

REPORT ON PROCEEDINGS BEFORE

**SELECT COMMITTEE ON THE GREYHOUND WELFARE
AND INTEGRITY COMMISSION**

CORRECTED

At Bathurst Greyhound Track, Bathurst on Friday 28 May 2021

The Committee met at 10:30.

PRESENT

The Hon. Robert Borsak (Chair)

The Hon. Lou Amato
Ms Abigail Boyd (Deputy Chair)
The Hon. Sam Faraway
The Hon. Mark Latham
The Hon. Mark Pearson

PRESENT VIA TELECONFERENCE

The Hon. Mark Buttigieg

The CHAIR: Welcome to the third hearing of the select committee inquiry into the Greyhound Welfare and Integrity Commission. This inquiry was established to examine the operation of the Greyhound Welfare and Integrity Commission, in particular its policies, procedures, mechanisms and overarching principles in relation to industry participants. The inquiry will also look at issues such as the appropriateness of disciplinary action and options for appeal; the relationship between the commission, Greyhound Racing NSW and industry participants; current funding arrangements; and the commission's role in improving the welfare of greyhounds. Before the Committee commences I acknowledge the Wiradjuri people, who are the traditional custodians of this land. I also pay respect to the Elders past, present and emerging and extend that respect to other Aboriginals present. Today is the second of four regional hearings that the Committee is conducting for this inquiry. Yesterday we were in Newcastle. Today we are in Bathurst hearing from the Greyhound Welfare and Integrity Commission, a greyhound owner, trainer and breeder, and a former chief veterinarian of Greyhound Racing NSW. Next week the Committee will travel to Temora and Goulburn and will finish our hearings at Wentworth Park racecourse.

Before we commence I make some brief comments about procedures for today's hearing. Today's hearing is broadcast live via the parliamentary website. A transcript of today's hearing will be placed on the Committee's website when it becomes available. In accordance with the broadcasting guidelines, media representatives are reminded that they must take responsibility for what they publish about the Committee's proceedings. While parliamentary privilege applies to witnesses giving evidence throughout this inquiry, it does not apply to what witnesses say outside of their evidence at the hearing. I therefore urge witnesses to be careful about comments they make to the media or to others after they complete their evidence. Committee hearings are not intended to provide a forum for people to make adverse reflections about others under the protection of parliamentary privilege. In that regard it is important that witnesses focus on the issues raised by the inquiry terms of reference and avoid naming individuals unnecessarily.

I also remind members of the media here today that while comments made during this hearing are protected by privilege, this may not extend to the reporting of potentially defamatory comments. All witnesses have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018. If witnesses are unable to answer a question and/or want more time to respond, they can take a question on notice. Written answers to questions taken on notice will be provided within 21 days. Following the public hearing will be a public forum. We have a few timeslots available for speakers. Anyone who has not registered but would like to take part in the public forum, please see the Committee staff. Regarding the audibility of the hearing today, I remind Committee members and witnesses to speak clearly and into the microphone. Finally, could everyone please turn their mobile phones to silent for the duration of the hearing.

STEVE GRIFFIN, Chief Executive Officer, Greyhound Welfare and Integrity Commission, sworn and examined

ALAN BROWN, Chief Commissioner, Greyhound Welfare and Integrity Commission, sworn and examined

MICHELLE LEDGER, Chief Veterinary Officer, Greyhound Welfare and Integrity Commission, sworn and examined

DAVID O'SHANNESY, Chief Inspector, Greyhound Welfare and Integrity Commission, sworn and examined

The CHAIR: Would one or all of you like to start with a short opening statement, limited to a few minutes please?

Mr BROWN: With your indulgence I give this opening statement on behalf of three of our four witnesses, so it may take a little bit longer than you would normally expect. I hope you do not mind. The commission has been in operation for a little under three years, having commenced operations on 1 July 2018. The commission was only afforded a very short period of time before then to employ all 80-odd staff and establish structures in order to go live on 1 July 2018, when regulatory functions were scheduled to seamlessly transition from Greyhound Racing NSW [GRNSW] to the commission. However, in that short time frame we were able to recruit all the stewards, veterinary officers, compliance officers, customer service and other support staff, as well as building core business systems. It was a massive effort resulting in a smooth transfer from Greyhound Racing NSW without interruption to racing and other industry activities.

The commission was then able to start on implementation of the reforms recommended by the Greyhound Industry Reform Panel and adopted by the Government. In a practical sense, throughout 2018-19 and 2019-20 the commission was in a progressive set-up phase and the commission continues to grow and mature. We are very proud of the things we have achieved and delivered in a very short space of time to assist the industry to improve its welfare and integrity practices. It is worth noting that the industry has done well over the past three years since the commission has been in place. Public confidence in the greyhound racing industry has improved. The overall level of interest remains strong and industry revenues continue to grow.

Much of this would not have been possible without the commitment and hard work of the people at the commission. For example, throughout the early phase of the COVID-19 pandemic our staff developed innovative protocols and solutions to keep the racing industry going. Of course, the commission's journey has not always been smooth sailing. Far from it. However, this is not unusual for any new organisation, particularly a regulatory organisation, as it learns, grows and settles into its role. Thankfully, any concerns have not been major nor have they caused disruption to the industry or its participants. The commission acknowledges that not everyone in the industry supports its existence. A small number of individuals and groups appear intent on undermining the commission and, seemingly, the Government's reform agenda for the industry. The better we perform, it seems the more vocal our detractors become.

By attacking the commission, however, these people are damaging the image of the industry and its many thousands of well-intentioned participants. The attacks on us have been largely based upon inaccurate and untruthful information. I am pleased to have the opportunity to present the facts and provide a more balanced explanation of our role. I quickly address a number of the inaccurate claims. First is the repeated claim that the commission's costs of delivering integrity and welfare functions are significantly higher than the \$9 million supposedly spent by Greyhound Racing NSW in its last year of overseeing these functions, which was 2017-18. In 2019 the Department of Industry led a review of GRNSW's costs of welfare and integrity to set a benchmark for future regulatory costs. The commission and GRNSW participated in the review process and endorsed the report and its recommendations. The report concluded that for the 2015-16 financial year—being the most recent "normal" year under GRNSW's control—its expenditure on integrity and welfare was in fact \$13.89 million, not \$9 million. In July 2020 we corrected the public record via media releases and other information published on our website. Unfortunately, these untrue claims resurface from time to time.

It is also suggested that our expenditure on welfare and integrity far exceeds that of Greyhound Racing Victoria. This claim is also false. We estimate our costs are very similar, given the significant differences in our operating environments. The commission's expenditure levels are a necessary outcome of the McHugh special commission of inquiry which found a substantial underspend by GRNSW on welfare and integrity. That finding was supported by both the reform panel under former Premier Morris Iemma in 2017 and the joint working group convened by the Department of Industry in 2018. Another false claim is that the three commissioners come at a cost exceeding \$1 million per annum. All three commissioners are remunerated on a part-time basis and our costs are a third of that amount claimed. Despite our media releases and annual report clarifying this, the false claim continues to be peddled.

Another inaccurate claim frequently made relates to the average regulatory cost per greyhound. It has been suggested that figure in New South Wales is \$3,745. But that claim is based on an incorrect assumption that only 8,000 greyhounds fall within the commission's remit. The actual number of greyhounds on the commission's register, for which we are now responsible, as at 30 April 2021 was 22,503. Accordingly, the actual average regulatory cost per greyhound in New South Wales at that date is somewhere around \$737. This compares favourably with regulatory bodies in other jurisdictions, which incidentally are not responsible for retired greyhounds like we are in New South Wales.

Finally, another inaccurate claim frequently made is that the commission is fully funded by GRNSW, thus displacing prize money for distribution to industry participants. It has been said that GRNSW has funded the commission \$14 million per annum since 1 July 2018 when the commission commenced. They have never been requested to fund the commission for \$14 million. GRNSW's contribution to funding the commission does not divert funding away from prize money. The actual numbers, which are set out in our annual reports, are \$8.4 million in 2019-20 and \$9.2 million in 2018-19. GRNSW's contribution in 2020-21 is expected to be \$10.8 million. When establishing the commission, the Government provided GRNSW with new revenue streams to assist with funding the commission. These are the point of consumption tax and tax parity receipts. As a result GRNSW is better off than it was before the commission was set up.

I now turn quickly to the commission's achievements. Of the 122 recommendations made by the reform panel we became responsible for implementing 57 of those. We have fully implemented the vast majority, with only a handful remaining in progress. Last year we assisted the Government to develop a world-leading code of practice for greyhound welfare. This was a major piece of work. The commission has taken significant steps to inform the industry of its contents and importance. The commission has also conducted programs to check on the welfare of high-risk greyhound cohorts and determined the greyhound population, which is critical to delivering whole-of-life tracking.

Our representations to the Government on the importance of an effective real-time electronic tracking system for all registered greyhounds in New South Wales has resulted in a commitment of \$3.6 million to develop a state-of-the-art e-tracking system. This funding will provide the industry and the community with a higher level of assurance about the welfare of individual greyhounds and, coupled with digitising paper-based processes, deliver significant efficiencies for the commission as well as advantages to industry participants. Procurement for that new system is underway and it is anticipated the system will be introduced by the end of 2021. We also lead a race injury review panel, the first of its kind in the sport, which has helped produce the lowest rate of catastrophic injuries for the last quarter of 2019-20.

We have substantially increased industry transparency with frequent releases of industry data to a far greater extent than any other jurisdiction in the country. And we continue to look at how to provide more data to the industry, stakeholders and Government. We have redesigned our business processes making it far simpler and easier for industry participants to apply for registration or notify us about their greyhounds. We have invested in technology to make transactions available online wherever possible. This has made it much easier for industry participants and the commission alike. For example, the average time it takes us to approve a registration application is now down to 6.2 days. A recent anonymous customer survey resulted in a satisfaction score when dealing with the commission of 88 per cent.

Put simply, we believe that the future sustainability of the greyhound racing industry will be assisted greatly by an effective greyhound welfare and integrity commission. The overwhelming majority of industry participants and stakeholders seem to acknowledge this. The commission acknowledges that we have room to improve and considered suggestions are always welcome but if there is to be a debate about how well we are doing or are not doing then it must be based on fact not fiction. We have a strong plan that is focused on delivering the best possible welfare outcomes for greyhounds and the best possible services for participants. I urge the Committee to read our submission and our annual reports as these contain a wealth of information about what we do, what we have done and our program of work for the future. I trust that our submission and the evidence we give today will be of assistance to the Committee. Thank you.

Ms ABIGAIL BOYD: Good morning to you all. Thank you for having us here in Bathurst. We have had quite a lot of submissions and we have heard from a number of people now who are clearly not content with the way that GWIC is running things. We have heard a range of different reasons for that. From your perspective how much of that is about people in the industry just not wanting to be regulated and having not agreed with the original reforms, and how much is valid criticism do you think?

Mr BROWN: I think if we look at the figures I just quoted from that survey that we did, and that is done anonymously by the way, of our participants who interact with us on a daily basis. To get a score of 88 per cent satisfaction is pretty good at any agency. We also did a survey of the club managers and their response was

that they think they had about a 90 per cent satisfaction with the way they interact with us, about an 80 per cent satisfaction about the way they interact with the service provided by our vets and a similar figure for our stewards. From that perspective we are getting excellent feedback. I agree that there are a number of people who are still struggling to accept the fact there is greater scrutiny. There was not before. That was the main reason that we were put in place—to increase the amount of scrutiny. We are trying to do that in an even-handed and reasonable way.

I think we are learning as that process goes on. We are not perfect. We have worked very hard to ensure that the people on the front line, the people who are out there on the field—inspectors, investigators, the stewards and the vets—are respectful of the people they are dealing with. We have had complaints and we have a process where we deal with those complaints. And even the people who we surveyed online who had an issue with the way they were dealt with by us, we phone them and ask them what the problem was, get an explanation of it, go back and check to see what happened and then go back to them and say, "We apologise. This is what happened and we are improving our systems." We are working very hard to ensure that we do give the sort of service that I think the participants expect and deserve.

Ms ABIGAIL BOYD: Do you think that has improved over time? When we look in your submission there is a great statement about achieving higher standards of welfare, integrity, and compliance, "requires the industry and the commission to work cooperatively". Is there a way that you can measure that level of cooperation over time? You mentioned that survey. I have two questions. First, have you tracked that over time? Is the satisfaction getting better or worse? Secondly, have you segmented those results to identify if there are particular types of industry participants who are particularly disaffected?

Mr BROWN: I have got those details. In fact I could probably provide them to you now. They are in here somewhere.

Ms ABIGAIL BOYD: Or you can provide it on notice.

Mr BROWN: I can provide it later, yes. We have broken it down as to the type of interactions that we have had with participants and where the issues have arisen, so we have an analysis of that. I think we have seen a big change; there is no doubt about that. When we first started the commission was probably the most unpopular party in town. We had to battle a reluctant industry, a media that was very much critical and continue to be so. The industry stakeholders were quite concerned about what it might mean to them and their participants. Certainly in the past three years—remember we are not even three years old; we are still in kindergarten—there has been a huge improvement. Most of our work now, a lot of our work, before we introduce anything, we consult with all the stakeholders. We consult widely with the participants. That is demonstrated by what we did with the code of practice. We have now got an industry advisory council made up of people within the industry and whenever we are considering a new policy we go to them and say, "What do you think? What is the reaction going to be?" We go to GBOTA, we go to GRNSW, so we consult before we do anything now. So when something does come in, like the rehoming policy, the code of practice, the transfer policy, we have the support of the participants generally speaking and of the stakeholders.

Ms ABIGAIL BOYD: If I could ask you to provide on notice any more details around that survey data and the segmentation that would be really useful. A lot of the claims that we have heard, and again the kind of source of discontent, seems to be resulting from the enforcement processes of the inspections and the reviews. The claim is that they are heavy-handed. There is often quite a severe consequence—if not penalty, the consequence of delay and reputational issues—for something quite minor. We have also had accusations that GWIC is biased and picks on particular individuals.

Mr BROWN: I am sorry, I did not pick up that last part.

Ms ABIGAIL BOYD: The claim is that GWIC is biased and that you are targeting particular people. We have also heard that the delays in seeing the review through results in a lot of stress for people. Finally, the appeal options are too limited. That is a lot in one question but what is your impression of how that is going? Has it improved over time and what are you doing to make it better?

Mr BROWN: Let me deal with the kennel inspections first, if I could. I think there is something like 1,900 individual kennels registered with us. I think we have inspected about 700 and something. It has been impacted by, of course, COVID and the reallocation of some of our resources for the reconciliation of our registered greyhounds program, which I will come to later. But of those inspections, which are quite a lot, we have had very few complaints from the way in which our inspectors conducted themselves at the time of those inspections. Certainly not all inspections these days are by appointment, but in fact we only do non-appointment inspections, generally speaking, when there is a welfare concern and we have been given some intelligence that we need to act on. They are the unannounced ones, and we are probably doing more targeted ones now than we are of the regular ones.

I mentioned this to Mr Latham when I had a meeting with him in Parliament House. The complaints that you get from some of the participants about the way in which our people interact with them are not always supported by the evidence. With the body-worn cameras, they capture the discussions that took place and the way in which our people conducted themselves. Those films are available to anyone who would like to ask for them. In order to substantiate a claim, let us have a look at the vision first, and if it is substantiated by what that shows then we are happy to take it on the chin and do something about it. I could be corrected here, but I do not recall anyone who has followed up on that once they have been made available to them or asked for it. I think we are doing that pretty well.

So far as the issue about our legal processes are concerned, I am sympathetic to a lot of the people's concerns about the way in which that process works out. I have been chairing our operational review committee for some time and I get frustrated by the length of time it takes to get cases on and dealt with, but it is certainly not through lack of—getting the information together into a brief and getting it dealt with, that is a concern. We have tried to simplify the process. We have done that recently. It is now a lot easier, I think, for the participants to understand how the process works out. We have just released a new document, which is an easy-to-read and easy-to-understand guide. It is on our website. That explains in detail how the processes work and how they can work within it. We give everyone an opportunity to be heard before charges are proceeded with—in fact, on two occasions. They are invited to make submissions, we will consider those submissions and then we advise them what the proposed charges will be after we have heard those. Then they get another opportunity. From a fairness point of view and a due process point of view I think we are giving everyone a very, very good opportunity.

There are a couple of weaknesses in it and one of them was highlighted by one of your witnesses probably yesterday. Whilst it dealt with a matter that was pretty clear cut—that is, that when you enter a dog for a race or a series it has got to be eligible, and if it is not eligible you cannot or should not compete—it highlighted a problem with the OzChase system at the time, which has been fixed. But the more important part about that was that concern that that particular gentleman had is not allowed to be appealed to the Racing Appeals Tribunal. Whether he had a case or not does not matter. The fact is he probably felt that he could only go to an internal review here, but the scope of the Act that constituted the Racing Appeals Tribunal does not provide for them to hear appeals of that nature. There are not many, but that is one. If you are looking for suggestions about how things can improve, I would suggest there are a number of areas in that that we could provide to you that might be of assistance in improving at least a perception that the participants had every opportunity to be heard about a matter they are not satisfied with.

Ms ABIGAIL BOYD: Just to clarify, that is clause 9 of the Racing Appeals Tribunal Regulation, and you are saying that there are gaps there between the decisions that GWIC can make versus what can be appealed against under that?

Mr BROWN: Correct, yes.

Ms ABIGAIL BOYD: Perhaps we could tighten that up.

The Hon. MARK PEARSON: I just have a couple of questions, probably to all of you. We heard evidence, and there was a very terrible example of what happened to a dog at The Gardens racetrack when it got caught in the lure and was almost sliced in half. There is quite a bit of evidence arising from that and other incidents where the view is that the veterinarians that are retained to do the work on the track et cetera, to be advisers and treaters, do not have greyhound expertise. We have had a lot of evidence to say, "Look, it is not just dog knowledge or canine knowledge that is required. These animals have specific features or physiology that need an expert." We have had evidence to say that because many of the vets that are appointed by GWIC do not have this expertise then there have been animal welfare concerns—serious concerns. Can you elucidate on that for us?

Dr LEDGER: I will take this question. In terms of the experience of our on-track veterinarians—or OTVs, as we refer to them—the majority of the employees that we currently have were previously employed by Greyhound Racing NSW and so had developed some experience in the industry previously. We have got two new OTVs that have not had previous greyhound experience and we provide training to them.

The Hon. MARK PEARSON: Specific training regarding greyhounds?

Dr LEDGER: That is correct, yes.

The Hon. MARK PEARSON: How does that happen?

Dr LEDGER: The ones that have come across, obviously, from Greyhound Racing NSW have had previous instruction from—and here there is a bit of an issue with "greyhound specialists". There is no such thing, really, as a greyhound specialist vet.

The Hon. MARK PEARSON: That is what I thought. That is why I asked.

Dr LEDGER: It is really difficult because no universities—

The CHAIR: Ms Ledger, why would you not hire any of the old vets that were working for Greyhound Racing NSW that were specialised at the time?

Dr LEDGER: If they applied we would certainly consider them.

The CHAIR: How many did you take on from the old organisation?

Dr LEDGER: Initially the first five veterinarians that we had, four of them had previously worked for Greyhound Racing NSW.

The CHAIR: How many are still working for you now?

Dr LEDGER: Two of those, and two of them are working on a contract basis.

The CHAIR: How many of your vets currently get training in the specialisation of looking after greyhounds?

Dr LEDGER: We have got a course planned for this year and all of them—in fact, we will not just limit it to our OTVs; we will open it up to regional vets and other vets that might be interested in coming to learn.

The CHAIR: How long is the course going to be?

Dr LEDGER: The course will run at various venues.

The CHAIR: No, how long is the course going to be?

Dr LEDGER: It is over two modules. The first module will cover injury detection—specific palpation or feeling for injuries that are unique to greyhounds. The second part of the course will cover reading of a race and how to watch a race that will tell you, more or less, or guide you in the direction of an injury. What is really important to understand is that there is not instruction for veterinarians in greyhounds or, in fact, canine sports medicine provided by any university currently. There just are not any training courses.

The CHAIR: Is it not incumbent upon you then to do it?

Dr LEDGER: Of course. That is right.

The CHAIR: And provide a course—six months, 12 months, whatever it takes?

Dr LEDGER: That is right.

The CHAIR: How many trainees do you have at the moment?

Dr LEDGER: Sorry, can I deal with the first question? Can you repeat the first one?

The CHAIR: How many trainees do you have currently?

Dr LEDGER: How many trainee vets?

The CHAIR: Trainee vets that are training to be specialised in looking after greyhounds.

Dr LEDGER: All of our vets undergo training in order to work at the races. We certainly plan future—

The CHAIR: No, my question is how many are being trained to specialise? I am sure they are all professional vets. I do not have an issue with that. You are saying they are all currently being trained to be vets, specialising in greyhounds?

Dr LEDGER: Well, that is the problem. There is no specialisation course available for greyhound vets, but we provide them with additional—

The CHAIR: There are many specialised vets in Australia, and certainly in New South Wales, that could provide that advice, I am sure.

Dr LEDGER: Correct, and we have engaged one to do that on our behalf. That training will take place this year for all of our current veterinarians and then we will roll that training out—

The Hon. MARK PEARSON: Sorry, has this course been set up because you saw that this was a gap or a problem?

Dr LEDGER: We are not immune to the criticism that we get in that regard. I think there is a huge focus, really, on diagnosing injuries at the track. There is a lot of difficulties with that actually. The function of our vets primarily on the racetrack is to ensure that the greyhounds are fit to race but then also to deal with emergencies and injuries as they arise, and absolutely our focus is on stabilisation of injuries at the time and really

providing that first aid primary care and then referring injuries on if they require further treatment or further diagnostics. There is only so much you can do with your own two hands at the track in terms of actual detection of injury or diagnosis of injury. Very often these greyhounds, when they come off the track, have something called analgesia as a result of racing. They are full of adrenaline, they are hyped-up, some of them are actually quite hot and they might not show an injury. They might mask it.

The Hon. MARK PEARSON: Because they are hot.

Dr LEDGER: They are hot. Yes, that is right. Once they are cooled down they start to often feel an injury.

The CHAIR: We have had evidence that vets are turning up to races without their kits—simply turning up there and watching the races and when injuries occur they are not able to properly look after those animals. There was a recent example of that, which I think was in the media yesterday or the day before.

The Hon. MARK LATHAM: At Richmond on Wednesday.

The CHAIR: How do you explain that?

Dr LEDGER: I cannot explain that.

The CHAIR: It is your job to explain it, isn't it? Not only explain it but make sure that animal is looked after properly—

Dr LEDGER: One hundred per cent.

The CHAIR: —and it was not looked after properly, was it?

Dr LEDGER: No, that is correct and the commissioner has absolutely taken that criticism. We have certainly dealt with that issue with the vet concerned.

The CHAIR: That is not the only evidence we have had in the last couple of days where we have been told that vets have not been turning up and properly looking after the animals because they did not have their kits with them or, if they did, they misdiagnosed the injuries.

Dr LEDGER: Yes, that is why I say I think there is a huge focus on diagnosis and that really is not our primary focus on a race meeting—to diagnose a subtle injury in a greyhound. Our primary focus is on the welfare of the greyhounds, providing for their treatment when they are injured, providing that stabilisation and making sure that where a greyhound is injured it is able to be stabilised and then referred for further care and further diagnostics.

Mr BROWN: Could I just make a comment about the incident you refer to at The Gardens. That resulted in a review of our processes. It was a very unfortunate incident and we do not back down from that, but it required us to review everything that the vets were doing and the OTVs were doing, and we introduced a strict rule that they must have at all times their medical kit with them when they go to attend a dog who is injured on the track.

The CHAIR: With respect, Mr Brown, I would have thought that is just normal procedure. If a doctor comes for a home visit he has his kit with him, not that anyone ever does that much anymore. Why would a vet turn up to a racecourse that they are supposed to be presiding over to look after the welfare of the dogs and when something unfortunate happens say, "Hang on, I have not got my kit with me"?

Mr BROWN: They had it with them but when they went onto the track he did not have it with him at the time.

The CHAIR: That dog was almost cut in half. Why wasn't that dog euthanised immediately? Why was it wrapped up and taken off the track, bleeding profusely?

Mr BROWN: We have got a full report that was done in respect of that. I am happy to provide that to you.

The CHAIR: Would you please table the report?

Mr BROWN: Yes, absolutely. I will do that. I will send it to you.

The Hon. MARK LATHAM: Ms Ledger, you said that you dealt with the problem on Wednesday. How did you deal with it?

Dr LEDGER: Sometimes staff make mistakes, sometimes they happen and when they do happen I think you have to have it respond appropriately and deal with the issue as it arises. Absolutely we expect our

veterinarians to arrive at the racecourse fully prepared to treat an animal and we expect that they treat those animals to the best of their ability and have the animal's welfare as their primary concern at all times.

The Hon. MARK LATHAM: How did you respond to Wednesday's problem?

Mr BROWN: We severed the relationship with that service.

Ms ABIGAIL BOYD: It was announced today.

The Hon. MARK LATHAM: You sacked them.

Mr BROWN: Yes.

The CHAIR: We were told that the animal was not given any pain relief.

Mr BROWN: What happened, if I can explain—the injury was a webbing injury. The vet did not have her pain relief with her at the time when she attended that dog and she should have and that is the reason we have severed the relationship. The trainer asked for the injury nevertheless to be sutured. The vet mistakenly decided to do that at the trainer's request and that was the mistake she made. She should never have done it. First of all, she should have had her kit with her and, second, she should not have attended a greyhound without her pain relief medication.

The Hon. MARK PEARSON: We have heard evidence that some of the witnesses in trying to understand what they are saying was the fact that GWIC did not continue to engage veterinarians that had been with the industry before and with the expertise in greyhounds—that there was a suspicion of GWIC as to whether those veterinarians had been involved in any untoward activities or behaviours in the past. Is that true?

Dr LEDGER: I am not aware of that.

Mr BROWN: I have never heard of that.

Dr LEDGER: What I would say is that we routinely advertise. We have had, as I mentioned, two full-time roles recently refilled. We have had vets that have left and we have replaced those roles with advertising. I think I was even approached by one of our stewards and asked if I would consider a very eminent greyhound veterinarian that is well known in the industry and my response to that steward and remains my response is, "Please, anyone that wants to apply, please encourage them to apply and we will assess them on a merit-based approach just like anybody else." So no, I am not aware of that.

Mr BROWN: I think it is important to realise that there is a major shortage of vets in the community and getting them to work in the greyhound industry can be very, very problematic. I think Dr Ledger was going to make an opening statement which would have highlighted the difficulty in us attracting vets to the industry. It is a major problem. It has been exacerbated enormously by COVID where everybody wants to have a pet and the vets are under enormous strain. They have I think the highest rates of suicide of any profession. It is a very, very difficult area to get the right sort of people to work for us.

The CHAIR: That is all good and well, Mr Brown. I understand that. It is public knowledge. But what is GWIC doing to address the issues it has with training vets, with having sufficient numbers of vets on course, with having vets trained properly in the treatment and diagnosis of greyhound injuries? What are you doing about it? Have you got a program that brings these people in? You say, "I know Sydney University doesn't do it anymore", so are you talking to a university to provide units that will educate vets in this area? Are you doing anything in that space?

Dr LEDGER: Yes, absolutely. That is planned and that is one of our future steps that has been on our program of work for some time now.

The CHAIR: Why haven't you got started on it?

Dr LEDGER: Time factor, really, more than anything else. But what I will say is that we certainly do provide training for our vets every single year. We do try to provide them with all the resources, we provide them with opportunities to upskill and we certainly do that in conjunction with other jurisdictions. Just in 2020 we had planned the first in-person two-day veterinary training conference with Greyhound Racing Victoria. Literally the day that they were due to fly out to go and attend this training course is when the first COVID hit Melbourne and there was a lockdown and we will not be able to progress with that. We have progressed with those online modules and those are available to our veterinarians.

But I think it is really important to come back to the basic, and that is that we wish to upskill our vets in greyhound injury detection and in the subtle injury detections and muscle palpations that I speak of. But as much as we can be the most skilled vets in the world at greyhound muscle palpation, I still believe there will be a margin

for error with those diagnoses on a racetrack no matter how skilled the people are. The primary reasons for those are that whilst the very severe injuries are easy to detect and diagnose at the time and should be stabilised and treated appropriately, as you have highlighted, honourable Chairman, the more subtle injuries are easily masked by the dogs. So when they are in pain they will often guard an area and you really cannot detect an injury at the time. The first time it becomes apparent is the next day when the greyhound has cooled down and then it is much more easily able to be detected, and that is the appropriate time to detect that injury. Where we have a suspicion that a dog's performance might be due to injury we will always suggest to the participant that they go and have a check-up at their own vet the following day.

The CHAIR: Can we talk for a few minutes about the interrelationship between vets and stewards on the racetrack and at race meetings. We have had evidence, and you might correct me if I am wrong, that the stewards effectively report to the vets in relation to the structures in GWIC.

Mr BROWN: No, that is not right. They each have their own individual responsibilities.

The CHAIR: We have had that evidence from more than one person that the predominance on the racetrack and in the structures of GWIC are that the stewards are subsumed by what the vets want. We certainly had evidence to that effect from a recent person who was the chief steward who resigned for all sorts of reasons.

Mr BROWN: You asked me the question and I was trying to answer, and that was the vets have their own specific areas of responsibility, which is mainly to deal with welfare. The stewards have their race-related responsibilities and they work together. We heard those concerns raised previously. We conducted an independent investigation into the relationship between the two because we thought, "Well, are we missing something here?" The Miitze report I think is available to you through the documents that we have lodged.

The CHAIR: Sorry, what report is that?

Mr BROWN: If you have not got it—I thought it might have been part of the papers. It might be at the back of that. The Miitze report looked at the issues that we had flagged. You will see from that report that they investigated all the allegations and suggestions about the treatment by vets of the stewards and vice versa. At the end of the day that report said that the parties are working very well together, they seem to respect each other and they understand the responsibilities. I recommend that you take the opportunity of reading that because it dealt with the issues that I think that you are raising.

The Hon. MARK LATHAM: If it is possible, please could you supply to the Committee the email that Dr Ledger wrote to the then chief steward in June 2020 setting out the policy for race day falls, beaten favourites and dogs not performing well, which are all steward responsibilities?

Dr LEDGER: We can look for that, I think. We can take that on notice.

The Hon. MARK LATHAM: You acknowledge it exists and you were setting the race day policy for the stewards?

Dr LEDGER: No. I disagree entirely that that was the purpose of that document.

The Hon. MARK LATHAM: If we can have a look at the document, that would be helpful for the Committee in deliberations.

Dr LEDGER: From memory, and I cannot recall the exact—I do recall the document that you are referring to. From memory I was seeking to engage in a discussion with stewards about different workflows on race day and about what might lead a greyhound to be examined by the veterinarians. I think the decisions that we make to examine greyhounds on a race day need to be prioritised in terms of the most likely welfare issues. That was the purpose of that document.

The Hon. MARK LATHAM: We have two bits of conflicting sworn evidence. We are going to look at the document. That should clear it up.

Dr LEDGER: One hundred per cent. Absolutely happy to supply it.

Mr GRIFFIN: If I could add to Mr Brown's evidence in the sense that the Miitze report found that there was certainly a perception that there was an imbalance of authority and that the chief steward role was a lesser grade than the chief veterinarian. I acknowledged that and I have altered the arrangements and realigned the structure of the organisation so that the chief steward is at an equal grade as the chief veterinary officer to address that concern. I think that has done a lot of good in making sure that they feel like they have an equal voice in how the industry is regulated.

The CHAIR: Based on the evidence we have had, the chief vet certainly overrode the decisions of the chief steward and that the whole process was quite dysfunctional at the end of the day and just plain not working,

and that Ms Thorsby actually resigned based on that and a whole lot of other things. Who has replaced Ms Thorsby in that role? Who is the chief steward?

Mr GRIFFIN: It is Mr Wade Birch. He has been recruited from thoroughbred racing in New South Wales. He was the previous head of all three codes of Queensland racing, so he has got greyhound experience as well.

Mr BROWN: He was the former deputy chief steward at Racing NSW until he took on our position.

The Hon. LOU AMATO: Going back to your survey, how many participants responded to that survey?

Mr GRIFFIN: We have been surveying participants who contacted the commission for the past 18 months. We have sent out 4,000 surveys. Almost 800 have responded to those surveys, so quite a number. The customer satisfaction score has continually been around 87 per cent to 88 per cent throughout that period.

The Hon. LOU AMATO: So 800 people responded to the survey?

Mr GRIFFIN: Yes. It is done on a continual basis. Every week people that have contacted the commission are sent a survey.

The Hon. LOU AMATO: How many participants are there in the industry?

Mr GRIFFIN: About 3,700.

The Hon. LOU AMATO: I am a bit concerned. If some of the older people in the industry have a bit of trouble navigating through the web and so forth, I worry about whether or not you are getting their information or their concerns.

Mr GRIFFIN: That is a concern. It is a real concern. We appreciate that everyone does not have access to technology. That is why we are attending—

The Hon. LOU AMATO: How do you contact them and get their thoughts on things?

Mr GRIFFIN: We attend tracks. We have attended over 30 race meetings in the past three or four months, particularly in the lead-up to the registration renewals that are due on 30 June, plus also reaching out to participants about how to comply with the code of practice, particularly the socialisation enrichment aspects of the code. We have been out at tracks quite heavily in the past three or four months. When you are at the tracks and you get to speak to those participants who have those issues, they certainly pass on their concerns when you attend the track.

Mr BROWN: Mr Amato, I can give you the figures if you like, which I think are pretty much what Mr Griffin gave you. The surveys were sent between 26 February 2020 and 30 April 2021. There were 751 participants who responded, giving a customer satisfaction score of 88 per cent. We also surveyed the club managers. Nineteen of the 33 club managers responded. Seventy-five per cent of the respondent club managers indicated that they were satisfied with the stewards' management of race meetings and 84 per cent were satisfied with the veterinary services provided by the commission.

The Hon. LOU AMATO: Earlier on you also said that the costs of GWIC are similar to Victoria. Can you elucidate a little bit more on the structure of it?

Mr BROWN: Sure.

The Hon. LOU AMATO: I come from a business background, so I am trying to understand the workings of GWIC versus the Victoria model.

Mr BROWN: The costs we looked at—and this was done at a time when we had this joint working group with the Department of Industry as well. The figures for Victoria indicated—and this I think is on their annual reports—about \$19.5 million they were spending on welfare integrity. But when you compared like for like as closely as we could—and remember, it is difficult to do that because they are slightly different operations—ours was about \$15.3 million and theirs was about \$15.5 million.

The Hon. LOU AMATO: I am trying to work out how many people GWIC employs versus the Victorian model. I am trying to compare apples with apples.

Mr BROWN: I have all those figures—not here—but I am happy to provide those to you.

The Hon. LOU AMATO: You are happy to take them on notice?

Mr BROWN: Yes. It was quite a detailed analysis. It was as close as we could get because we kept hearing, "Victoria's a lot cheaper than you guys. We can't understand why it's costing you so much." But when we looked at the raw figures—

The Hon. LOU AMATO: They might be cheaper but it depends on what they have provided versus what GWIC has provided.

Mr BROWN: They are not, of course, responsible for 22,500 greyhounds. Their remit finishes when a greyhound finishes racing. We look after and are responsible for greyhounds that remain with the participants for the whole of their lives. That is why we are up to, at the moment, 22,500 as opposed to, say, 7,000 that they are looking after in Victoria. Plus Victoria has a much smaller geographical spread. They have, I think, 12 rather than 33 racetracks. It is a much smaller area to service than what we have to. But all the other figures are pretty comparable, I think, from what we have looked at. I have some more details in here if you want me to find them for you. It would be easy to do.

The Hon. LOU AMATO: That is okay. You can provide that afterwards.

Mr BROWN: Sure.

The CHAIR: I have a question on behalf of Mr Buttigieg from the Labor Party, who is sitting and watching. He says, "We heard in your collective statements this morning that you generally think that GWIC is doing a good job. If that is the case, why have we heard so much criticism of GWIC?"

Mr BROWN: I do not know how many participants you have heard who have got complaints about us, but I have not been privy to all of that.

The CHAIR: Mr Brown, if everyone was all singing and dancing we would not even be sitting around here talking about these things, to be perfectly honest. My office is inundated monthly with people crying, saying they have been dealt with unfairly. You name it, I get it. It just goes on and on.

Mr BROWN: Refer them on to us because we are delighted to deal with an issue that we are not aware of. That is all we can do. If you tell us what the problem is, we will respond and do our best to correct it.

The CHAIR: There is another one question Mr Buttigieg has given us: Do you believe the decision by the Government or management to have no industry experience has been detrimental to the effective operation of GWIC? I guess what he means there is bringing people on regardless of the function, they have no experience to start with. In other words, a clean cold start.

Mr BROWN: I am not too sure what staffing we are talking about. If we are talking about stewards, that is an area of expertise which I think we got pretty right. Our new chief steward will identify any weaknesses that we have there and deal with them. There is a cadet program that he is responsible for. An implementation of that will I think make a big difference to the career pathway that the stewards will have. So far as registration, I am not sure whether we need expertise in greyhound racing for registration staff. The vets we have dealt with. If you are talking about inspectors, they are people who were not allowed to have been employed by GRNSW under the Act. Mr O'Shannessy's team came from outside of greyhound racing because of that. The Act specifically prohibited us from doing it.

So far as the legal team is concerned, that is headed by Matt Tutt, who is a very experienced steward as well apart from being head of legal. So far as the commissioners are concerned, if you want to look at that, Dr John Keniry was one of the inaugural commissioners. I am still there. You want to know about my greyhound experience? I come from a thoroughbred background but I attended my first greyhound race meeting in 1956, I believe it was. I had a grandfather who bred and raced greyhounds and I spent a lot of time with him. I watched his dog, Take A Bow, win the 1962 Australian Cup. That dog came up to Sydney and raced against Black Top, the sire of Zoom Top. His first dog he ever had was a dog called Natsody that had 49 pups—47 of those won in the city.

The Hon. MARK PEARSON: Poor girl.

Ms ABIGAIL BOYD: Wow.

Mr BROWN: Yes, I know, but a pretty good bitch. One dog of those won 30 races in the city. One won a derby. I spent a lot of time with him going to trials, going to races. In the sixties and seventies I spent a lot of time at the greyhound races after a thoroughbred meeting on a Saturday. I have been around for a long time. I think I understand and I am in a position to give some pretty good guidance to those who might otherwise need some guidance.

The Hon. MARK LATHAM: Can I just come to the question of financial efficiency. You said in your submission that you think you have a fairly positive relationship with Greyhound Racing NSW. Do you acknowledge that in its submission it has been scarring in its criticism of the bloated inefficient nature of GWIC? For instance, on page 8 of its submission—this is the other half of the management of the industry in New South Wales—states:

... GRNSW's position is that GWIC in its current form is too big, too expensive and logistically inefficient.

...

GWIC's costs remain too high for the services delivered ...

You need Treasury oversight to bring your budget under control and realise an efficiency dividend. You have not got a very positive relationship with them at all, have you? They are very critical of your inefficiency.

Mr BROWN: I disagree with that. We work very closely with Greyhound Racing NSW. We have a daily interaction with them on an operational level. Our CEOs meet CEO to CEO on a very regular basis. We have meetings with their board from time to time. I meet with their chair. We work together on various projects. We just agreed on a joint initiative for welfare care for participants. It will be a pilot scheme. That will require the cooperation of ourselves, GRNSW and GOBOTA. It is just not right.

So far as the costs are concerned, we have been through the joint working group run by the Department of Industry, which looked at their costs and our costs, and I stand by that report. It is available if you want to get a copy of it; I am happy to provide it to you. It went into all costs incurred prior to the transfer over to us. There was the statement in the Iemma report and in the McHugh report that Greyhound Racing NSW—I am not being critical of the current people; I am talking about the time prior to us—that there was a major underspend in welfare and integrity. That was a problem and that probably led to the issues that caused the ban at the time. We have since had the Department of Industry look at our costs again. We have been scrutinised up hill and down dale, and I think that each of those reports confirm that our costs are reasonable for the services we are expected to provide.

The Hon. MARK LATHAM: You have had lots of meetings with Greyhound Racing NSW and they have obviously got to know you well because they say you are "too big, too expensive and logistically inefficient". They also say that you lack transparency. In your report you do not provide any financial accounting in the traditional way for your office accommodation expenses, travel expenses, board member fees, senior management salaries and consultancy. I have got these figures for 2018-19 and they are quite bloated, as Greyhound Racing NSW indicates. Then when you roll in staff expenses, they add up to 68 per cent of your budget. Yet in your submission on page 23, you are just providing broad functional shares of spending. Can you provide to the Committee the breakdown in each of those areas—

Mr BROWN: Certainly. I can do that now if you like.

The Hon. MARK LATHAM: —and update them for 2019-20 so we can have a good look at these areas that add up to 68 per cent of everything you do?

Mr BROWN: I may be able to find that now for you, Mr Latham.

The Hon. MARK LATHAM: Why was it not in the submission?

Mr BROWN: There is only so much you can put in there.

The Hon. MARK LATHAM: You had a go of about 50 pages and you have not put in the stuff that goes to financial transparency.

Mr BROWN: Our annual report is available. All those financials are in our annual report.

The Hon. MARK LATHAM: If you can take that on notice, that would be appreciated.

Mr BROWN: I might be able to help you now.

The Hon. MARK PEARSON: While you are looking for it, could I ask a question? It is a question about all-of-life tracking and inspections. I understand the policy of GWIC is to ensure that there is whole-of-life tracking for greyhounds. How is that done?

Mr GRIFFIN: At the moment it relies upon reporting by participants at various stages throughout the greyhound's—

The Hon. MARK PEARSON: What is the first stage after the pup is born?

Mr GRIFFIN: It is notification of the litter—that a litter has been whelped—and then the next stage after that—

The Hon. MARK PEARSON: Is that within a month or something, or a week?

Mr GRIFFIN: It is within—Dr Ledger you will probably know.

Dr LEDGER: It is 14 days.

Mr GRIFFIN: From that point onwards, within 14 weeks, we are microchip ear-branding the greyhounds so that we then have great identification of the greyhound. From that point onwards, the participants are required to notify us where they have changed a kennel location, change of ownership and so forth. That is notified to the commission and the register is updated.

The Hon. MARK PEARSON: Do they have to notify you if they give the dog or sell the dog to somebody who is not involved in the greyhound industry?

Mr GRIFFIN: Yes, they do. When they do that, we then place the notification of that on the Companion Animals Register and contact the person outside the industry to check that they are a bona fide person and make sure that they also have the information on the Pet Registry. We also do analysis of any individuals receiving more than a number of greyhounds, which requires a further investigation by us.

The Hon. MARK PEARSON: How would you know if a person was acquiring several greyhounds?

Mr GRIFFIN: Because it would continually come up on our—

The Hon. MARK PEARSON: The same name.

Mr GRIFFIN: Correct.

The Hon. MARK PEARSON: Can that person who has nothing to do with the greyhound industry then take that dog to a vet the next day and have it euthanised?

Mr GRIFFIN: That is possible. In terms of making sure that as that greyhound comes off our register and is on the Companion Animals Register, we have a memorandum of understanding and information sharing agreement with RSPCA, New South Wales police and the Office of Local Government. Our plan is to provide a quarterly list of greyhounds that have been rehomed privately to the RSPCA.

Mr BROWN: Mr Pearson, on that very point could I just add, there is a rule of racing, and one of our rules, which says that if you transfer a dog from a participant to a non-participant knowing or having reasonable grounds to believe that that dog will end up being euthanised, then that is an offence and we will take action accordingly.

The Hon. MARK PEARSON: That would be pretty difficult to prove, would it not?

Mr BROWN: Well, it may be difficult to prove; however, it would be unusual if a dog is transferred one day and euthanised the next when it was a healthy dog when it left at the time.

The Hon. MARK LATHAM: That is not proof of the former owner knowing. This is the sort of star-chamber thing you engage in all the time. It is not proof.

Mr BROWN: We were being asked how we track the issue.

Ms ABIGAIL BOYD: Order!

The Hon. MARK LATHAM: It is not evidence. It is sold one day and euthanised the next, and you are blaming the owner. That is not proof.

Ms ABIGAIL BOYD: Can we let the witnesses answer the question?

The Hon. MARK LATHAM: It is remarkable that someone could say that.

Mr BROWN: If you are asking me how we track it down, whether we detect those issues—

The Hon. MARK PEARSON: But we now cannot say all-of-life tracking anymore, can we, because we now have a ghost dog? Once that trainer sells that dog to a person who has nothing to do with the greyhound industry, and whether they have a motive or do not have a motive to have it gotten rid of, we do not know where that dog is, do we?

Mr BROWN: No.

The Hon. MARK PEARSON: Because under the Companion Animals Act you can kill your dog.

Mr BROWN: The only thing we are able to do—and we do this—is an audit of dogs that are transferred by participants to non-participants. We check with the person who has received the dog to see whether they are

(a) a real person and (b) where they live, and is the dog okay. We provide them with a pamphlet on how to look after the dog if they have not already got it, and we ensure that that dog has been transferred onto the pet register or onto the—

The Hon. MARK PEARSON: Did GWIC support that change or were you concerned about it?

Mr BROWN: No, it is in our Act. The Act says we are only responsible for dogs that are registered with participants or are with registered participants. That is the extent of our remit.

Ms ABIGAIL BOYD: It is a hole in the legislation.

The Hon. MARK PEARSON: Yes.

Ms ABIGAIL BOYD: Could I take you back to staffing and steward numbers? We heard some evidence that people feel that the stewards are overworked, that they are working more than their 35-hour-a-week position, and that we need more stewards or that you are low on the number because they just have not been recruited. Can you comment on the staffing numbers?

Mr BROWN: Perhaps I will just go back a little bit to the time when Greyhound Racing NSW was in charge of the stewards. They engaged a consultant to look at the stewarding issues that they had at the time. I forget the name of the report.

Mr GRIFFIN: Sector Seven.

Mr BROWN: The Sector Seven report was the report that was then produced. It was an extensive one and it highlighted all the problems that they had with their stewarding and made quite a lot of recommendations. That report recommended the three stewards at a TAB meeting and one steward at a non-TAB. Following that, the commission took over, and we were provided with a report called a Nous Group report, and that was commissioned by the Office of Racing, provided to us as a guide to the employment of the necessary workforce that we would require. The Nous Group report recommended 17 full-time stewards and a number of part-time stewards per section. We were saying three stewards on TAB meetings and one on non. We kept hearing this issue about whether we were overservicing. Ray Murray was asked to give us a report. He backed up the three stewards, but in cases where we could, use a bunker system to reduce the three down to two. We did that during COVID because of, obviously, issues with travel, and we have continued to use the two plus the bunker on occasions when we have got transport issues or distance issues. Some of the race meetings are with two stewards and a bunker. Dubbo, I think, might be one, at least.

There is no doubt that we can probably improve the efficiency of the stewarding. With the new IT system, hopefully we can develop a more streamlined process where the stewards do not have to input all of their reports by hand. So there will be some areas where we could improve. We may be able to reduce it back down to two in time, as long as we have got the IT support to make it more seamless for them to take that workload off. But certainly they do much more work, I think, at our race meetings than the stewards do in other States. In addition to that, if we did not have three at TAB meetings, New South Wales would be the only State that did not have a minimum of three. Victoria has four.

Ms ABIGAIL BOYD: We had two perspectives on this yesterday. One was that the New South Wales stewards do a lot more because they do not have stenographers and they have to do all of their own paperwork.

Mr BROWN: Correct, yes. They are gradually taking over. Wherever possible, we are trying to get the stewards to take over responsibilities that were formerly done by club staff. Where we identified that there could be an integrity problem or integrity risk, we would prefer the stewards to do those roles rather than someone who is not licensed with us.

Ms ABIGAIL BOYD: The other thing we heard was the idea that the bunker meant that you had a steward who was not then part of the race or was not being able to read the races well and to see what is happening on track.

Mr BROWN: Yes.

Ms ABIGAIL BOYD: Is the plan to continue to use the bunker system or is that temporary?

Mr BROWN: Only where I think it works in remote locations, where we have difficulty getting stewards to those—limited, I think. But what we would like to do, with the new chief steward now engaged, is to allow him time to assess how it is working, how it can be improved, and we would expect him, perhaps in the next six months, to be able to provide us with some recommendations that might be able to streamline the process. But also with the introduction of the new IT system, hopefully that will make it easier for us to manage with fewer numbers. It is possible. I know the current stewards believe they cannot manage with less than three.

The CHAIR: We have had evidence that in the initial period of set-up of the GWIC that staff were brought on basically on 35-hour weeks. When asked, "What happens when I've done my 35 hours?", they just say, "It's time to go home." Surely people coming on on that basis, given the nature of the type of work that it is—certainly vets and stewards starting and finishing late, race meetings on mid-week, on weekends, working late at night et cetera—is contributing to an overblown or overly large level of overtime and other staff-related costs? What have you done to try to mitigate that? You probably inherited that; I do not know.

Mr BROWN: We were not given a choice about how they were employed. That was in the recommendations of the reform panel, that they be employed under the public sector award system.

The CHAIR: Why would you not then negotiate an enterprise agreement?

Mr BROWN: We looked at that, I must say, at one stage, and we have not progressed that. But it is probably potentially something we could do, but I am not sure of the detail around that. I am not an expert in that area. All I know is that they provide 35 hours a week, certainly, and the rosters that they carry out are around the 35 hours.

The CHAIR: It is just a very inefficient way to run a business that really does not operate on a normal 35-hour, nine-to-five type week.

Mr BROWN: They do the 35 hours when they are required, so everyone has a roster.

The CHAIR: That is right. They do it, but then they have travel time. It could be anything up to a couple of hours. Who knows where their home base is? They are obviously not working in and out of Bathurst mostly. Obviously the people here do, but when you have over 30 tracks to service around the State, I would have thought a much better situation that would minimise your staff costs would be if you had an enterprise agreement that rolled over every four or five years.

Mr BROWN: Well it is a government agency.

The CHAIR: Government agencies have enterprise agreements too.

Mr BROWN: I will take that on notice, Mr Borsak.

The Hon. MARK LATHAM: Can I direct some questions to Mr Griffin because some very serious sworn evidence has been directed against you in the course of this inquiry. The Legislative Council has procedural fairness rules that give you a chance to respond. There is a belief inside your organisation that you were involved in a drinking session with a participant, and there is a cloud over that person in terms of integrity, until 2.00 a.m. on 25 February, in Orange. How do you respond?

Mr GRIFFIN: That drinking was part of a session where I brought together industry peak stakeholder bodies to discuss significant issues and that meeting was in Orange. Following that meeting there was a dinner and then followed by drinks. They was a range of people. They were all in a group together, including the executive from GRNSW, the executive from Greyhounds Clubs NSW and the executive from GBOTA. That was held. There were no private online discussions; it was all done together. Then I left on my own and went back to my room.

The Hon. MARK LATHAM: Do you dispute the 2.00 a.m. evidence that has been provided?

Mr GRIFFIN: I am not quite sure of the time. I am not disputing the time but certainly at no stage did I engage in any private conversations with—

The Hon. MARK LATHAM: Is that the sort of standard that a professional person in charge of an integrity commission should engage in? It has been said 2.00 a.m. and you cannot say what time you finished the drinking session with participants.

Mr GRIFFIN: I am not quite sure it was as late as 2.00 a.m., but I did not keep a diary note. At the end of day, I left on my own and went back to my room.

Ms ABIGAIL BOYD: Just because you are not out having fun, Mark.

The Hon. MARK LATHAM: Are you aware there is a belief inside your organisation that the participant you were drinking with has a partner who is under active investigation by GWIC and that sensitive information has been passed on?

Mr GRIFFIN: I deny that allegation—emphatically deny that allegation.

The Hon. MARK LATHAM: Is there a New South Wales police inquiry into this particular incident?

Mr GRIFFIN: Not that I am aware of.

The Hon. MARK LATHAM: There is a belief inside your organisation that your son [OMITTED BY RESOLUTION OF THE COMMITTEE 3 JUNE 2021] has been short-listed for a casual steward's position, having previously missed out for not having greyhound experience and this is regarded as nepotism inside the organisation.

Mr GRIFFIN: I have no knowledge of that recruitment action at all.

The Hon. MARK LATHAM: You have no knowledge at all? That is your evidence.

Mr GRIFFIN: I have not been involved in that recruitment action. I know that my son has applied.

The Hon. MARK LATHAM: So you do have knowledge?

Mr GRIFFIN: I have knowledge that he has applied but I have no knowledge of the recruitment action at that stage.

The Hon. MARK LATHAM: There is a belief inside your organisation that this has put the chief steward in a dreadful situation. Do they upset you or do they give the job to someone who has been previously rejected without greyhound experience?

Mr GRIFFIN: At the end of the day, that is a decision for the chief steward to make. He can have discussions with the chief commissioner if there is a perceived conflict. I certainly do not have any involvement in that process. I do not see any reason why my son, who would want to be involved in industry, should be prevented from doing so just because I happen to be the CEO of an organisation.

The Hon. MARK LATHAM: There is a belief inside your organisation that you acted inappropriately with lewd, unprofessional behaviour with Ms Ledger at the Christmas party in 2019. That has caused allegations of unprofessional conduct, conflicts of interest and suggestions of favouritism in the organisation.

Mr GRIFFIN: I reject that.

Dr LEDGER: I reject that too. It is news to me.

Mr GRIFFIN: At the end of the day, Chair, I think everyone knows Mr Latham's antipathy towards the commission and his desire to see the commission closed. I respect his views but, at the end of the day, his attempt to besmirch the reputations of witnesses to achieve that objective is absolutely—

The Hon. MARK LATHAM: No, let me make this clear: This is sworn evidence put by members of your organisation. I did not invent this. These are people in your organisation who have given sworn evidence to this Committee. Under the procedural fairness arrangements of the Legislative Council, I am giving you a chance to respond.

Mr GRIFFIN: I am unaware of that evidence that has been given.

The Hon. MARK LATHAM: No, that is not the question. I am asking, did it happen at the Christmas party in 2019? There are several people in the organisation saying they witnessed such behaviour.

Ms ABIGAIL BOYD: Point of order: I suggest that the questions being put by Mr Latham do not connect to the terms of reference of this inquiry. If there is a procedural fairness concern then, in accordance with Legislative Council procedures, the witnesses can make a statement either now or in writing subsequently. It would be good if we got on with the actual terms of reference of the inquiry.

The CHAIR: I will rule on that. This is within the terms of reference—

Ms ABIGAIL BOYD: I thought you would.

The CHAIR: —because we have had evidence. But you are quite right, if Mr Griffin wants to make a statement, which he is making, he is entitled to, and the same for Ms Ledger. You are under oath; I remind you of that, but you also have parliamentary privilege. So just as you might not like what he is saying to you, it can work the other way as well. The reality is, we have a lot of stuff to go through and we are going to get through it. We have had a lot of very damning evidence in the past couple of days relating to what I can only describe from the evidence that I have received that GWIC is a dysfunctional organisation.

Ms ABIGAIL BOYD: Was there a question?

The Hon. MARK LATHAM: Furthermore, Gail Thorsby gave sworn evidence that no-one survives in GWIC if they cross the Griffin-Ledger partnership. How do you respond to that?

Mr GRIFFIN: I reject that. There is no partnership between Dr Ledger and I. We have not taken any action against anyone in the organisation in retribution of any—

The CHAIR: Your organisation does not bully people?

Mr GRIFFIN: Again, that is a view that was put forward by Ms Thorsby. That was investigated by—

The CHAIR: You can answer the question yes or no.

The Hon. SAM FARRAWAY: In fairness, Chair—

The CHAIR: Is there a procedural fairness process that people can go through?

The Hon. SAM FARRAWAY: Point of order: Let the witness answer the question and stop verballing him.

The CHAIR: I am not verballing him. I am just asking him another one.

The Hon. SAM FARRAWAY: I want to hear what Mr Griffin has to say in its entirety. We should let him answer the question.

Mr GRIFFIN: Those allegations of bullying and harassment were investigated by Commissioner Wheeler, a former deputy Ombudsman, and I rely upon the findings in his report.

The Hon. MARK PEARSON: Do you think an inspector having the power to enter somebody's home without a warrant is reasonable? Because this has been a concern that has been pointed out to us. Even the police, unless they think a crime is about to be committed, need a warrant to enter a person's property. Even RSPCA inspectors—

Mr BROWN: It is the same thing.

The Hon. MARK PEARSON: —cannot actually inspect a person's home. They can go onto their property and dwellings. Do you think it is a bit of overreach for an inspector to have the powers to—

Mr BROWN: He does not have the power unless he has a warrant.

The Hon. MARK PEARSON: If you could help clarify that, because that is not what we have been hearing.

The Hon. LOU AMATO: Mr Pearson, what we heard was that if they had invited the inspector in for a cup of coffee, that gave the onus for the inspector to inspect that house. That is what we heard in evidence.

The Hon. MARK PEARSON: Is that true, Mr O'Shannessy?

Mr O'SHANNESY: The powers of entry to a residence, a dwelling, are the same under the Greyhound Racing Act as they are under the Prevention of Cruelty to Animals Act. If by consent the participant allows the inspector to come in, it can occur. If there is not consent, as in the Prevention of Cruelty to Animals Act, a search warrant would have to be obtained to inspect the inside of the residential dwelling.

The Hon. MARK PEARSON: But they can inspect other buildings and other parts of the property without a warrant?

Mr O'SHANNESY: Other parts of the property being the kennel facilities.

The Hon. MARK PEARSON: If the inspector is invited in and sees things that are of interest, they will still not have the power to go to that room or cupboard and open it without the permission of the owner?

Mr O'SHANNESY: That would require the permission of the owner. As I understand it, that permission could be withdrawn. If we were there under the circumstances described, it could be withdrawn. The inspector would not have that authority and they would be required then to apply for a search warrant.

The Hon. MARK PEARSON: You gave evidence that the number of catastrophic injuries has decreased since GWIC has been in place. How is that measured and how has that happened?

Dr LEDGER: We have seen a decrease in the catastrophic injury rate since 2018—a marked decrease in the catastrophic injury rate—starting when we first started measuring these statistics in 2018 from about 7 per cent of all injuries down now to about 2 per cent of all injuries. Actually, on the absolute numbers, we have seen them halving year on year. I think the primary driver for that has been really around managing the treatment of those injuries on race day. Secondary to that, and certainly assisting tremendously with our efforts in that regard, has been the race injury treatment scheme, which is administered by GRNSW, which covers the cost of those treatments for participants.

The Hon. MARK PEARSON: Sorry. Are you saying that the treatments are now more refined so therefore the catastrophic nature is no longer catastrophic and it may not have to be euthanised?

Dr LEDGER: Yes. What we do on a race day is, unless the greyhound is so severely injured that it requires euthanasia at the time for its own welfare, we will not euthanise them at the track. We require further diagnostics and we require a private veterinarian to make an assessment or prognosis on the greyhound and then follow through with treatment with the owner. Now there are funds available to assist participants with that, and that has really assisted. While we are telling them on a race day, "You please need to get this greyhound treated and assessed", it is now facilitated by the fund that assists them to do that. That has probably had the marked effect that we are seeing.

The CHAIR: Can we just turn to penalties for a few minutes? We have had evidence that the imposition of penalties from whether it is a minor issue or a major issue seems to be somewhat arbitrary and inconsistent. Is that true?

Mr BROWN: I think we take guidance on penalties from previous decisions by Greyhound Racing NSW. There has been a lot of those.

The CHAIR: Do you have a document that supports? Do you have a precedent document that you use to reference these penalties that are being handed out to people? Who decides what penalty they are going to cop?

Mr BROWN: It depends on who is hearing the matter. If it is a minor matter, it is dealt with on racetracks. There are fines issued. Most participants know what to expect with the infractions that we are talking about. We are talking about marring and failing to chase—those sort of things. If you get into Mr O'Shannessy's area, there are different penalties for the type, but mainly we are dealing with their work orders, directions from kennel inspections.

The CHAIR: But is there a scale? I mean, is there a "Failed to chase, cop \$100", "Failed to turn up/turn up late, dog too heavy, cop \$150"? Or is it just whatever the steward decides or whatever the vet would like to advise it should be?

Mr BROWN: Last time I looked at this we were developing the guide and we were going to publish it. I do not think it has. Has it been published yet?

Mr GRIFFIN: No.

Mr BROWN: No. Mr Borsak, we are developing that guide to assist participants as to what they are likely to expect.

The CHAIR: Is it true that people who are copping these penalties—and certainly some of the bad stuff—are being encouraged to plea bargain to avoid heavier penalties? We have certainly had evidence to that effect off everybody who has had a penalty—"Better cop this one now because, I tell you what, it is going to be worse if you push this on"?

Mr BROWN: It is not unique in greyhound racing. It is a common option that is provided to a participant who has been issued with a fine or a penalty.

The CHAIR: But I am specifically talking about plea bargaining—people being forced to cop a plea and that then feeding into your statistics saying that you have settled these matters—

Mr BROWN: No. Look, they have still got the option of going through.

The CHAIR: —and artificially showing that they have been settled in your favour.

Mr BROWN: It does not take away their right to be heard, to appeal, to have a review, to go to the Racing Appeals Tribunal [RAT] if they are unhappy with the charge.

The CHAIR: Are you aware that these options are being put to them?

Mr BROWN: Absolutely, yes it is.

The CHAIR: You think it is a good thing that someone should say to someone who is going to cop a fine for whatever you want to choose—it is usually the big things, swabbing issues, for example; we could get onto the issue of swabbing too—to avoid heavier penalties they should just cop a plea and walk away?

Mr BROWN: No.

The CHAIR: "Cop six months. Walk away."

Mr BROWN: No. They are given a penalty, advised what the penalty might be if it is successfully prosecuted, but if they enter an early plea of guilty, if that is what they wish to do, I think there is a 25 per cent discount given or offered to them for that. It is not unlike, you know, infractions on the rugby league field or in any other code. I think these things are often or always, as I understand it, available in those sort of areas.

The CHAIR: Do you think they should have their licences immediately suspended, stopped?

Mr BROWN: Well, they do not. Are you talking about suspensions before the prosecution? No, the only times we would do that, which are interim suspensions, is for very serious welfare or behavioural issues. They are only done very rarely.

The Hon. MARK PEARSON: Sorry, what is a behavioural issue?

Mr BROWN: Well, we might have, for example, assault on a racetrack where a person might be accused of, let us say, assaulting a steward, for example—that is giving one example—and where the concern would be that that person remained involved in the industry at that time until the matter is determined. Then they are better off that they are suspended.

The Hon. LOU AMATO: An assault—would that not be a police matter—an assault on an individual?

Mr BROWN: Yes.

The Hon. MARK LATHAM: But you do suspend people before they have entered any plea or been found guilty.

Mr BROWN: I am sorry, Mr Latham. What was that?

The Hon. MARK LATHAM: You do suspend people before they have entered a plea or have been found guilty.

Mr BROWN: No. As I understand it, they are given the option. If we are talking about a suspension, a potential suspension for the non-serious matters which we are talking about, they are given the option, the opportunity, of being heard. We then, after we have heard them, we provide them with an indication of what the penalty is likely to be and they are given the opportunity of making further submissions.

The Hon. MARK LATHAM: You are not answering my question. On the serious matters you are saying you will suspend people before they enter a plea or found guilty.

Mr GRIFFIN: Chair, if I could assist?

The Hon. MARK LATHAM: On what basis can you do that?

Mr BROWN: Well, as I said, the only times we have done the interim suspensions, as I understand it, are on very serious matters.

The Hon. MARK LATHAM: No, that is what I am talking about. But on what basis do you do that to someone who has not pleaded guilty and has not been found guilty? You suspend them. On what basis?

Mr BROWN: They are suspended on the evidence that is provided to us.

The CHAIR: What we are saying here is that there is no procedural fairness.

Mr BROWN: Yes, there is.

The CHAIR: But how is there procedural fairness on a major matter for people who are trying to earn their income being immediately suspended and then being pressured to cop a plea? How is there procedural fairness in that?

Mr BROWN: So the interim suspensions imposed are only for alleged breaches that present serious or imminent risks to animal welfare, racing integrity or the reputation of greyhound racing. I am just quoting something here.

The Hon. LOU AMATO: What is the appeal process as well?

Ms ABIGAIL BOYD: It is in the submission.

The Hon. MARK LATHAM: Can we get the answer? On what basis do you suspend?

Mr BROWN: We always given them a written notice to the participant inviting them to make some submissions as to why the disciplinary action should not be imposed. Then—

The CHAIR: We have also had evidence that a lot of the notices that are given are verbal and when they seek written notices, they cannot get them.

Mr BROWN: Well, my advice is that we give written notices to a participant inviting them to make submissions. They are always provided with a reasonable opportunity for them to provide their response. In serious cases, there is generally no less than three days for interim disciplinary action. After the action is imposed

the commission then investigates the substantive matter or concludes the disciplinary action as promptly as possible. So that, I think, is only in respect to the serious matters.

The Hon. MARK LATHAM: I know you keep saying that.

Mr BROWN: Yes.

The Hon. MARK LATHAM: But it is on the basis that you think they should be suspended, and nothing more than that.

Mr BROWN: Well, it is a judgement call as to whether in fact it is a welfare issue, a behavioural issue which needs to be resolved, and temporarily taken out of the industry to ensure the industry is protected from that particular person or that particular incident.

The CHAIR: What about in the case of a swab?

Mr BROWN: Yes.

The CHAIR: Why should the industry be protected from a bodgie swab? Immediate suspension, that does not fall within those categories that you are mentioning.

Mr BROWN: Are you talking about a permanently banned substance?

The CHAIR: I am talking about permanently banned, performance enhancing—and we are not even getting down to the level of what actually is a performance-enhancing level that you are detecting. I mean, if you want to talk about the dog, wow, one-200th millionth of a nanogram of cocaine and you have destroyed that lady's life—completely destroyed it—and forced all her dogs out. She is a complete wreck.

Ms ABIGAIL BOYD: Could we just get to the question?

The Hon. MARK PEARSON: Can we have a question?

The CHAIR: The question is: What human welfare support are you going to provide for that trainer? That is the question.

Mr BROWN: Well, we are—

Mr GRIFFIN: Can I answer that?

The CHAIR: With respect, that level of cocaine being discovered in a dog is not performance enhancing at all, and you know it. So why do you treat people in that fashion?

Mr BROWN: Mr Borsak, we do not write the national rules. It is written by—

The CHAIR: You could actually write rules that New South Wales could implement for itself under the New South Wales law.

Mr BROWN: Well, it would be—

Ms ABIGAIL BOYD: Order!

The CHAIR: I am the Chairman, not you. You can't call me to order. If you want to take a point of order with me, you take a point of order. I'm the Chair. You can't call it, alright?

The Hon. SAM FARRAWAY: Point of order—

Ms ABIGAIL BOYD: Thank you.

The CHAIR: What is the point of order?

The Hon. SAM FARRAWAY: The point of order is that you have asked a lot of questions and you are not giving the witnesses the opportunity to answer them.

Mr BROWN: It would be unique in—

The Hon. SAM FARRAWAY: Just hang on. There is a little bit of respect here. You have asked them questions and I want to hear the answers.

The CHAIR: I will uphold the point of order.

The Hon. SAM FARRAWAY: Excellent. Let's go.

Mr BROWN: If we introduced a rule which says you can have cocaine in your system and the dog races, it would be unique in the codes. There is a national rule which says that if there is a certain level of a

prohibited substance, it is a mandatory penalty. Those levels are not set by us; they are set by national rules. Whilst we can introduce a local rule—these national rules are currently being reviewed at the moment. There may very well be some variations or changes to the rules, Mr Borsak, which reflects the concerns you have. I know there have been a number of cases where recreational drugs, if you like, have gotten into the dogs' systems.

Those issues are taken into account when the penalty is imposed. Once it is in the dog's system and it is presented for racing with a prohibited substance, we do not have a discretion. It is just unfortunate. People have got to be very careful. We issue alerts. We try to encourage people to learn to practice hygiene which prevents or reduces the risk of unintended substances getting into the dogs, but we cannot always control that. You have got to have a clean industry. You have got to have an industry where the dog is presented and it is on a level playing field and it does not have substances in its system that affect its welfare or its performance.

The Hon. MARK PEARSON: Would you agree, though, that the amount that can be detected is probably not fair? A person could have had some drug three weeks ago—we have had this debate in Parliament. Even if it is detected three weeks later and is clearly not having any—irrespective of whether the drug is unlawful to have been taken or not, that is another question. Whether it is actually having any effect at all on the person's performance driving—so, things like cobalt and other substances, if they are found in the dog, would you advise this review of the drug-testing standard as national to take into consideration that traces can be there non-intentionally?

The Hon. LOU AMATO: Yes, cross-contamination.

Dr LEDGER: I think it is important to understand the difference between threshold substances, which have a threshold set for a reason. The threshold substances are all substances that are acknowledged to be endogenous. That means that they occur naturally in the body. So those thresholds are set with that in mind, to account for a normal population of greyhounds that are normally supplemented and what those levels look like. If we take cobalt as a prime example and we look at all of the results of all of the urine tests that we have performed over the last three years, you will see that more than 80 per cent of greyhounds actually have a cobalt level of less than 10, yet the threshold is set at 100. The threshold more than takes into account normal greyhounds and normal greyhound supplementation. In fact, to breach the threshold requires the administration of some kind of substance, whether that is a vitamin, an injection or a supplement, but something close enough to racing that it actually has pushed that level over the threshold. We provide that advice to trainers and we assist them—

The Hon. MARK PEARSON: Sorry, there is a threshold for cobalt?

Dr LEDGER: There absolutely is.

The Hon. MARK PEARSON: It is not just a trace of 0.001 per cent?

Dr LEDGER: No, it is a very generous threshold. If you were to pool all of the samples from Australia-wide and really look at the threshold, there is possibly an argument actually to lower that threshold, so in fact recommending that we look into that science. Investigating the threshold could potentially lead to a lowering of that threshold. That would be my take on that data.

The Hon. MARK PEARSON: At the moment you are saying the threshold is that if a dog has cobalt at that threshold or higher, it must have been given to them orally or otherwise?

Dr LEDGER: Yes. They have ingested cobalt.

The CHAIR: Do you have a scientific paper that supports that? I know this is loosely based on what they did with thoroughbreds, but what about dogs?

Dr LEDGER: I certainly have all of the data that we have collected of all of our samples and where those levels sit in the last three years.

The CHAIR: No, I am talking about scientific proof that those levels support enhancement of a dog's performance.

Dr LEDGER: I do not believe that our rules actually require us to prove an enhancement of performance.

The CHAIR: No, I am not asking you to prove it. I am asking, have you got any scientific papers to back up what you are talking about? You are saying you are using Greyhounds Australasia's levels. Do they have, or do you have, anything from a scientific point of view that supports those levels being used actually proves, or at least argues a proper case, that they are performance enhancing at the levels that you are currently using? Is there such a thing from Greyhounds Australasia?

Dr LEDGER: You are asking about whether Greyhounds Australasia has papers that support the introduction of a threshold?

The Hon. MARK PEARSON: No, what is the science that you are basing this on?

The CHAIR: What is the science?

The Hon. MARK PEARSON: Can you provide that science?

The CHAIR: If there is science hopefully behind all of this, can you access it for us and give it to us, please?

Dr LEDGER: Absolutely, yes.

Ms ABIGAIL BOYD: Can I also ask you to clarify: When we are talking about interim suspensions, what I gather from page 14 of your submission is that there needs to be two samples returned positive before you are permitted to do an interim suspension?

Mr GRIFFIN: That is right. The B sample has to be—

Dr LEDGER: That is actually not strictly true. I think the rules do allow us to take action on an A sample but we do not, out of procedural fairness. We absolutely always have the referee sample tested if there is an A sample positive, and we rely on those results.

Ms ABIGAIL BOYD: Could I ask you to provide on notice a list of some data—we do not need names—on how many interim suspensions have been issued and what the issue was? You say that it is in serious cases only. It is just so that we can see whether the data supports that. That would be very useful.

Dr LEDGER: Yes, we can do that.

Mr GRIFFIN: Chair, could I just go to your point in relation to the welfare support of participants who are undergoing disciplinary action with the commission? There are a few points I want to make. The commission needs to do better in terms of making sure these things get dealt with quickly. So we are doing a lot of things to make sure disciplinary action—we know how that impacts the person's livelihood and their emotions and all those other issues. We have put all of the compliance throughput under one executive in the organisation. We are trying to streamline our processes. We are going to get an external review of the actual legal processes that we engage in. Most importantly, Chair, something I want to raise with you is that in relation to the trainer you were talking about, we were cognisant of those issues too. We were constantly liaising with GBOTA to provide that support that you were talking about. As the chief commissioner was alluding to earlier, we are doing a joint initiative with GRNSW and GBOTA to have a 12-month trial of a participant support program, which is very much focused on supporting participants who are going through these processes.

The Hon. MARK LATHAM: Just on that topic, can I take you to page 35 of your submission, where it lists in 2019-20 greyhound deaths reported not at racetracks? Under the category, "After a private veterinarian certified that the greyhound was behaviourally unsuitable for rehoming (typically aggressive)", it states 59 dogs were put down in that circumstance. How many of those 59 dog owners were charged with breaking a GWIC policy in that action of putting the dog down because it was aggressive and might have bitten a kid, for example?

Mr BROWN: I am a little bit confused about that. When the greyhound rehoming policy was introduced—mind you, it was something that was in place already. We inherited it from Greyhound Racing NSW and we adopted it ourselves. We amended it about a year or so ago to prevent owners of dogs taking their dog to a vet, who would normally be their family vet, and saying, "Look, this is an aggressive dog. Will you have it put down?" We were finding that there were too many of those occurring and it was concerning us that that was an area of—the industry has been accused of having unnecessary euthanasia. So we removed that ability for people to do that and now if your dog is rejected from the two attempts that you must make to rehome your dog—and usually it is on behavioural grounds—you then can take it to a council who can assess the dog as being aggressive or whatever it may be.

The Hon. MARK LATHAM: The local council?

Mr BROWN: Yes. They have experts there who—just as you have any other dog who might be aggressive and might have attacked someone, the council have officers there who are trained to assess whether a dog is aggressive enough to be put down.

The Hon. MARK LATHAM: So the total of the 59 was 13 per cent of the dogs that died away from race tracks in 2019-20 and you thought that was excessive—13 per cent? It is on page 35 of your submission.

Mr BROWN: Page 35? Let me have a look.

The Hon. MARK LATHAM: You are saying 13 per cent was excessive and now, instead of relying on professional vets to say that the dog is vicious and has attacked a human and needs to be put down, you take them to the council pound. You want them taken to the council pound. Is that not an unacceptable slur on vets around New South Wales?

Mr BROWN: It is not a council pound. As I understand, it is a council officer who is trained to make that assessment.

The Hon. MARK LATHAM: What if the council has not got such an officer?

The Hon. MARK PEARSON: How long does that assessment usually take to assess whether a dog is aggressive? Is it longer than a veterinary surgery practice's appointment?

Mr BROWN: I am not sure, but I think what it has resulted in is a reduction in a number of unnecessary euthanasia in dogs. There is no doubt about that.

The Hon. MARK LATHAM: This is a 2019-20 figure. So what is the figure for this financial year if it is not 59?

Mr BROWN: I will turn those up for you, if you like.

The Hon. MARK LATHAM: How many of the 59 were charged?

The Hon. MARK PEARSON: You can take that on notice.

Mr BROWN: I will take that on notice.

The Hon. MARK LATHAM: Why, then, has Ken Burnett been charged? He had a vet certificate from a very well regarded vet in the Bringelly district, Ted Humphries, to say that the dog bit his child and needed to be put down because it was certified as savage. It bit the grandson and was likely to be of further danger and medical euthanasia illness was certified. Aren't you just picking on Ken Burnett as he stands up for his rights and is a critic of GWIC?

Mr BROWN: Mr Latham, that matter—

The Hon. MARK LATHAM: In a community standard, where everyone would think if it had bitten the grandson and the vet certifies the dog needs to be put down—it is number 60 to add to the 59.

Mr BROWN: Mr Latham, that matter is being dealt with in several areas and it is part of a disciplinary process at the moment that is going through the commission. I cannot comment any further on it.

The Hon. MARK LATHAM: You have charged him because of other unrelated matters now with the stewards, haven't you? You are victimising this guy because he is a critic of GWIC.

Mr BROWN: The matters are being currently investigated and I cannot comment any further.

The Hon. MARK LATHAM: Why not? You have commented on everything else.

Mr BROWN: It is not appropriate, I do not think, to comment on a matter that is before us for consideration.

The Hon. MARK LATHAM: I think the evidence is clear enough to me. Can I ask if [OMITTED BY RESOLUTION OF THE COMMITTEE 3 JUNE 2021] is still a vet at GWIC?

Mr O'SHANNESSY: [OMITTED BY RESOLUTION OF THE COMMITTEE 3 JUNE 2021] was an inspector. She recently resigned from the commission.

The Hon. MARK LATHAM: Why was she employed given that her very clear political views were to close down the greyhound industry? What sort of inspector is that?

Mr O'SHANNESSY: I cannot answer questions regarding [OMITTED BY RESOLUTION OF THE COMMITTEE 3 JUNE 2021] 's employment. I was not involved in her employment. That just occurred at the same time that I joined the commission so they are not questions I can answer, unfortunately.

The Hon. MARK LATHAM: Why has she left the organisation? Was she sacked or has she just moved on?

Mr O'SHANNESSY: No, she has relocated away from the Bathurst area with her family and sought other employment.

The Hon. MARK LATHAM: We heard evidence yesterday that Commissioner Wheeler's conflict of interest with Centium has lowered morale and demoralised staff because they just cannot understand why

someone, according to your own admission in your submission to receiving a fee for service from an organisation, can either remain as the commissioner or GWIC continues to use Centium when there are many other comparable organisations that can be used. Why has GWIC got such a tolerance of conflicts of interest?

Mr BROWN: I am not sure I understand the question, quite frankly.

The Hon. MARK LATHAM: Let me just say that in your organisation there is a belief that Commissioner Wheeler clearly has a conflict of interest in that he receives money—and you admitted it is fee for service from Centium—which is used by GWIC when there are other alternative organisations providing the same service that could be used. That is a clear conflict of interest that has lowered staff morale. They look at it thinking it is part of the favouritism, the insider deals and arrangements in this organisation and they are wondering why GWIC has such a tolerance of very clear conflicts of interest.

Mr BROWN: That matter was raised to Mr Wheeler and, as I recall, he gave a very satisfactory answer to it. There was no conflict in our view. But I am more than happy to take that on notice and provide a detailed answer to you.

The CHAIR: Why would Dr John Newell be overlooked for a full-time contract with GWIC?

Dr LEDGER: I am not aware that Dr John Newell has ever applied for a full-time contract with GWIC, but he certainly would not be overlooked. If he had applied, he would certainly be considered along with any other applicant.

The CHAIR: Thank you.

The Hon. MARK LATHAM: Can I ask, finally, when Simon Quinter furnished corruption allegations—most likely false corruption allegations—against stewards to someone in the Sydney media, did he also make those allegations internally?

Mr BROWN: I am sorry, what was the question again?

The Hon. MARK LATHAM: When Simon Quinter furnished corruption allegations against GWIC stewards to someone in the Sydney media, did he also make those allegations internally to officials of GWIC?

Mr BROWN: Are you referring to an email that he sent to stewards? What is the basis upon which you are making the suggestion?

The Hon. MARK LATHAM: I will say it for the third time. It is fairly apparent what sort of question—

Mr BROWN: Explain your source so I can understand—

The Hon. MARK LATHAM: Simon Quinter made corruption allegations against stewards to someone in the Sydney media. I am asking if he made the same allegations internally.

Mr BROWN: I do not recall him making corruption allegations. I saw an email in which he pointed out certain deficiencies he found in the way in which stewards were conducting themselves. Those matters were looked at. He was counselled about the appropriateness or otherwise of his email. There are other ways of dealing with that. But there was no basis that we found of any corruption, if you like, as you might want to call it, within the organisation.

The Hon. MARK LATHAM: Why, then, did he contact my office wanting to make the same allegations?

Mr BROWN: I am sorry?

The Hon. MARK LATHAM: Why, then, did he make contact with my office wanting to make the same allegations of corruption—very serious corruption—against GWIC stewards, if you are saying that internally he did not raise much of a concern?

Mr BROWN: I have no idea why he contacted your office.

The Hon. MARK LATHAM: What happened to him? Why has he now left the organisation?

Mr BROWN: His contract expired.

The Hon. MARK LATHAM: Was there an attempt to renew it?

Mr BROWN: No. We did not need his services any further for that role that he was engaged in.

The Hon. MARK LATHAM: When did that happen?

Mr BROWN: Six months ago or 12 months ago.

The Hon. MARK LATHAM: Thank you.

The CHAIR: Thank you very much. At this stage we will close the proceedings. I note you have taken a number of questions on notice. You will have 21 days to respond, please, and the secretariat will be in contact with you. Thank you very much for coming.

(The witnesses withdrew.)

(Luncheon adjournment)

DAVID GRANT, Greyhound Breeder, Owner and Trainer, sworn and examined

The CHAIR: Before we begin, I remind witnesses that Committee hearings are not intended to provide a forum for people to make adverse reflections about others under the protection of parliamentary privilege. It is important that witnesses focus on the issues raised by the inquiry terms of reference and avoid naming individuals unnecessarily. I also remind members of the media here today that while the comments made during the hearing are protected by privilege, this may not extend to reporting potential defamatory comments. I welcome our next witness. Would you like to make a short opening statement?

Mr GRANT: Good afternoon, everyone. Thank you for coming. The reason for me being here today is I was informed about a kennel inspection by a pair of participants down south and the way it went about. I just need to tell you what actually happened through the whole inspection and it really, really upset the two people. I also want to mention that this is in no way anything to do with the Australian Workers' Union [AWU]. This is all on my behalf. Back in 2016 a gentleman by the name of Gary was on his way down to look after his dogs and he was hit by a sleeping driver. That put him in hospital for approximately 12 months. Then he had six months rehabilitation and now he is basically on a pension because he has limited brain damage and trouble walking. He had a visit from GWIC for what we call a kennel inspection because his partner needed to get a trainer's licence to take over training the dogs. During that kennel inspection—do you want me to be very elaborate now or later?

The CHAIR: It is up to you.

Mr GRANT: I can be very elaborate now. I actually recorded the meeting with the couple and I have as evidence here a transcript of that recording.

The CHAIR: Do you want to hand that up?

Mr GRANT: Can I present this?

The CHAIR: Yes.

Mr GRANT: I also have a USB stick here with the actual recording, if you want to take that and listen to it in your own private time.

The CHAIR: Thank you.

Mr GRANT: I have highlighted some points about the meeting and how it went about. It was actually a visit from GWIC that was announced, so the people knew they were coming. What happened, there were two lady integrity officers came down. Then they did not even let them introduce themselves. She says that they came acting like SWAT teams, dressed in what looked like military-style equipment. They would not let her say anything. This is a conversation between Gary, Vicky and the integrity officers. Gary was a bit loud to them because when they spoke to him they gave him the indication that they were the boss and he was a servant, and he was not allowed to basically say anything very much. Gary himself said, "I've never ever been spoken abruptly to in that time of 40 years of training." And Vicky said when they came on to the property they just looked like they were from the SWAT team. They were very scary and intimidating "... the way they spoke to us, spoke down to us". Their daughter was there too and it really upset her, because she did not like to see Vicky and Gary treated in that way.

What happened, they then wanted to have a look at the dogs after they told them they could not say anything "because we are wearing body cameras" and stuff like that. So they were made aware of that. They wanted to have a look at the dogs. They were really interested in looking at the teeth of the dogs. They had one particular dog there, which was an older dog that they were just looking after. It was not a race dog, just a retired dog. She told them that this dog has got bad teeth. This is one of the integrity officers. Do you want me to name her or just leave her out?

The CHAIR: It does not matter whether you do. We have it here in evidence. You do not have to put it on *Hansard*.

Mr GRANT: All right. She told them that the dog has to be taken to the vet because she has got bad teeth. The integrity officer had no veterinary experience. They did not have any vet with them. It was only her assumption that the dog had bad teeth. They took the dog to the vet and they had I think eight teeth removed from the dog. Then after that the dog was never the same. It started to lose weight, could not eat and eventually the dog had to be put down. It had gone from a healthy, happy dog to within a month or two a dog that had to be put down. All because they were told they would be in serious trouble if they did not get the dog attended to. That really upset them, really did not go down too good at all. The dog was only 11 years old. Dogs can live to about 15. We all know our teeth decay as we get older. We do not all get put down for having bad teeth.

The Hon. MARK PEARSON: Just for clarification, the veterinarian would have made the decision to remove the teeth, correct? There was no direction from GWIC to the vet to do anything to the teeth, just to take the dog to the vet?

Mr GRANT: Take the dog to the vet because it had bad teeth.

The Hon. MARK PEARSON: And then later it died, correct?

Mr GRANT: It died because, yes, after the operation.

The Hon. MARK PEARSON: Thank you, I just wanted to clarify.

Ms ABIGAIL BOYD: It was the vet's decision, not GWIC's decision, to take out the teeth?

Mr GRANT: No, it must have been the vet's decision. After that they were looking around the property and they discovered what is called a drag lure. I am not sure if you are all familiar with a drag lure. It is what we use to train our dogs up one end of the straight, with a toy on the other end that was driven by a string. Anyway, sitting on the top of the drag lure, not attached to it, was the lure. They got hold of that and had a bit of a look at it and they thought that it may have had animal substance in the lure. The lure consisted of a cylinder with an electronic squeaker inside it. It had bits of other material, which was organic. Vicky said it was imitation, normal material, and it was wrapped in a towel. They got the lure. They reckoned it had animal matter in it. They took the lure to their car for about 20 minutes or so before they came back and told them that this has definitely got animal matter in it, basically.

After that they wanted to have a look at the rest of the dogs. They went through all the dogs and then they chastised Vicky for not presenting all 11 dogs. Vicky said to them, "But you've been through them all." No, there were two missing. They went back through and found out that they had checked all the dogs, but no apology offered to Vicky. Through this whole time they were basically scared as for the way they were being treated. They were on the property for about an hour and a half. They found another thing they did not like, they did not like the smell of one of the kennels because it smelt "doggie".

The CHAIR: That is unusual.

Mr GRANT: Yes, that is unusual for a race kennel. On that day it was drizzling rain so a few of the dogs naturally had been outside and they come in and they were wet. They smelt like wet dog, which dogs do smell like. They did not like the size of the kennels. They did not really like anything about the kennels at all. The kennels were built by Gary himself before he had his accident. He is an engineer and constructed a brick veneer, insulated kennel. Beautiful kennels. All right. So after they left, which was an hour and a half later, they did not hear from GWIC until December.

The kennel inspection was September and they did not hear from them until December. So they did not know what was really going on. They needed to know because Vicky had already booked a family holiday to go up to Brisbane to see where her brother had passed away. Anyway, they got the results back I think it was a day or two before they were meant to go and they had to have a submission back into GWIC about why they should not be prosecuted for what they did.

The CHAIR: What was the punishment? What was the decision in relation to what, the lure?

Mr GRANT: Okay, so they took the lure with them and they took it home to their office, I think it was. They were under the opinion that it had European rabbit remnants in the lure. I am not sure how you could get it in there. And they said it appears to be European rabbit. Then they took the lure to Taronga Zoo, where it was tested. I am not sure how. They did not get DNA off it apparently. They tested it by a lady that was there and she also said, "It appears to be European rabbit and ringtail possum". Keeping in mind that Gary has not been able to train dogs since 2016. He had not used that drag lure for at least 12 months before. The lady from Taronga Park zoo said that the remnants appeared to be only months old, not years old. The lady from Taronga Zoo also signed a page to say that the lure seizure had come from a property in Bathurst. Well, this couple live at Young. So I am not sure what lure she was investigating.

The CHAIR: So how could the person from the zoo know where it came from and how to test it?

Mr GRANT: I am not sure. I do not think there was official—I do not know for sure—DNA done on it. She was only working on her own assumption, from what I can recall from Gary and Vicky.

The Hon. MARK PEARSON: But if it came from GWIC it would have probably come from Bathurst, right?

Mr GRANT: I assume that when they left Young they went back to their office at Bathurst, I suppose. Okay. I will just get to another point there. Gary was eventually convicted of using animal matter on the drag lure.

Initially they could have been suspended for 10 years. They did take into consideration the hardships that Gary was going through with his accident and stuff. And while it was going on Vicky was trying to get her licence. It took almost, I think it was, 12 months. She applied for the licence in early July 2019 and did not get it until March 2020. It took her like nine months or something to actually get her licence back so she could try and train the animals. What they believe they found on the lure was a segment of a 60-year-old kid's toy that was a rocking horse and it had a mane hanging on it and bits of the mane fell off so Gary thought, "I will go and put this on the drag lure. It looks pretty real". That is it. They will state that is what it was. That is what they had on the lure under the towel.

The Hon. MARK LATHAM: It is as good as anything.

Mr GRANT: Yes, it is as good as anything. They were really under the belief that there was no animal matter there. The drag lure had sat out in front of that shed for three years. It had passed two inspections by Greyhound Racing NSW without a problem and all of a sudden it does not pass. They got a solicitor involved. The actual words from the solicitor at the end of his statement was basically that they are out to get you. The solicitor said, "There is not a lot we can do but it appears that GWIC are out to get you by what they are trying to do to you both". This caused them a great lot of discomfort because Gary was 66 at the time. I am not sure how old Vicky is; I never asked her. They were very intimidating, very standoverish and just treated them like criminals, which is an ongoing saga for the rest of us as well. We get treated the same way.

Ms ABIGAIL BOYD: Could I just clarify that the evidence that you are giving here today is based wholly on the transcripts and the recording or do you have firsthand knowledge?

Mr GRANT: No, it is based wholly on the transcript and the recording.

Ms ABIGAIL BOYD: So you did not witness any of this?

Mr GRANT: I have not witnessed any of this.

Ms ABIGAIL BOYD: You are just here to present the transcript?

Mr GRANT: Yes, I was informed of the case by another trainer. I could not believe that it had happened. I went down there to find out for myself that it really did happen and they were forthcoming and told me exactly what happened. They are still tormented by the way they were treated by the GWIC officials.

Ms ABIGAIL BOYD: Just to clarify from the transcript, which I have only just skimmed through—

Mr GRANT: Yes.

Ms ABIGAIL BOYD: There was a mistake made about what the lure was made of, is that correct? Was that corrected? Did GWIC then come back and say—

Mr GRANT: No, GWIC are still under the belief that it was animal material.

Ms ABIGAIL BOYD: Okay, so there is still an ongoing disagreement between GWIC and—

Mr GRANT: No, there is nothing ongoing. Gary was suspended for a matter of only months.

Ms ABIGAIL BOYD: Sorry, I meant that there is a disagreement on the facts as to whether or not it was animal fur or not?

Mr GRANT: That is right.

Ms ABIGAIL BOYD: We have Gary and Vicky saying it was not and we have GWIC saying it was.

Mr GRANT: That is right.

Ms ABIGAIL BOYD: I guess the allegation here in the transcript is that somehow either a mistake was made or is there an allegation that something more serious has occurred there?

Mr GRANT: Well, Gary and Vicky are not sure whether they have tested the right lure even.

Ms ABIGAIL BOYD: Right.

Mr GRANT: There were pictures taken of the lure. I did not see the pictures of the lure but Gary has told me that it is not even his lure in the pictures.

Ms ABIGAIL BOYD: And did they seek a review of the decision at all from the racing tribunal?

Mr GRANT: They put it in the hands of their solicitors, who tried to clear Gary's name, and there was basically nothing that the solicitor could do because GWIC would not budge on their decision.

Ms ABIGAIL BOYD: It sounds like there was not any kind of review process undertaken.

Mr GRANT: I do not believe so. There may have been but I am not aware of it. That is the gist of why I am here, just to represent what happened to them, just to show you. But it is very intimidating for any of the participants to see two people coming towards you dressed in military-style equipment and the first thing they do is stick their hand in your face and say, "Shoosh, you are being recorded by our body cam". Naturally, in the bush you walk up and you want to shake someone's hand because they come there but not with these people. They put you on the back foot right from the start.

Ms ABIGAIL BOYD: A generous interpretation of that would be, "Don't say anything because I am recording you. I am going to stop you talking before you get recorded so that you're fully aware that what you say is going to be recorded."

Mr GRANT: Exactly, but there was no hello. There was nothing. There was no official—

Ms ABIGAIL BOYD: When you say "military-style", is that because there was a camera? I presume there were no guns.

Mr GRANT: No, there are no guns, naturally.

Ms ABIGAIL BOYD: What else in their get-up makes—

Mr GRANT: The police-style pants with the pants stuck into the boots, the police-style shirts—stuff like that. Something you would see a police officer wear if he was coming to interrogate you.

The Hon. MARK LATHAM: When you say there was no hello, was there an introduction as to, "We're from GWIC. We're here for this purpose. You should understand you're being recorded"?

The CHAIR: Did they show identification?

The Hon. MARK LATHAM: Did they show ID?

Mr GRANT: No. The first thing they do is tell you not to say anything. "You are being recorded by the body cam", and then all that comes after that.

The Hon. MARK LATHAM: Then they tell you why they are there?

Mr GRANT: Then they tell you who they are and why they are here.

The Hon. MARK PEARSON: But this has not actually happened to you, has it? You are describing what is—

Mr GRANT: This did not happen to me.

The Hon. MARK PEARSON: No.

Mr GRANT: I have had a visit from GWIC but, of course.

Ms ABIGAIL BOYD: Could you talk about your visit and your experience?

Mr GRANT: From my experience, they were in the area and I was out working. I got a phone call to say, "We're in the area. We want to do a kennel inspection." I said, "Oh, yeah, alright. When?" They said, "Now." I was like, "Well you'll have to wait until I get there," which they did. When I got there, a lady and male officer came in and they did exactly the same to me. The first thing they said, "Shoosh. We are recording you on this body camera." I thought, "Oh." I stood back and Liz was going to walk up and say g'day but I said, "No, don't say anything. You can't say anything. They won't let you." We did all that and then they went inside the—the female officer was a lot more aggressive than the male officer. "Where's this? What's that? Where do you keep this?" All of a sudden she looked around and she noticed that I had cameras everywhere recording everything. She asked me, "Do you have video surveillance?" I said, "Yes, and it is audio as well." She just backed right off then. She became a lot nicer.

Ms ABIGAIL BOYD: Do you have the video footage of that?

Mr GRANT: No, I do not have that now.

Ms ABIGAIL BOYD: There is also a statement in this transcript that I read a second ago about entry onto the premises. I am trying to find the bit.

Mr GRANT: That was the second visit.

Ms ABIGAIL BOYD: There is an allegation that it was done illegally.

Mr GRANT: Yes.

Ms ABIGAIL BOYD: To your knowledge, though, GWIC does have the ability to enter premises without consent, do they not?

Mr GRANT: I suppose they may have. I do not know for sure whether they really can. I am not sure. I really would not want anyone entering my property without me being there, especially a—a policeman cannot do it unless he has got a warrant.

Ms ABIGAIL BOYD: I have sympathies for that, but the RSPCA and GWIC do have powers to enter premises.

Mr GRANT: Yes, they do. Do they need a reason, but? Is a kennel inspection a good enough reason for them to enter?

Ms ABIGAIL BOYD: My understanding is yes, if they have got information they think might be relevant.

Mr GRANT: Yes, if they have information, that is right. Yes, I agree if they have information, but—

The Hon. MARK PEARSON: But they cannot enter your home. They can only enter the dwellings, places, buildings around which would be related to greyhound activity.

Mr GRANT: That is right, yes.

The Hon. MARK PEARSON: But they can enter without your permission, that is true.

Mr GRANT: They can go into my home if I invite them in.

The Hon. MARK PEARSON: Correct.

Mr GRANT: Yes. That is right.

The Hon. MARK PEARSON: But did they want to go into your home?

Mr GRANT: No, only the greyhound premises.

Ms ABIGAIL BOYD: In terms of recommendations for how GWIC might do things better, is your main complaint—the main complaint in the transcript, as well—really about their attitude and the approach of what they are doing?

Mr GRANT: In this case it is, yes. They have got to drop the SWAT-style appearance. They have got to be more approachable to the participants. They have got to book in, because they were lucky when I had my visit that I was actually in the area. Normally I work out of town; I would not have been able to get there.

The Hon. MARK LATHAM: Would you say they have also got to be a bit more commonsense and flexible about kennel inspections?

Mr GRANT: They certainly do.

The Hon. MARK LATHAM: Some of the rulings in the code of practice are just plainly ridiculous.

Mr GRANT: Certainly.

The Hon. MARK LATHAM: You have got to keep it a certain temperature, it has got to be a certain size. You can look after a dog very generously and very well in a whole range of ways and these prescriptive rules make it very hard, do they not?

Mr GRANT: Very hard, very hard indeed. Initially when they first started coming and doing the inspections they were thorough on everything. If you had your dog kept in a yard, say, the size of this square here, any holes that the dog had dug, you had to instantly fill them back in. If they came back and found those holes there again, they threatened to issue you with a fine. I do not know how you can stop a dog from digging holes. That is what they do.

The Hon. MARK LATHAM: Also, do you think they need limits on what they can actually inspect? I have heard reports of, in one case, inspecting a gun cabinet in a home.

Mr GRANT: Yes.

The Hon. MARK LATHAM: They were looking for an illicit substance. They opened the gun cabinet in the presence of a child, which is obviously unacceptable. They go and look at other livestock on your property that has got nothing to do with greyhounds. Fencing—nothing to do with greyhounds.

Mr GRANT: Exactly, yes.

The Hon. MARK LATHAM: We need to draw some boundaries around what is an acceptable kennel inspection. It should just be about kennels.

Mr GRANT: Yes, exactly. They should be just going in there to maybe check the size because there are regulations on the size of the kennels. Go in there and check the size, make sure it fits it, make sure it has got a raised bed.

The Hon. MARK LATHAM: Most importantly, that the dogs are healthy and happy.

Mr GRANT: Exactly, yes. That is right. For a routine kennel inspection, I do not see the need for them to go through all your dogs—I am talking retired dogs, pets, anything that is on the property—and actually check for their physical appearance, as in teeth and stuff like that. You have got to remember that greyhound trainers and owners have been in the industry for a long time: they know their dogs. If the dog possibly might have a limp or something, the trainer knows what is wrong with it and he is caring for it. But the inspectors come on and they say to you, "That dog's got a limp. You've got 48 hours to get that dog to the vet and we need to know the results." "But we know what is wrong with it. That dog injured its toe last run and we know what's wrong. We are treating it." But there is no conversation entered into. It is: Do what we say.

The Hon. MARK LATHAM: There is this case study of Gary [OMITTED BY RESOLUTION OF THE COMMITTEE 3 JUNE 2021]. What we have found so far in the inquiry is that when people are victimised and treated this way it is normally because of some backstory reason, that the person has stood up for themselves and been publicly critical of GWIC. Is there anything in the backstory here that explains these events?

Mr GRANT: No, only due to the fact that Vicki needed to get her trainer's licence so they could continue training dogs. To get the licence, you need to have a kennel inspection. That is the only reason they were there: for an authorised kennel inspection.

The Hon. MARK LATHAM: Okay.

Mr GRANT: They did have another visit from GWIC. I am not sure if you read about it. The GWIC inspectors rang one morning and said they were in Young to do a kennel inspection at Gary's place. Vicki said, "No, because I have to take Gary to rehab in Harden." They kept at me saying, "Well, we want to do it. We can do it. We know you live there. We know where your kennels are. We know how to get in there and get everything. We can do it without you." I said, "No."

She thought that finally they got the word that no meant no. They were so concerned about GWIC going back in again they went past the kennel block, which is the open gate on the road and then you go down over a little rise, so you cannot actually see the kennels from the road. They got a brush stick and just cleared the road off so you could tell whether anyone had been in and out. When they came back and had a look, there was one set of tyre marks, which means that they did not go in—they were already in there. They were already at the kennels without the authority of the owner.

Ms ABIGAIL BOYD: Do you understand, though, the reasons why there may be a need for inspections that are unannounced?

Mr GRANT: Yes, unannounced, but not for regular routine kennel inspections. Why would you need to go in unannounced if it is a regular routine kennel inspection?

Ms ABIGAIL BOYD: Was it a regular—

Mr GRANT: Yes.

Ms ABIGAIL BOYD: Was it an annual check—

Mr GRANT: Yes, both.

Ms ABIGAIL BOYD: —or was it a targeted check?

Mr GRANT: The first one was for the licence, so it was just a check so she could get a licence. The second one was just a routine kennel inspection. There were no complaints. They were not able to race the dogs. Gary was crook. He is still crook. I think they only had one dog in work at the time, and they had to get that dog to another trainer because Gary and Vicky could not train it. Vicky wanted to have the dog back to train it. That is why she applied for a trainer's licence. She had all the trouble in the world getting it. Then they were given a second kennel inspection for—we do not know. I have to say that we do not know for sure that it was them in there, but there was only one set of tyre marks coming back out, and they said they could do it. I do not think that is right, that they can go in there and do that.

The Hon. MARK LATHAM: Do you think there needs to be a policy that GWIC needs a reason for a kennel inspection? Obviously there has been a report and a complaint about mistreatment of a dog or non-compliance; that they are actually responding to a report about kennels that are inadequate or to a suspicion at the track as to the performance of the dogs, like a dog that is an ordinary performer wins by 20 lengths one night? You might want to think something might be happening there; we'd better conduct an inspection. Should they actually need to certify a reason rather than these random inspections, some of which are regarded in the industry as harassment?

Mr GRANT: Yes, I totally agree. I am in full agreement with a kennel inspection if you have been reported for some misdemeanour or whatever. In regards to the annual kennel inspection, I cannot see why they cannot book you in months ahead and say, "Look, we are in the Orange area on such and such a date. Would you be available for a kennel inspection?" Instead of just rocking up at your door and saying, "We're here."

The Hon. MARK PEARSON: If there were live baiting occurring on a property, how long would they need to get it all cleaned up before an inspection?

Mr GRANT: Get what cleaned up?

The Hon. MARK PEARSON: If there was live baiting occurring on a property and somebody had heard that an inspector is coming, how long would they need to remove all the evidence of live baiting?

Mr GRANT: I suppose they would only have to get rid of the animal that they were using.

The Hon. MARK PEARSON: Do you understand that when you look at the long history of the greyhound industry—I am not pointing fingers at anybody, but if you just look objectively at the history of what has happened with the greyhound industry in Australia, the numerous inquiries and then the exposés of extremely disturbing and egregious cruelty, can you understand why there is a regulatory authority? It only happened because it was going to be banned, but then the Government turned around and now we have a body to regulate. Can you understand why the regulator could be seen—and I am not saying it should be or should not be, and I think it does need to change some of its practices—but can you understand how there is now quite an assertive regulator occurring in balance as to the amount of evidence that was gathered in the past?

Mr GRANT: In answer to that question, you are talking about 1 per cent of the industry that are possibly live baiting.

The Hon. MARK PEARSON: I do not think that is what the inquiry found.

Mr GRANT: Personally, I do not know anyone that does it—no-one at all. You cannot do it.

The Hon. MARK LATHAM: Do greyhound owners look at the rest of society and think, "Why are we being singled out?"

Mr GRANT: We do.

The Hon. MARK LATHAM: For instance, I have five acres at south-west Sydney, and if I was to purchase and rehome a greyhound as a pet and I let it out every night, it would probably eat 10 rabbits a night. This is a dilemma for animal welfare people. Are you happy for the greyhound that ate the rabbits because they love catching them, running, catching them, eating them? That is great news for the greyhound in nature, or are you sad because the rabbits were eaten? Do greyhound owners look at these sorts of contradictions and think that bloke up the road there has a greyhound as a pet. That greyhound can eat 10 rabbits a night and no-one does anything about it. But greyhound owners apparently live under a different Stasi-like set of rules.

The Hon. MARK PEARSON: Would you agree that what the honourable member is saying is different to live baiting?

The Hon. MARK LATHAM: What, catching a rabbit?

The Hon. MARK PEARSON: Would you agree that what the honourable member is describing is different to live baiting?

Mr GRANT: Yes, that is different.

The Hon. MARK LATHAM: But the impact is the same.

Mr GRANT: The impact is the same.

The Hon. MARK LATHAM: The greyhound chased, the greyhound caught a rabbit and ate it.

Mr GRANT: Yes.

The Hon. MARK LATHAM: What is the difference?

Mr GRANT: Yes. In answer to your question—

The CHAIR: He's not a vegan greyhound.

The Hon. MARK LATHAM: He can eat 10—20 if he runs all night.

Mr GRANT: —if I had a guard dog protecting my premises—a blue heeler or something—from intruders or something, if that blue heeler caught a rabbit, killed it, whatever, no problem.

The Hon. MARK LATHAM: Nature.

Mr GRANT: If one of my greyhounds got out during the night in an enclosed area and there happened to be a rabbit there and he caught it, I would be in all the strife in the world.

The Hon. MARK LATHAM: Yes.

The Hon. MARK PEARSON: I suppose the question would be different, would it not? It is different to strapping an animal down and having it mauled by several dogs as opposed to being chased for food naturally by a dog. That is different, is it not?

Mr GRANT: Yes.

The Hon. MARK PEARSON: I understand if the greyhound chased the rabbit, killed it and ate it like another dog would, it is actually no different, but because of all what has happened with the greyhound industry, the suspicion is put. Do you see that the suspicion would be: Have you actually baited the dog? That is the question, is it not?

Mr GRANT: I do not know if you have seen a greyhound kill a rabbit. I have seen it on videos and stuff. It is very quick. They go in, one chomp and the rabbit is gone. It is a very painless death for the rabbit, from what I have seen, and they do not eat it; they play with it.

Ms ABIGAIL BOYD: I think this is highlighting—

The Hon. MARK PEARSON: You have not seen baiting, you said?

Mr GRANT: On videos, I just said, yes.

Ms ABIGAIL BOYD: I think this is highlighting perhaps one of the core issues for this inquiry. Is the problem that you have with GWIC because you do not think you should be regulated at all or are the problems with the things that GWIC is doing?

Mr GRANT: The problem is the way they are enforcing their rules.

Ms ABIGAIL BOYD: Are you saying that all of the powers that they have in order to come in and check that the industry has cleaned up and all those kinds of things are fine; it is just the attitude with which they are exercising those powers?

Mr GRANT: I do not like the way they exercise their powers, that is for sure. I think they have too many powers.

Ms ABIGAIL BOYD: I guess that is the question again, is it not? Is it just that the industry does not like being regulated?

Mr GRANT: I do not like the way they are being regulated.

Ms ABIGAIL BOYD: What kind of regulation that still ensures animal welfare and integrity in the industry would be acceptable to you?

Mr GRANT: The crux of the problem is the integrity officers. We need the integrity officers to be more in with participants basically.

The Hon. SAM FARRAWAY: From what I have heard, I think it is about having the integrity officers appreciate the industry and encourage participation. Yes, you are obviously admitting that there has to be compliance and a regulator—I think we all know that—but it is about respecting the industry and actually helping with its long-term sustainability with participation, not just being heavy-handed. Is that a fair assumption?

Mr GRANT: Yes, 100 per cent correct. We want GWIC to prosper as well but we do not want it at the detriment of a lot of participants. There would be a lot of participants who have pulled out in the last, say, three years, but the records for GWIC will not state that because we have not had to pay for our licence for the last three years.

Ms ABIGAIL BOYD: This is something that I am interested in teasing out. If the industry was to go into a natural decline—and when I say "natural decline" I mean just because it is out of fashion or it is not favourable at the time—how much of that would be blamed on GWIC and how much of it would people see as being, "These are hard times and there is just not as much money in it"?

Mr GRANT: If GWIC were to continue the way they have continued, that natural decline will happen. There is no doubt about it because people just cannot put up with the way they are being treated. But in saying that, if GWIC were seen to be on the same page as the participants, trying to help us along—like Greyhound Racing NSW cannot do enough for you. They are so good with the participants, whereas GWIC are seen in exactly the opposite light. They come across as if they do not want the industry—at all.

The Hon. MARK PEARSON: I think that is the nub.

The Hon. SAM FARRAWAY: That is really the core essence. As a trainer and someone participating in the industry, would it be fair to say, like I said before, that you understand that GWIC has to exist—it is a regulator—but there is mutual respect and give and take about the participation in the industry and the industry prospering rather than just the heavy-handedness of enforcement officers? Is that what you are saying?

Mr GRANT: That is what I am saying, yes. If GWIC, when they first were formed, came out and were respectful to the participants, we would not be sitting here today.

The Hon. MARK PEARSON: Is the attitude as if you have already committed a crime?

Mr GRANT: Exactly. We are treated as criminals straightaway.

Ms ABIGAIL BOYD: It is interesting the comparison you raise between Greyhound Racing NSW and GWIC, because GWIC is more like a policing kind of entity than Greyhound Racing NSW, is it not? Is there an expectation that they are supposed to be of the same level of friendliness and approachableness or is there an acceptance that GWIC has that policing and regulatory enforcement?

Mr GRANT: Why can GWIC not be at the same level as Greyhound Racing NSW and be helpful towards you and look after participants?

The CHAIR: Being a firearms owner who is very licensed and very controlled, when the police come to my place for an inspection—and I have had probably two or three in the past 20 years—they will ring first and they will make an appointment at a time that suits me. They will then come to the house. They are very polite, they are very nice. They help me with the processes. I do not know what they are checking sometimes. Because their records are such rubbish they periodically go through and they want to do an audit of what you have, and nine times out of 10 their records are wrong and they add something to it. They leave the place and I shake their hands. It is all very polite. It is policing, it is control. These guys turn up with guns—pistols on their waist. Their attitude is 100 per cent the right one. They are there to certainly do enforcement but also to be polite and interact properly with the people that they are supposed to be policing. That is not the attitude we are seeing from GWIC. I think that is the evidence we are trying to get.

Ms ABIGAIL BOYD: Understood. I guess the question then to you, Mr Grant, is: Is your opposition to GWIC as an entity or are you here saying, "We just want them to treat us differently"?

Mr GRANT: Basically my opposition is to them treating us like normal civilians. Show us a bit of respect. We can debate the rules with them. If we had an avenue with them where we could ring them and say, "Look, I'm not happy with this ruling on whatever"—we need an avenue where we can ring someone and say, "Well, look, what's going on here? Why is this enforced? There is a better way around it. Do you want to listen?" At the moment we have no avenue. If we are suspended, we have no avenue to go to to profess our innocence, only them, and they are the ones trying to charge us.

Ms ABIGAIL BOYD: We heard from GWIC earlier that there are two avenues of review and there are some gaps. There is an internal review process, which I can understand people might be suspicious of because you are going to GWIC to complain about GWIC. Then there is also the racing tribunal, which has powers under its Act to review certain decisions of GWIC. We heard from GWIC that it would like it to cover all the decisions that it makes so that there is that complete right of appeal. Is it that participants do not know that it has an appeal right or is it that too many decisions are falling outside of that scope?

Mr GRANT: Participants do not trust GWIC. We need a third party that we could go to.

Ms ABIGAIL BOYD: Which would be the racing tribunal, the appeals tribunal.

Mr GRANT: That would be good. The racing tribunal would be good.

Ms ABIGAIL BOYD: Are you aware that there is that appeal right already in relation to a lot of the decisions GWIC makes?

Mr GRANT: I have not heard of anyone using that review method yet.

Ms ABIGAIL BOYD: Maybe they need to make that more obvious to people.

Mr GRANT: They probably do. There are some other issues with GWIC as well with their testing of prohibited substances in dogs. Out in the bush, naturally if a farmer rings up and says, "I've got a cow down, it's not going to get up," we have got to ask him, "Has this cow been drugged to try to help it get back up?" because the drugs in the cow test positive. If a dog was to eat meat that has had a drug in it, it tests positive. The minuscule levels of this drug in the dog do not help the dog one iota in racing. It does not affect the dog at all. We need to have the levels reaffirmed so that if you innocently feed a cow to a dog that has had this drug in it before it has been fed, surely they can work a level out so they can tell whether it has been induced into the dog in a volume that would assist the dog or it has just been fed via a meat process. The testing is so stringent, they can pick absolutely anything up.

The CHAIR: You are aware that for a lot of the substances there is no tolerance level? They completely ban them. If they are found, you are guilty automatically regardless of the level.

Mr GRANT: Yes. I am not sure whether there is a complete zero-tolerance. For the bad drugs, that is 100 per cent right. I am not sure whether there is a tolerance on drugs used on any other animals. I could not answer that.

The CHAIR: That is fine.

The Hon. MARK LATHAM: Mr Grant, is the basic problem we have the culture of the greyhound industry? The people are down-to-earth, easygoing. You go to the greyhound track because it is a quintessential Australian experience with knock-around types. It is magnificent that way. This policing body is comprised of former police officers like the CEO, or people who see themselves as quasi police officers. Those two things collide in a way that has led to this harassment, victimisation and bad blood. I think we are at the point now where the people inside GWIC that we have heard from recognise that this is not a good cultural model, their organisation is dysfunctional and they are not enjoying their work. Something has got to give, has it not?

Mr GRANT: Exactly right. They have to come down basically to our level. Stop looking down at us all the time.

The Hon. MARK LATHAM: What the Chair described earlier on, about gun policing has come down to a fairly commonsense—

The CHAIR: Commonsense, polite, normal—

The Hon. MARK LATHAM: A straightforward approach.

The CHAIR: —straightforward. Even if they turn up to take your firearms because someone has had an AVO taken out against them, automatically they have to suspend your licence. It is in the law; they have to take your firearms off you. There is no fuss, there is no bullying, there is none of this sort of stuff that goes on. It is just part of the procedure, it is part of a process and it is all very professional. It seems from the evidence that we have been hearing that GWIC does not take that approach. It takes a heavy-handed, guilty as charged before you even know what is happening to you approach and that somehow or another you are a criminal in waiting and you should be treated as such. It is only my hunch, and it is a big hunch, but it may well relate to the way that GWIC—this regulator came about. In other words, it came about based on a report that was unfavourable. It was premised on the fact that the industry was dirty and doing the wrong thing on a predominant majority basis and needed to be policed with a harsh hand. That seems to be what has been going on. All the complaints that we have been hearing and all the evidence that we have got in the last couple of days seem to be pointing in that direction. What you are doing is you are affirming that. Thank you very much, Mr Grant, for coming in. I do not think you took any questions on notice.

Mr GRANT: Thank you very much for listening.

(The witness withdrew.)

BRIAN WILLIAM DANIEL, Former Chief Veterinarian of Greyhound Racing NSW, affirmed and examined

The CHAIR: Would you like to make an opening statement for a couple of minutes?

Dr DANIEL: I started with greyhounds as a kennel boy in a greyhound practice when I was 17. I graduated with honours in 1973 and I worked with greyhounds up till—I think it was 2013 when I became chief veterinarian for Greyhound Racing NSW. I was chief veterinarian for I think about 20 months until I got to the stage where I could not handle it anymore and I retired. My problem that I have is not necessarily with GWIC; it is a continuation from the problems I had when I was working with Greyhound Racing NSW. It is the same problem or a continuation of the same problem.

There are big problems with swabbing and there is a few components of it. I will treat the first one first. The big problem I have is that the trainers do not get a fair chance. There is a big problem with people who are taking drugs for their own pain and their own heart disease and if they pat their dog, they end up with a positive swab. A friend of mine is on meloxicam, which is a painkiller, and she ended up with a one nanogram positive. She is roughly my age—a bit younger. She has got a sick husband and they are professional trainers. If she got suspended, she has lost her business. I wrote her a reference and they did not suspend her, they just fined her. But in my opinion, they should be setting levels, as the other gentleman said, for drugs like that that are found from the environment.

The limits to getting a positive are not set by anything other than the limits to the analysis. At the moment, they are finding people who have patted their dog or the dog has licked their face and they are finding them with a positive to meloxicam at one nanogram. What happens when they can find things at picogram levels? Instead of one, you are down to one with 12 noughts behind. Nobody is prepared or got the gumption to make a decision that will set a level that provided people are under that level, they do not get charged.

When I was head of Greyhound Racing NSW we had a problem with procaine. It took me six months to get it through mainly because other vets without the scientific evidence do not want to set a level. It is funny; they will set a level with cobalt, which actually makes it harder for trainers, but they will not set any levels for other drugs like meloxicam that will help trainers. You imagine if you have worked all your life and trained dogs for 40 years and the next minute you get a positive swab for meloxicam or propranolol or one of the heart drugs, and then you get out and you have lost your reputation and you have lost everything.

I was talking to one of the chief veterinarians that replaced me; this is not with GWIC. I will clarify that a lot of my stuff is against GWIC because GWIC is in control now, but it is problems that have come over from or been with the game for a long time. I said to him, "You have got to do something about it." He said, "I would rather one person gets forcibly charged than a dog get harmed." I said to him, "How many positives do you reckon you have had that are due to somebody having treatment and the dogs getting a positive?" He said, "Probably about 10." I said, "Out of how many swabs this year?" He said, "Thirty." At that time—that was a few years ago—roughly one in three positives was for a level that was not significant and could have come from the person's own medication.

When I was there we made up of a list of things to do: Wash your hands; use gloves when your handle meat, the feed for the dogs. A whole list of things to do, but still if a dog licks your hand or comes up or—with the woman who got the positive for one nanogram of meloxicam, she was so excited when the dog won the race that the dog licked her face. She gets swabbed two hours later and gets a positive swab for meloxicam—one nanogram. A classic example to show you what can happen: People get found for one nanogram of—I forget the name.

The Hon. MARK PEARSON: Cocaine?

Dr DANIEL: Yes, cocaine, but it is not—they do not find cocaine, they find a breakdown product. I just cannot remember it at the moment.

The Hon. MARK PEARSON: A metabolite?

Dr DANIEL: Yes, it is a metabolite. Anyhow, if you gave a dog enough to stimulate a dog in a race and if you figure out that you gave four milligrams per kilo and you gave it to a 25 kilo dog, you would end up with about 500 million nanograms in that dog. The urinary clearance time for cocaine in dogs is about from four to eight hours—say four hours. Theoretically, if you got a sample four hours later than that, half of the cocaine in the dog should be in the sample. That is half of 100 million nanograms. That should come out of the sample. If you figure out that a dog produces about 30 milligrams per kilo of urine a day, 24 hours, 750 millilitres, you then figure out how much it would produce. It would produce about 30 millilitres of urine—say, 100 millilitres. Therefore, you have got 50 million nanograms coming out in 100 millilitres of urine, which would give you

roughly 500,000 nanograms per millilitre not two nanograms per millilitre. The whole thing is ridiculous. We have got to start setting levels. They are prepared to set a level for cobalt, and you asked the question earlier about whether there is any scientific evidence of cobalt increasing performance in greyhounds. There is not, not that I have found and I have looked for it.

The CHAIR: I sort of got that by the way she was obfuscating and avoiding the answer. There is no proof.

Dr DANIEL: There are no double-blind studies that a dog with 150 nanograms is going to run any faster than a dog that has got 50. There is no scientific proof of that.

The Hon. LOU AMATO: Where do you think they got that information about cobalt?

Dr DANIEL: It is like everything that happens. They found it in horses. What do they say? "We have got to clamp down on greyhound racing. We have got to make sure everybody thinks we are fantastic and we are looking after the welfare of animals." So they jump on the bandwagon. They spend a whole heap of money figuring out a level that is in most dogs, and it is not relevant. Cobalt is common in B12. How many people would take B-complex tablets with B12? There is a total emphasis on—

The Hon. LOU AMATO: Do you find it in grass?

Dr DANIEL: No, that is a big problem.

The Hon. LOU AMATO: I have got a couple of dogs. At every stop they cannot help eating the lawn.

Dr DANIEL: It is in grass, but it is not in big—

The Hon. LOU AMATO: It is not in that?

Dr DANIEL: The reason it does affect horses is because horses eat grass. If they are in a cobalt-deficient area, what happens is cobalt will help them because the bacteria in their gut need it to produce proteins, which they then absorb to make the blood. But, see, dogs are fed on meat and liver. If you feed a dog liver—liver is really high in cobalt. Cobalt is part of haemoglobin, which is part of blood.

The Hon. LOU AMATO: Yes, the dogs will eat that wheatgrass there to reduce—

Dr DANIEL: Yes.

The CHAIR: So how is cobalt meant to be enhancing then?

Dr DANIEL: I think on one experiment or two experiments in horses they found that it was enhancing—it was supposed to improve performance. But there is no evidence in dogs, to my knowledge. I have not looked at it.

The CHAIR: That was my understanding as well. That is why I asked the question of the regulator. The regulator is busy enforcing rules and laws that they have no support for.

Dr DANIEL: Well, they make them up.

Ms ABIGAIL BOYD: So there are thresholds for cobalt and arsenic, and they said that they give early warning letters for those. Are you saying that there are no thresholds for the other chemicals that they are testing for?

Dr DANIEL: No, there are thresholds to find them. Well, some of them you cannot have in your system, like meloxicam.

Ms ABIGAIL BOYD: So zero?

Dr DANIEL: So zero tolerance. I got a phone call on Wednesday; actually, it is one of the reasons I am here. This woman has bought meat and she has a positive to hydroxy xylazine. Hydroxy xylazine is a tranquilliser. So what they do if they have an unruly horse at the knackery or a cow or whatever it is, they hit it with that and then they sell the meat. She has got no control over that. She has no control. As I said, we had similar problems with procaine. I managed to get it through in New South Wales that you could have 10 nanograms, I think it was, of procaine and not be charged. It made a big difference because at the time I think they had found about five people who had had positives. But nowadays they will not even look at it. They talk about Greyhounds Australasia, and they get their advice from a group of vets that used to be called the Australian greyhound veterinary scientists association. They are just normal vets, and they do not care. They make up rules.

They made up a rule for testosterone. They made up a rule. They started out really well. They used testosterone to keep bitches off season. People were against the use of testosterone because it is an anabolic steroid

and they thought it would help the performance of bitches. They decided to set a level and it was in conjunction with England. They tested nearly 1,000 urine samples in bitches. They took them from bitches, and 93 per cent of them showed no testosterone at all; they were clear. I think about five showed between one and five milligrams. Actually it is probably nanograms—I am getting the measurements wrong. Anyhow, one found 10.5. There was nothing wrong with that. They found a range. But they then gave three bitches 50 milligrams of testosterone and another three bitches 25 milligrams, and calculated the time it took for the urine to get down to 10 nanograms. Then they published that as a rule. It was 96 hours for 25 milligrams to be out of the bitch's system and it would take 120 hours for the 50 milligram injection to be out of the system. So they said, "Provided you are under 10 nanograms, you will be okay."

But then they forgot that some dogs would normally have 10 nanograms in their blood, so it would take them longer to get to the 10 nanograms and they would possibly not get below it. But they made the rule. People got outed. One bloke lost prize money worth \$60,000. They then realised what they had done, what was wrong, and they changed the rule. They banned the drug altogether, and they replaced it with a drug to keep bitches off season. Megestrol, I think, is the name of the drug. Britain has completely banned it as an anabolic steroid. So there is no logic. We kowtow to them—Greyhounds Australasia. As I said, in my opinion—I got rid of prilocaine, which helped because I could not see it affecting a dog's performance because the dose is so low. That is one problem. They have got to start setting levels because you are getting 20 cases a year of people with disease conditions—heart conditions, arthritis—contaminating, or patting their dogs and they are getting outed or they are getting fined.

The CHAIR: It just seemed that they were not open to those discussions or open to producing their own table of prohibited and minimum levels of substances and asking for legislation to make it legal.

Dr DANIEL: That letter I sent you—I am sorry that it was not really formal and it was not done up properly, but I only found out this meeting was on on Wednesday afternoon. That letter, I had given to stewards to be sent up to—I think it got to Gail Thorsby one time. It got, I think, to the new steward now—the head steward. He was supposed to come out and talk to me a couple of weeks ago, but I had the flu, so he could not come out. On the lower level, there seems to be plenty of understanding and desire to fix things up. But from the top—and I do not think it is necessarily a problem with the vet. I think the whole consensus of vets is they will not do anything without scientific evidence, so it is easier to sit there and just say, "Look, without the scientific evidence, we don't do anything." Meanwhile, greyhound trainers suffer.

Ms ABIGAIL BOYD: In terms of the recommendations that this Committee might make, would you support a recommendation that GWIC ensure that there are evidence-based threshold levels for the various prohibited substances?

Dr DANIEL: You will not do it. You cannot do it. You would have to fill in an experimental thing for the Government's—

Ms ABIGAIL BOYD: There is just not sufficient evidence? Is that what you are saying?

Dr DANIEL: No, you would have to do the tests yourself. The industry would have to do the tests to set the level. There should be levels set, but the levels cannot be set on evidence; they have to be set—say, 1,000 nanograms is expected in a dog that is on treatment, you can figure it out. If you know the weight of the dog, the dosage—

The Hon. MARK PEARSON: Could the Australian Pesticides and Veterinary Medicines Authority [APVMA] not do that?

Dr DANIEL: The APVMA? I do not know—

The Hon. MARK PEARSON: Goodness, you are not going to ask me to tell you what that is. It is the Federal vet body that looks at veterinary medicine or any substance that impacts on an animal.

Dr DANIEL: If they are the people I think you are talking about, they only regulate the stuff and say whether it can be used or not used.

The Hon. MARK PEARSON: But they would set the levels.

The Hon. MARK LATHAM: Whether it is safe or not.

Dr DANIEL: Set the levels of what?

The Hon. MARK PEARSON: For example, only X amount of something can be in an animal before slaughter et cetera. So they set the levels of the drug that are acceptable at that particular point.

Dr DANIEL: Yes, but you will find that does not apply—

The Hon. MARK PEARSON: I was just thinking whether that would be the body that would do it.

Dr DANIEL: No, but I looked into that when I was doing the procaine. That was seven years ago, so things may have changed. But the thing with that is those levels are set for meat for human consumption. They are not set for knackereries.

The Hon. MARK PEARSON: No, other things as well.

The Hon. MARK LATHAM: Dr Daniel, can I just ask for some clarity? You are saying that in New South Wales we have no actual parameters on what is a performance-enhancing substance in dogs and at what level it kicks in.

Dr DANIEL: No.

The Hon. MARK LATHAM: What about in other States?

Dr DANIEL: No, not worldwide because it is too expensive to do it.

The Hon. MARK LATHAM: What about at the other end of the scale—the go-slows?

Dr DANIEL: It does not matter what the drug is.

The Hon. LOU AMATO: What about overseas? Anything from overseas, from the US?

Dr DANIEL: You can find some information. See, part of my job at Greyhound Racing NSW—and that is why I get angry with most vets is because they are too damn lazy to do anything, but when I was—people would ring me up and say, "Look, I have given this dog this. How long before it clears out of its system?" I said, "I will have to look it up." You can do rough calculations. Generally you can find information because a lot of the experimentation is done in dogs. Generally you can find how long it takes to absorb it, what percentage is passed out in urine, what percentage is passed out in faeces and, you know, other—whether it breathes it out.

The Hon. LOU AMATO: Yes, other bodily functions.

Dr DANIEL: So you can find out. The most important thing is if you know the initial dose, the weight of the dog and the urinary half-life of a drug, you can calculate how long it will take to get out of the system. It is within—you could probably have an error of 50 per cent either side. But what I used to say is, basically, if you take 10 times the urinary excretion half-life, you are clear, if you know what mean?

The Hon. LOU AMATO: Yes.

Dr DANIEL: Because basically you have a dose, and you halve it and halve it and halve it and halve it and halve it and, after about 10 halves, it is down to about zero. That is basically how you can figure it out. One bloke, a vet, asked me, and I said, "Well, that is how you do it." He said, "If I have to do that, I have to charge them \$200."

Ms ABIGAIL BOYD: Are you saying that it really has to be on a case-by-case basis?

Dr DANIEL: No, you can get a rough idea. I mean, it is on a drug-by-drug basis, if you know what I mean, because different drugs have different half-lives and different drugs have different effects. It would take a bit of time and you would probably need—what I think is needed is—I was sorry when doping went to Melbourne because when I was here you could go and talk to the analysts. We would have meetings once a month and you could discuss stuff. I do not know what happens now, but the analyst is in Melbourne. That is another problem that, if you have time, I will get to later on. Basically, it is a drug-by-drug thing. I did it with a procaine and penicillin. I would visit the knackereries. Three times I went to the knackereries to talk it over and see how it worked. They said, "Well, we can't control it because we buy bulk meat from Victoria."

What we did is, we went through and found what levels people had had positives. What was happening, procaine is a local anaesthetic but it is also used with penicillin to make procaine penicillin because it slows down the rate of absorption of penicillin. Therefore, instead of injecting it every eight hours you can inject it every 24, if you know what I mean? But if a cow is sick and they inject it with penicillin and it does not get better, they send it to the knackery. If a dog eats that meat, it will show a positive. As I said, it took a lot of calculations for that one drug. We ended up setting the level at 10 nanograms per milligram.

The Hon. MARK PEARSON: Would a way to deal with this problem be that when the test is taken after a dog has raced and a drug is found, that you look to a table to say that if that drug was five milligrams that was found 10 minutes after the dog has raced then, yes, 10 milligrams of X drug amount would definitely have caused an influence on how the drugged dog performed.

Dr DANIEL: Yes.

The Hon. MARK PEARSON: But 0.5 milligrams in the test five minutes after the dog had run, no way in the whole wide world, or highly unlikely, it would have had any impact.

Dr DANIEL: Yes.

The Hon. LOU AMATO: There should be guidelines and scales.

The Hon. MARK PEARSON: That is doable, is it not, for the five or six drugs in question?

Dr DANIEL: Well, you could have really wide ranges. What I would be doing if it was with, say, xylazine in meat—now what happens is, if they inject a horse or a cow with xylazine and kill it straightaway as soon as it has an effect, not all of that xylazine is absorbed. If your dog happens to eat that area of meat and get that in its food, well it has got a massive dose. I do not think you can make it safe for everybody. I do not think you can do that. What you could do is look at most of the cases—the dog that actually got the positive swab for a tranquilizer won the race. It was a close race, so if it was a tranquilizer it did not slow it down much. They do not give levels anymore, which I get angry with. They used to give levels, now they do not because they keep it as much quiet as they can. They do not give levels in positive swabs anymore.

The Hon. MARK LATHAM: How hard is it to get some more accurate parameters to do these experiments? It seems incredible that after 100 years of serious greyhound racing that we do not have these parameters.

Dr DANIEL: Well, what you have got to do, if you are going to do it that way you have got to—as soon as you start doing experiments on animals you have all the government guidelines you have to go through. It has got to go to an ethics committee. You cannot just do it off the top of your head. If I went and gave a few dogs some drugs and saw what time it took for it to get through to zero—

The Hon. MARK PEARSON: That is quite possible. All they do is make the application, and if it seems to be right it is approved.

Dr DANIEL: I know that, but you have got too many drugs and it takes too much time and it would cost excessive amounts of money.

The Hon. MARK LATHAM: Right, but why has horseracing got these parameters but greyhound racing does not?

Dr DANIEL: I do not think they have.

The Hon. MARK LATHAM: Well, they seem to. They seem to have a degree of exactitude.

Dr DANIEL: Well, actually, if you think about the woman trainer—what is her name? The red-headed woman trainer, Gail?

Ms ABIGAIL BOYD: Waterhouse.

Dr DANIEL: Waterhouse. She got caught for cocaine about 10 or 15 years ago—

The Hon. MARK PEARSON: She can afford it.

Dr DANIEL: She got caught for cocaine but it was a really small dose and what was found—the verdict was that one of the handlers was a coke addict and the horse had got it from him.

The CHAIR: That is absolutely great, so why can we not see that happen here?

The Hon. MARK LATHAM: Why can we not do that?

The CHAIR: We see the same problem with a dog and here we have summary judgement.

The Hon. MARK PEARSON: A blood test on the dog or a swab—

Dr DANIEL: No, a blood test.

The Hon. MARK PEARSON: —which shows 0.01 milligrams of cocaine, surely one could say, "Okay, there is no way that that amount could have affected the dog's performance so the trace is there for another reason."?

Dr DANIEL: Yes, I agree. That is the thing. The only problem with that is—I mean you would have to do this with some lawyers because then where do you make the cut-off point because it becomes subjective. If you set a subjective level for—

The Hon. MARK PEARSON: I do not think it should be subjective; it should be scientific. I just gave you an example.

Dr DANIEL: I think if you are going to do that you have to be prepared to spend a bit of money because I do not think greyhound racing—

The Hon. MARK PEARSON: Well they have got a fair bit of money.

Dr DANIEL: I do not think greyhound racing has—

Ms ABIGAIL BOYD: Can I just try to distil this into a recommendation? What I am hearing from you, and please correct me if I am mistaken, is that there are clear cases where you can look and say, "Clearly that was an amount that was so much that there is something going on here." Then there are amounts that are not clear-cut. Are you saying that you just need a very good review process to make sure that before any penalties are imposed, you are looking at the whole circumstances to say, "Well, actually, that is so small it could not have had an impact."?

Dr DANIEL: Well, if it was me, I would do what I did with the procaine. I would just set a level that I considered was—as I said, I got criticism from all the vets in Victoria. Greyhound Australasia will not list it as a rule. It is in New South Wales—unless they have changed it. But they will not do it. The vets will not do it. That is what I said. Greyhound Australasia, they will not bite the bullet because they do not want to be responsible for making a mistake. Greyhound trainers suffer because the veterinary surgeons will not commit themselves to anything, which is understandable because if they commit themselves to something and it is wrong, what do they get out of it?

Ms ABIGAIL BOYD: Is it any different in Victoria?

Dr DANIEL: It is all over the world.

Ms ABIGAIL BOYD: As you said at the beginning, it is not a GWIC problem; it is a problem generally?

Dr DANIEL: No, as I said, when you were talking about Greyhound Australasia, I have got no faith in any of them because I do not trust the advice they get. It is emotional advice, not scientific advice. Now I am saying it is a problem. The easier thing would be to go through all the positives you have got for, say, xylazine. Look at them. Say you have 10 positives for xylazine—I do not know how many you have got. You know that if it is one-thousandth of a dose that you would expect urine of a dog that had been given xylazine—maybe you could do the experiment. Give some dogs xylazine and see what the level is. But even then—

The Hon. MARK PEARSON: But is the question though—it is one of the things that GWIC is looking at—if there is a trace of a drug found, it is a marker to the likelihood that that greyhound operator is using those kinds of drugs and therefore—

Dr DANIEL: No. Well, it is not with cocaine.

The Hon. MARK PEARSON: No.

Dr DANIEL: Actually, there is one thing I wanted to say about cocaine, but I do not want it particularly broadcasted because it could be used maliciously by people. Is there any way that I can shut something off for five minutes, or not? Is that against the rules?

Ms ABIGAIL BOYD: We can go in camera.

Dr DANIEL: Or I can tell you after, when it is finished.

The Hon. MARK LATHAM: Yes. You can tell us in private.

The CHAIR: You can provide it afterwards after we shut the hearing down.

Dr DANIEL: Yes. It is just what could happen with a very small amount. You could go positive with one nanogram positive with cocaine very easily. Yes, what I think you have got to do is bite the bullet and somebody—I think if you try to set levels scientifically it will take too much time and cost too much money.

The Hon. MARK LATHAM: Dr Daniel, just to change tack somewhat, earlier today the chief vet, Michelle Ledger, told the Committee that there is no such thing as a greyhound specialist.

Dr DANIEL: Well, it is against the law. I was a specialist greyhound vet but I was not allowed to call myself a specialist. All I ever handled was greyhounds. But because I did not have a certificate or a diploma in greyhound medicine—and there was no such thing at the time—I could not legally call myself a specialist greyhound vet.

The Hon. MARK LATHAM: No, but in practicality there are people who specialise with certain animals, are there not?

Dr DANIEL: Well, there is Ted Humphries. I would call him one. He has run greyhounds for years, Ted. There is Newell and a whole heap of people who spend most of their time working with greyhounds. You are not legally allowed to call yourself a specialist greyhound vet. It is against the law.

The Hon. MARK LATHAM: So you think she is talking about that legal technicality rather than the practicality that some people do specialise in this area of animal care.

Dr DANIEL: Oh, of course. That is all I ever did. One time I had a cat come in and all the people and the staff came to watch me because they had never seen me treat a cat before. They were amazed.

The Hon. MARK PEARSON: You definitely are a specialist.

Dr DANIEL: Yes. I would do working dogs as well. But now if we can go onto the next thing—am I going to run out of time, or what?

The CHAIR: You have got 10 minutes.

Dr DANIEL: Righto. Well, the other thing is that all the drugs that Lance Armstrong used to become world champion seven times could be used in the greyhound industry now for the simple reason that we do not do enough out-of-competition swabbing. All those drugs, the emphasis should be changed completely from swabbing dogs at racetracks to out-of-competition swabbing. It is just ridiculous; it is just totally ridiculous. And if you are worried about people turning up at all hours of the night with GWIC what I suggest is worse, because you are going to have people turning up to take analysis and urine samples from dogs at all times of the day because testosterone—you used to be able to give it for injections. It was just by injection basically or tablets, which took a long time to get out. Now you can go and if you have got an erection problem you can go and you can get inhalants or you can get creams that you rub on yourself. You wash them off and instead of a drug taking four days to get out, it is out in eight hours.

Recombinant human erythropoietin [EPO] is a drug that has been used. People have got positives to it. If you look at EPO, it normally breaks down in the urine within 48 hours. Roughly you have 2½ days at the most to find it. That is another thing with having swabs come to Bathurst and then go to Victoria. It is absolutely ridiculous. You take a swab from a greyhound that you suspect might have EPO and by the time it gets to Victoria, the two days are up. That is another thing which is absolutely stupid. With this lot, they found two positives for EPO and they wanted to do the confirmation to make sure it was in the second dog. Where did they send it? England. Like, it is just crazy. I just do not know what it is but there is nobody that seems to know what they are doing with drugs. Basically, you have got to do more out-of-season swabbing.

The other thing is you have got two drugs, testosterone, which now nobody does it in Australia except I think they have done it in two people—in humans. You have got a new way of finding out whether a drug is synthetic or whether it is made by the animal. It is called carbon isotope ratio testing. That should be done because you would be able to find abnormal use of testosterone in dogs and tell people that it is proven that it come from injection, or from an outside source. Another drug that is a big problem is hydrocortisone. Hydrocortisone is a painkiller. It is produced by your body. They set levels for it in humans but if you get a positive above it, they do not worry about it because it is produced under stress. So as soon as you get a positive they just say the dog is under stress so nobody does anything about it. Hydrocortisone was used by Lance Armstrong because it is a painkiller. If you read some of the articles on people who have used it, going up hills they get no leg pain, no nothing.

It can be used in greyhounds all the time, with impunity. Actually, there was a case in Victoria of a fellow who used to win a lot of races. One of his trainers went to his house. They found a 500-pill package of hydrocortisone and they asked him, "What's this?" He said, "I just use it if dogs were a bit down, just to freshen them up a bit." He had won about 30 races, had been swabbed and never found a positive. So you have got a drug that somebody gets pulled up for one nanogram of meloxicam and they can use hydrocortisone with impunity. It is just crazy—the whole thing. As I said, I gave up in frustration before because you are just bashing your head against a wall. The reason I came here is because I thought, "I can't get anywhere by going from the bottom up or going through the channels." I thought that maybe if I talk to you people, you could set up a system where, you know, swabbing in New South Wales could be the best in the world. You could bring in systems from the World Anti-Doping Agency [WADA]. It has protocols for all this sort of stuff.

That is another reason I would have liked the swabbing to go back to Flemington because I do not know why they ever went to Melbourne. When I first was there they had spent \$20 million doing up Flemington, the laboratory. It was state of the art. Then apparently because of some clash of personalities between them, they sent it to Melbourne. Not only with EPO is that a total waste of time, but you cannot work or talk to the people. You cannot sit down and organise a system of analysis for a drug that you might think might be a problem. The other thing, Adam Cawley—I do not know whether he is still there; but he was when I was—is responsible for a whole

heap of scientific articles on carbon isotope ratio testing. Like, we could do that and New South Wales could be—forget about Victoria and do not get involved with Greyhounds Australasia. You set it up and do it yourself. No, as I said, now I think I have just about yelled at you enough.

The CHAIR: I think that is exactly the point that we are making. I put that question to them and they did not seem to want to say that they could do it or wanted to do it.

Dr DANIEL: You see, another thing that happened when I was in the process of leaving—so I do not whether GWIC were involved in the final decision or not—but there is a hormone called boldenone, which is an anabolic steroid. If it is found in humans and is below five nanograms, they assume it is endogenous—made in your body. If it is between five and 10, they do carbon isotope ratio analysis to prove where it has come from, or if it is above 15 nanograms they charge you. But here, I had a bloke with one nanogram who was charged. At the time—actually, I apologised to him later because I did not have time to fight it for him. He was charged and they did a sample four or five days later and it was negative.

You would have expected to see some trace later on if it was an injection, so it was most likely made in the dog. Anyhow, that is another thing. When I mentioned it to them, they just said, "There's no scientific evidence in dogs." They will make a ruling on cobalt and arsenic on some horse thing, but they will not make a ruling on a person with dogs, even though it is done by the World Anti-Doping Agency [WADA]. As I said, I do not know. One, you have got to do something about the levels for people. Two, they have got to start checking on—they have to do out-of-competition swabbing. It is just a joke. It is just a laugh. If you can, get them to go back to Sydney. What I think is needed overall, because EPO used to be a problem when I was there—since then, they have a group of drugs called CERA, which are continuous erythropoiesis receptor activators, which make you produce your own.

They are a drug now. I think WADA has just found a positive to those—or one of them, anyhow. Then you have another drug called FG-4592, which actually slows down the breakdown of EPO. Now that is available on the internet; you can buy it on the internet. You need somebody, preferably at a Federal level, overseeing what is going on in drugs all over Australia. One other thing: Broken hocks in greyhounds are probably, in my opinion, the worst injury you can get. I do not know; they say injuries have decreased. I know there is a lot of anger at Wentworth Park because the vet will not put any greyhound down, even though people are asking to put them down. I do not know whether cases are sent elsewhere and not reported. Years ago, if a dog broke its hock it was reported on the night. I do not know what happens now, so I do not know whether they are under-reported or not.

The CHAIR: Alright. Thank you very much, Dr Daniel, for coming and answering our questions.

Dr DANIEL: Well, you didn't get to ask me any questions.

Ms ABIGAIL BOYD: It was very useful. Thank you.

Dr DANIEL: I am sorry to go on, but I think this problem is—you have a lot of problems that should be attended.

The CHAIR: We are trying to work our way through it and come up with some recommendations. Thanks very much. That is the end of it for today. Thank you very much for coming.

(The witness withdrew.)

The Committee adjourned at 14:48.