older, experienced veterinarians retiring. We believe that insufficient training is being provided for the younger veterinarians joining the sector, and advocate that this should be rectified.
10. The AVA recommends funding a post graduate training course for the industry's veterinarians.

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

The AVA views the actions, conduct and effectiveness of the Commission and GRNSW in relation to its role in improving the welfare of greyhounds as positive progress.

We note the number of euthanasias have fallen, the number of greyhounds bred has reduced by approximately 50% and injury reporting is more transparent.

We believe that animal welfare outcomes will be improved if further specific training of post graduate veterinarians is implemented (see recommendation 8), and if more resources are allocated for employment of additional veterinarians to provide increased kennel inspections annually.

(g) any other related matter.

The AVA recognises the significantly lower incidence of injuries and deaths where straight track racing takes place rather than circle track racing.

Such facilities are available in South Australia at Murray Bridge; in Victoria at Healesville and in Queensland at Capalaba there is straight track racing.

Recommendation:

11. The AVA recommends that funds be made available for the advancement of plans to transition to straight track racing in NSW. There should also be a more proactive investigation to identify tracks which have high injury rates and to either redevelop them or to close them all together.

Support Reference Materials:

1. Recommendations of the Greyhound Industry Reform Panel February 2017 (lemma Report)
https://www.industry.nsw.gov.au/_data/assets/pdf_file/0020/101738/final-panel-report-february-2017.pdf
2. NSW Greyhound Racing Act 2017
<https://www.gwic.nsw.gov.au/integrity/greyhound-racing-regulation-2019>
3. Greyhound Racing Regulation 2019
<https://www.gwic.nsw.gov.au/integrity/greyhound-racing-regulation>
4. GWIC Annual Report 2019
https://www.gwic.nsw.gov.au/_data/assets/pdf_file/0006/891312/Annual-Report_FNL.pdf
5. Tables on kennel inspections freely provided upon request to the Commission.