

Submission
No 49

INQUIRY INTO GREYHOUND WELFARE AND INTEGRITY COMMISSION

Organisation: Animal Justice Party

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Submission: Inquiry into the Greyhound Welfare and Integrity Commission

This submission has been prepared by the NSW Submissions Working Group within the Animal Justice Party (AJP). The working group makes this submission on behalf of the AJP with the approval and the endorsement of the Board of Directors. The AJP was established in 2009 in response to growing public concern over the abuse, harm and mistreatment of non-human animals across Australia and to promote and protect the interests and capabilities of animals by providing a dedicated voice for them in Australia's political system, whether they are domestic, farmed or wild. The AJP seeks to restore the balance between humans, animals, and nature, acknowledge the interconnectedness and interdependence of all species, and respect the wellbeing of animals and the environment alongside that of humans and human societies. The AJP advocates for all animals and the natural environment through our political and democratic institutions of government. Above all, the AJP seeks to foster consideration, respect, kindness, and compassion for all species as core values in the way in which governments design and deliver initiatives and the manner in which they function. The following submission is underpinned by these fundamental beliefs. The AJP has a policy on Greyhound Racing¹ and a position on gambling²; this submission puts forward commentary in line with AJP policy.

Greyhound racing and gambling are intimately connected. This inevitably leads to overbreeding and the killing of healthy dogs. The industry has also demonstrated a level of mendacity and cruelty that indicates it is beyond any form of regulation. The AJP believes that the greyhound racing industry should be ended, as it has been in the ACT and many other countries and jurisdictions.

The NSW Government has called for submissions to the Inquiry into the Greyhound Welfare

¹ <https://animaljusticeparty.org/uncategorized/policy-on-greyhound-racing/>

² <https://animaljusticeparty.org/wp-content/uploads/2020/11/Gambling2020.pdf>

Integrity Commission (GWIC). This submission makes recommendations to ensure the effectiveness of GWIC to improve greyhound welfare and limit greyhound suffering. The AJP believes that it is imperative that the GWIC is retained and given more responsibilities and power to ensure the safety and welfare of greyhounds in the Greyhound Racing Industry. The recommendations and the reasons underpinning them are discussed in relation to each Term of Reference.

This submission will respond to the Terms of Reference (TOR) by addressing:

- (a) the policies, procedures, mechanisms, and overarching principles of the Commission in relation to industry participants,
- (b) the appropriateness of disciplinary action for those industry participants breaching legal requirements as set out by the Commission,
- (d) the combined relationship of the Commission, the industry operator Greyhound Racing NSW, and industry participants in relation to the overall greyhound racing industry,
- (e) the existing funding agreement between the Commission and Greyhound Racing NSW with a view to considering recommended options,
- (f) the actions, conduct and effectiveness of the Commission and GRNSW, in particular in relation to its role in improving the welfare of greyhounds, and
- (g) any other related matter.

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

The AJP believes it is important that GWIC is retained and their responsibilities and functions expanded.

The policy of most concern is the rehoming policy that has been designed to ensure the welfare of greyhounds over their lifespan. The current GWIC rehoming policy states that an owner of a greyhound that is not required for racing or breeding has the following options:

1. Retain the greyhound themselves
2. Rehome the greyhound to another person
3. Rehome the greyhound through GAP or a private rehoming organisation
4. Place the greyhound with an animal welfare organisation (RSPCA or AWL) or local Government pound, or
5. Euthanase the greyhound

There are serious issues with how current recommendations are being carried out.

Firstly, the Greyhound Reform Industry Panel state it is an owner's responsibility to rehome dogs once they have finished their careers or are not required, which has led to the introduction of a register for greyhounds to track them over their life cycle. However, the definition of greyhound for the purpose of the register only refers to one that 'is owned or kept in connection with greyhound racing'. This means owners can dispose of unwanted dogs by claiming they are not industry participants. An investigation by the Coalition for the Protection of Greyhounds, which was further reaffirmed in an ABC news report³, estimated there were, 7,560 dogs unaccounted for between 2017 and 2019.

Secondly, overbreeding is the main reason for failure to rehome many of these animals. The high number of retired greyhounds needing homes overwhelm the resources available for current rehoming. We believe the GWIC should ensure that there are measures in place to prevent such overbreeding. These measures could include:

- Introducing a minimum age for females to breed, and
- Imposing a lifetime maximum number of litters

³ <https://www.abc.net.au/news/2020-02-22/greyhounds-still-disappearing-in-nsw-tracking-failing/11965030>

Such measures are consistent with the Victorian Code of Practice⁴ and the Australian Veterinary Association⁵.

Thirdly, owners who wish to retire their greyhounds through the Greyhounds as Pets program must have their greyhounds assessed. During this assessment, the greyhound is examined for signs of aggression or predatory behaviour, according to guidelines published in the organisation's manual. According to figures obtained under the Freedom of Information Act by Greens' senator, Mehreen Faruqi, in 2018, 38% of 671 greyhounds failed the test and 12 who were under the care of GAP were euthanased even after they passed the test⁶.

Number of greyhounds assessed in 2017-18	671
Passed	414
Failed	257
Number that passed and were euthanised under the care of GAP	12

This failure rate is wholly unacceptable and can lead to dogs being euthanased immediately or risk being exported to countries where animal welfare laws are significantly below Australian standards.

Fourthly, as the GWIC is legally required to only track greyhounds who have been retained by an owner or trainer in connection with greyhound racing, there is currently no way of knowing if greyhounds who have been rehomed privately or retained by the owner are being euthanised. Greyhounds surrendered to pounds or animal rescue groups may be euthanised if they are not adopted within a given timeframe. Research undertaken by the Coalition for the Protection of Greyhounds has revealed that thousands of NSW greyhounds cannot be accounted for, meaning they may have been euthanised or been illegally exported to other countries with weak animal welfare laws, where they are vulnerable to becoming part of the dog meat industry⁷.

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https://agriculture.vic.gov.au/__data/assets/pdf_file/0006/529566/Code-of-Practice-Keeping-Racing-Greyhounds.pdf

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<https://www.ava.com.au/policy-advocacy/policies/miscellaneous-welfare-issues-events-and-exhibits-involving-animals/greyhound-racing/>

⁶ <https://thenewdaily.com.au/news/state/nsw/2018/09/20/greyhound-racing-nsw-rehoming/>

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<https://coalitionprotectgreyhounds.wordpress.com/2020/03/17/for-the-record-the-nsw-governments-failure-to-protect-retired-greyhounds/>

The AJP argues the euthanasing healthy greyhounds is a completely unacceptable practice.

Recommendations:

1. *Change the name of the Act and the definition of a greyhound to ensure that GWIC can monitor and inspect all greyhounds for life regardless of ownership*
2. *Implement measures to prevent overbreeding that are consistent with the Victorian Code*
3. *GWIC should take measures to improve the rehoming rate through the GAP program, including setting standards for behaviour and increasing the lead time to ensure dogs have had time to adjust to retirement*
4. *GWIC should be empowered to track greyhounds throughout their natural life cycle*
5. *Ban the euthanasia of healthy greyhounds*

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

GWIC's website has published a list of Final Disciplinary Action Decisions⁸ in relation to actions taken to punish members for breaching legal requirements. The most common breach is Detection Prohibited Substance administered to dogs to enhance performance.

Disciplinary action that may be taken (Section 59 Greyhound Racing Act)

- (1) Any of the following actions may be taken by the Commission—*
- (a) suspending or cancelling of any of the following—*
 - (i) the person's registration,*
 - (ii) the registration of a greyhound,*
 - (iii) the registration of a greyhound trial track,*
 - (b) imposing a condition on the person's registration or on the registration of a greyhound or greyhound trial track,*
 - (c) imposing a fine on the person not exceeding 200 penalty units,*
 - (d) disqualifying or warning off the person,*
 - (e) disqualifying or warning off any specified greyhound,*
 - (f) prohibiting the person from participating in greyhound racing in any specified capacity,*
 - (g) prohibiting a specified greyhound from competing in any greyhound race or trial,*
 - (h) such other action as may be specified in the greyhound racing rules.*

⁸ <https://www.gwic.nsw.gov.au/integrity/disciplinary-decisions>

The AJP wishes to highlight dangerous substances used in the racing industry and their effect on greyhounds:

Theobromine	Toxic to dogs, induces restlessness, excitement, hyperactivity, nervousness, trembling, vomiting, diarrhoea, increased drinking and increased urination, increased heart rate, muscle tremors, seizures and possibly death ⁹ .
Pentobarbitone	Drug used to euthanase dogs ¹⁰
Caffeine	Induces restlessness, agitation, hyperactivity, vomiting, and panting. As the toxicity progresses, they may also exhibit tremors, seizures and possibly death ¹¹
Prednisolone	Harmless in small doses but can increase risk of infection, diabetes, aggression and Cushing's disease ¹²
Amphetamine, hydroxy amphetamine, methamphetamine	Induces agitation, high blood pressure, tremors, seizures, gastrointestinal and respiratory issues ¹³

⁹ <https://kb.rspca.org.au/knowledge-base/why-is-chocolate-toxic-to-dogs-and-other-pets/>

¹⁰ <https://www.health.nsw.gov.au/pharmaceutical/Documents/appln-pentobarbitone.pdf>

¹¹

<https://www.petmd.com/dog/emergency/poisoning-toxicity/caffeine-and-pets-safety-tips-and-considerations>

¹² <https://veterinarypartner.vin.com/default.aspx?pid=19239&id=4951498>

¹³ <https://www.petpoisonhelpline.com/poison/amphetamines/>

There is also evidence that substances such as cobalt, Carprofen and arsenic have been given to greyhounds¹⁴. From the list of penalties, it is apparent the main penalty imposed is a fine (usually in the range of \$500 - \$2000), or temporary suspension (typically between 3 weeks to 18 months). The AJP contend there is a strong correlation between lenient punishments and the large number of incidences recorded since the start of 2018. The AJP argues the penalties need to be much stronger than the current penalty of licence cancellation.

Recommendation:

- 6. Impose maximum penalties for the administering of prohibited substances to greyhounds.*

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

As an industry regulator, GWIC is responsible for ensuring that GRNSW and industry participants act in accordance with the legislation, regulations, policies, and procedures governing the greyhound racing industry. As such, attempts by any industry participants to influence policies set out by a regulator represent a direct conflict of interest.

Recommendation:

- 7. GWIC must act as a fully independent regulatory body uninfluenced by GRNSW and should operate solely to develop policies and procedures for greyhound welfare.*

¹⁴ <https://www.gwic.nsw.gov.au/integrity/disciplinary-decisions>

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

The AJP argues it is inappropriate for GRNSW and industry participants to provide funding to a regulatory body, when the role of that regulatory body is to monitor the activities of its donors. The 2016 Inquiry into the Greyhound Racing Industry in NSW raised several issues relating to the cross purposes of profit maximisation and animal welfare, particularly in regard to breeding, veterinary care, and exporting¹⁵. It stated there is a culture that ‘has preferred the commercial interests of the industry to the animal welfare interests of greyhounds’¹⁶. The AJP contends this can only be overcome by severing the ties between GWIC and industry participants like GRNSW.

Recommendation:

8. *Changing the funding model for GWIC, so that it is wholly funded by the NSW Government via taxes on the gambling industry, including a tax on profits made by GRNSW.*

¹⁵ https://apo.org.au/sites/default/files/resource-files/2016-07/apo-nid65365_5.pdf

¹⁶ https://apo.org.au/sites/default/files/resource-files/2016-07/apo-nid65365_5.pdf

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

According to the *Greyhound Racing Act 2017 (NSW)*, the principal objective of the GWIC is to 'promote and protect the welfare of greyhounds'. Specifically, the Act grants the Commission the following functions:

- (a) to control, supervise and regulate (subject to this 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*

It is important to note that the Act also recommends GRNSW take responsibility for the welfare of greyhounds but that the wording, 'to exhibit a sense of social responsibility by having regard to the welfare of greyhounds' is extremely vague.

Despite the Act granting the GWIC the power to implement policies in regards to the welfare of greyhounds, the AJP argues the Act provides constraints to the GWIC carrying out these responsibilities.

Firstly, in 2016, a University of Technology Sydney (UTS) study titled 'Identifying Optimal Greyhound Race Track Design for Canine Safety and Welfare'¹⁷ found that 80% of catastrophic injuries on tracks could be eliminated by improved track design, in particular with the introduction of straight tracks, the introduction of an extended lure, and cutting down the number of participants from 8 to 6. However it is the responsibility of GRNSW to set minimum standards for racecourse and training facility design and construction, as well as to develop safety standards for licenced racecourses. While the GRNSW states that part of their 2018-2021 strategy is to 'set a safety standard for tracks' based on 'welfare driven track design', only two racing locations (Goulburn and Richmond) are set to upgrade to straight tracks, as recommended by UTS. In fact, a new facility at Tweed Heads is planned to contain round tracks which means that the recommended track design for canine safety and welfare is not being followed. GWIC has no jurisdiction over racetrack design and is therefore unable to ensure welfare standards for greyhounds while participating in a race.

As part of its Strategic Plan 2018-2021, GRNSW has set targets for the re-homing of '1,000 greyhounds per year within the next 3 years through the Greyhound Adoption Program and 1,500

¹⁷ <https://web-tools.uts.edu.au/projects/detail.cfm?ProjectId=PRO17-3051>

through other rehoming providers.’ They have also resolved to purchase a property to be used as a sanctuary for retired greyhounds. While these are positive steps, they rely solely on funding from GRNSW. The AJP believes better outcomes would be reached if the NSW Government took responsibility for funding such programs.

Furthermore, the GWIC currently does not have the power to set maximum breeding numbers, however, excessive breeding is the main reason so many young, healthy greyhounds are euthanised. The AJP argues in order to achieve better outcomes, the GWIC should be given the power to set breeding targets.

In addition, the AJP argues the GWIC should be empowered to track the whereabouts and welfare of greyhounds at all stages of their life, regardless of whether the greyhound is registered as a racer or not. This means each greyhound registered in NSW would be subject to an annual traceability check, as well as a welfare check by a registered vet. GWIC would then receive a report on each dog, and any identified concerns could be followed up by an inspector. In order to achieve this, the number of inspectors would need to be increased. The NSW Government must be responsible for funding the cost of these checks and inspections.

Recommendations:

9. *GWIC must be responsible for:*

- a) The development of safety standards for licensed racecourses,*
- b) Setting minimum standards with respect to racecourse design and construction and greyhound training facilities, and*
- c) Licencing of racecourses and training facilities*

10. *Make it the responsibility of the NSW Government to fund greyhound rescue groups, sanctuaries and the GAP program*

11. *Give GWIC the authority to set maximum breeding targets for greyhounds in NSW*

12. *GWIC should be responsible for tracking and inspecting, at least once per year, every greyhound registered on the Racing Register and the NSW Pet Registry*

(TOR G) Any other related matter

All incidents of animal cruelty within the industry must be reported. Any person involved in the industry or associated with facilities used by the industry, who suspects or witnesses animal cruelty should be obliged to report it.

Recommendation:

11. Implement an obligation for industry participants to report acts of suspected animal neglect or cruelty.

Conclusion

The AJP advocates for an end to the dog racing industry, but until then we advocate for our recommendations in this report against the terms of reference in this consultation. Our position is that the GWIC should remain and take over the responsibility for all aspects of greyhound welfare including:

- Prevention of wastage by introducing measures designed to prevent overbreeding
- Design, monitoring and licencing of racetracks and training facilities
- Whole life tracking of greyhounds regardless of whether they are racing or not
- Overseeing the GAP program to ensure as many greyhounds as possible can be rehomed

The AJP also argues the welfare of greyhounds could be better maintained if GWIC and GRNSW were separate entities, so that GRNSW could not exercise so much financial and legislative power over the organisation that is supposed to be regulating it. The AJP proposes that the GWIC should be funded by the NSW Government in order to improve greyhound welfare in racing.

The AJP consents to this submission being published and appreciates this opportunity to improve welfare for the thousands of greyhounds trapped within this industry.

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5. [Greyhound racing](#)
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