

**REPORT ON PROCEEDINGS BEFORE**

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

**GREYHOUND WELFARE AND INTEGRITY COMMISSION**

**CORRECTED**

**At Jubilee Room, Parliament House, Sydney, on Thursday 30 June 2022**

**The Committee met at 12:10.**

**PRESENT**

The Hon. Robert Borsak (Chair)

Ms Abigail Boyd (Deputy Chair)

The Hon. Wes Fang

The Hon. Courtney Houssos

The Hon. Mark Latham

The Hon. Taylor Martin

The Hon. Mark Pearson

The Hon. Mick Veitch

**PRESENT VIA VIDEOCONFERENCE**

The Hon. Lou Amato

\* Please note:

[inaudible] is used when audio words cannot be deciphered.

[audio malfunction] is used when words are lost due to a technical malfunction.

[disorder] is used when members or witnesses speak over one another.

**The CHAIR:** Welcome to this public hearing for the inquiry into the Greyhound Welfare and Integrity Commission. I would like to acknowledge the Gadigal people of the Eora nation, the traditional custodians of the land on which we are meeting today. I pay my respects to Elders past, present and emerging and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today. Today we will be hearing from senior representatives from the Greyhound Welfare and Integrity Commission and organisations involved in greyhound rescue and rehoming. While we have many witnesses with us in person, some will be appearing via videoconference. I thank everyone who is making the time to give evidence to this important inquiry.

Before we commence, I would like to make some brief comments about procedures for today's hearing. Today's hearing is being broadcast live via the Parliament's website. A transcript of today's hearing will be placed on the Committee's website when it becomes available. In accordance with broadcasting guidelines, media representatives are reminded that they have to take responsibility for what they publish about the Committee's proceedings. While parliamentary privilege applies to witnesses giving evidence today, it does not apply to what witnesses may say outside of their evidence at the hearing. I therefore urge witnesses to be careful about comments you may make to the media or to others after you complete your evidence. Committee hearings are not a forum for people to make adverse reflections upon 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.

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 today and want more time to respond, they can take a question on notice. Written answers to questions taken on notice are to be provided within 21 days. If witnesses wish to hand up documents, they should do so through the Committee staff. In terms of the audibility of the hearing today, I remind both Committee members and witnesses to speak into the microphone. Finally, could everyone please turn off their mobile phones, at least to silent, for the duration of the hearing.

**Ms LISA WHITE**, President and Founder, Friends of the Hound, before the Committee via videoconference, affirmed and examined

**Ms LORRAINE RAMSAY**, Founder, Rescued Greyhounds NSW Central Coast, before the Committee via videoconference, affirmed and examined

**The CHAIR:** I now welcome our first witnesses for this afternoon. Would either or both of you like to make a short opening statement?

**LISA WHITE:** Thank you for inviting me to give evidence today. In 2002 I rescued my first greyhound from the local pound. In 2003 I founded the greyhound rescue group to help provide adoption opportunities for the greyhounds that were being discarded and killed in the thousands by the Australian greyhound racing industry. Friends of the Hound is a non-profit volunteer-based charity committed to saving greyhounds and finding homes for them as family companions. Our dedicated team of volunteers are all part of the successful and comprehensive adoption program.

From the outset, I maintained that the principal issue with greyhound racing is its reliance on dogs. What to do with an excess of greyhounds bred for racing and gambling? What solution will appease animal lovers, animal welfare groups and the general public? Historically a dog-killing industry, greyhound racing still faces interminable issues around welfare. There will never be enough homes for all the greyhounds as family companions. Sanctuaries that provide for their every need do not exist. Killing is unacceptable and no longer an option. The number of dogs necessary for a sustainable racing industry is itself the reason why the industry will not remain viable in our modern society. The consequences of exploiting this number of dogs every year will always have a dire impact on welfare. In this vicious cycle of breeding and surplus there is no resolution.

Until greyhound racing is phased out, the Greyhound Welfare and Integrity Commission tasked with protecting the welfare of greyhounds needs to continue its improvements in welfare and strengthen its regulatory function and, by doing so, maintain integrity in the industry. The separation of commercial and regulatory and welfare functions was an obvious necessity. Nobody wanted the fox in charge of the henhouse, except maybe the fox and his friends. I understand now that the funding model has changed, with GWIC being funded by the Government and no longer by Greyhound Racing NSW. GWIC needs to have independent control of all welfare-related matters and focus on protecting the welfare of greyhounds and not the protection of the greyhound racing industry. The commission is derelict in its duty if not allowed the independence and funding necessary to meet the purpose of its existence.

There has been recognised improvements in greyhound welfare in New South Wales since the inception of GWIC. Friends of the Hound welcomes these improvements. Given that we also operate in Queensland, I believe that New South Wales is doing a comparatively better job than their Queensland counterparts. This is despite the opposition that they face. It has been my experience that many greyhound racing participants view welfare initiatives as a personal inconvenience. I understand that people are often slow to adapt and resentful or fearful of change, but participants have shown a blanket dislike of GWIC and the new policies and procedures that they believe impact negatively on their time and their practices, preferring their old ways of doing things and to be left alone to get on with it. Those that breed and race greyhounds do so with little regard for the long-term health and life of the greyhound. This is because any attachment is temporary and short lived as they do not expect to have most of these dogs past their racing competency.

The greyhound racing industry fosters this huge disconnect between greyhounds as products of racing—“canine athletes”—and greyhounds as sensitive, beautiful dogs. The greyhound breed has received much public exposure through media and social media and higher numbers are recognisable out and about in the community as loved pets. People see them as beautiful, sensitive, friendly companion animals. The environment, conditions, expectations and injuries that they are subject to in the racing industry, despite the myriad of claims about welfare being a priority, are not what people find appropriate or acceptable. I am currently assisting GWIC in the trial of its eTrac scanners and hopefully this and our dealings with GWIC can be discussed in more detail, along with adoption outcomes and Greyhound Racing NSW's target date for zero euthanasia. Thank you.

**The CHAIR:** Ms Ramsay, do you want to make an opening statement?

**LORRAINE RAMSAY:** Yes, thank you very much. I was a foster carer about 15 years ago for a local pet rescue group and a greyhound came into my care whose back was ripped open, firstly, through an injury in racing and then through its lack of veterinary care. It started to attack its own wound because it was left for four days. The owner took her to a local vet to have her euthanised without payment. He said to the vet, "You can have her blood." The vet wouldn't do that because of the infection in the wound. This comes to the point where greyhounds are universal blood donors and so their blood is quite valuable for all sorts of things. So I took that

dog home to rehabilitate her and treat her wound, and the wound took months and months to heal, and it had to be attended at least twice a day.

That was 10 years ago. I kept that beautiful dog and she was the motivation for me to keep saving other greyhounds. I think I've saved around 800 greyhounds in that 10 years and that has been very challenging for the types of conditions, whether it be mental conditions or physical conditions. Sadly, a lot of greyhounds are still euthanised—quite healthy dogs—and some of them are euthanised for their blood. This has to be looked at. They are blooded whilst they're conscious and they still disappear. We've got the greyhound rehoming group. Today—precisely—30 June, 30 greyhounds, \$30 each, which I think is absolutely abhorrent and we have no idea how those greyhounds will finish up. That is all I want to say for now. Thanks very much.

**The Hon. MICK VEITCH:** I just have a couple of quick questions. The first thing is, Ms White, you spoke about the recent change in the funding model for GWIC. What do you like about the change in the funding model? Do you support the change in the funding model, I suppose is what I'm trying to say?

**LISA WHITE:** Yeah, I do. I do support the change in the funding model, given that there was concern about the conflict of interest with Greyhound Racing NSW funding the regulatory and welfare commission. So I think it is better for greyhounds that that funding model change. As I mentioned, I do believe that most welfare initiatives that have come about—reactively rather than proactively—have come about more to protect the industry than the actual dogs themselves, and I believe this continues. Until that doesn't continue, we're not going to see appropriate welfare initiatives.

**The Hon. MICK VEITCH:** This is a really personal question. Like, I'm trying to get my head around how both of your organisations interact with GWIC. What is your relationship with GWIC like, I suppose, and how does the rehoming process work for both of your organisations?

**LISA WHITE:** For my part, we do have dealings with the commission. We contact them with, obviously, concerns and problems that we see in the industry. I have some examples here, if you wish to hear them, but some very recent ones: a vet in the Hunter Valley contacted one of our volunteers two weeks ago about a 17-month-old female greyhound that was presented to them for euthanasia. The dog had a gastric issue and the registered racing participant did not have time to look after her. So Friends of the Hound agreed to take this greyhound into our care and that particular vet performed the desexing et cetera for us through the rehoming scheme. This incident was reported to GWIC for follow-up. Again, I understand time frame.

Another volunteer was contacted by a vet in Taree about a greyhound booked in for euthanasia. The dog had been given away by a racing participant down in Canberra. It wasn't on the New South Wales Companion Animals Register. Presumably it was still registered to racing. This is ongoing because we've only just compiled the information and forwarded that to GWIC. There are other things. Over 12 months ago in response to an advertisement on Gumtree, two of our volunteers drove to a large property in the Port Stephens area, I believe, to collect a greyhound, and there were apparently 120 greyhounds on this property. They witnessed very poor-looking dogs in paddocks with long grass, faeces-covered ground and dirty feed and water dishes. The guy had two German shepherds in a cage near his gates. The volunteer made an offhand comment about the German shepherds and he said, "Yeah they're for when GWIC poke their nose around." So things like that we report back to GWIC and it's good to have that mechanism that we can identify possible concerns for their industry. I've got a lot of examples of these things, but we do report to them any concerns we have about racing participants and the welfare of their greyhounds.

I would like to talk about eTrac too, if I'm allowed to? This initiative tracks all greyhounds in the industry. It is about time, obviously. It is long awaited, but it sounds like it's going to be a good initiative and one that should combat that loophole of dogs being retained by racing participants and subsequently killed. In their submission, GWIC stated that over one-third of retired greyhounds notifications in the 2019-20 period were those retained by their registered owner or trainer as a pet or breeding greyhound, which equated to 520 dogs with 23 retired to another racing participant. Just recently I contacted the commission for an update on their Greyhound Register Reconciliation Program. Back in 2020 they conducted a program to validate historical data and determine the actual number of greyhounds eligible for inclusion in their register. So this was basically the handover of data from Greyhound Racing NSW to GWIC.

The submission to this inquiry stated that they contacted 4,795 registered participants to confirm the current status and location of 15,118 greyhounds under the age of 10 with no recorded industry activity since July 2018. It generated a population estimate of 20,168 greyhounds. So that was the number of live greyhounds in the industry. It was 7,958 pre-race greyhounds—so pups, basically, and unnamed greyhounds. There were 6,224 racing greyhounds—so currently registered as racing dogs. And there were 5,986 post-racing greyhounds, including those retired to owners and trainers as pets, and retired for breeding. Given that there were 15,118 dogs with no recorded industry activity for two years, the number of post-working greyhounds only accounted for

5,986, of which 12 had been retired for export. This leaves 9,120 greyhounds that remain unaccounted for. And despite their information on their register reconciliation program, I have been able to find no updates on that. So I'm still waiting for confirmation regarding this outcome because it seems that at the time of handover from Greyhound Racing NSW to the commission, there were 9,120 dogs unaccounted for. That's huge. Contacting all those people, I think, is a large undertaking and kudos to them for doing it.

The commission also initiated a program to confirm the status and whereabouts of greyhounds between the ages of 12 to 18 months—this is the period in which they are being prepared for and assessed on the suitability to race—the findings of which I am unaware and I haven't been able to access. Again, it would be interesting to know how many of those greyhounds—obviously they go into the same figures of the 7,958 pre-race greyhounds. That is the figure they came up with. What I don't know is the figure that they didn't find—the number that were unaccounted for. So I think [disorder].

**The Hon. MARK PEARSON:** If I could just ask a question, Chair?

**The CHAIR:** Ms White, the longer you talk, the less chance we have of asking you questions and getting answers. If you want to continue, you can, but I think Mr Pearson has a question for you.

**LISA WHITE:** Certainly.

**The Hon. MARK PEARSON:** Thank you very much. These figures are very helpful. Just so I am clear, the figures you are referring to in relation to the 15,118 greyhounds and the breakdown after that—those inquiries of the almost 5,000 participants were made by GWIC between 2019 and 2020? Is that correct?

**LISA WHITE:** Correct. According to their submission to this inquiry, yes.

**The Hon. MARK PEARSON:** It found that 9,120 greyhounds were basically unaccounted for. Is that correct?

**LISA WHITE:** It wasn't stated. I did the maths myself, and that's why I need confirmation of it from GWIC, which I'm hoping they will provide.

**The Hon. MARK PEARSON:** Have they come to a finding or a conclusion, or have they undertaken an investigation as to where those greyhounds are and what is their situation?

**LISA WHITE:** Hopefully, yes. According to the submission, they did say that further updates will be provided once the investigations were carried out. At that time, they just generated a population estimate of registered greyhounds, which was the 20,168. I guess for the lifetime tracking that they are intending to introduce with this e-track program—which is why I mentioned it—they had to ascertain what greyhounds they had on the ground, and therefore it makes sense that then, ongoing, they should be able to keep track of these greyhounds. However, it wasn't mentioned that there was some unaccounted for. It's just that the figures didn't add up.

**The Hon. MARK PEARSON:** Yes, correct. With your experience as a rehomer of greyhounds and finding homes for greyhounds and your understanding of the number of greyhounds that are born into and used or not used in the industry, is it possible that we can find all of them homes? Or is that a delusion?

**LISA WHITE:** No, not at all. You can stick them in farm stays and let them see out their lives there, but as far as finding homes for the dogs, no.

**The Hon. MARK PEARSON:** A home as opposed to a kennel.

**LISA WHITE:** Absolutely. As opposed to being caged and not having what people regard with other companion animals as that lifestyle, no, there is no way that the number of greyhounds necessary for racing will be able to be rehomed.

**The Hon. MARK PEARSON:** Are there a number of greyhounds that could sustain the industry continuing where all of them could be found homes, or is that impossible?

**LISA WHITE:** That would be a question for Greyhound Racing NSW to see what the minimum number of greyhounds are required to field race meets. However, going back to Greyhound Racing NSW's submission to this inquiry, they said:

... whelping numbers are at historically low levels, and less than the ideal number.

This is their submission to the inquiry. It also says—

**The Hon. MARK PEARSON:** Coming back to that comment, the whelping numbers are not—I think it was the statement you made—at the desirable figure. Is that correct? There was a concern that the whelping numbers were starting to drop and, therefore, if that were to continue, the industry couldn't continue to function—

**LISA WHITE:** That's correct.

**The Hon. MARK PEARSON:** —because they need X number of whelping pups to go into the industry. Is that correct?

**LISA WHITE:** Yes, that's what they've stated.

**The Hon. MARK PEARSON:** Thank you.

**Ms ABIGAIL BOYD:** Ms Ramsay, we talk about the numbers of dogs that are coming out of the industry and going through GAP et cetera. My understanding is that there are a number of dogs that you take on that perhaps would be otherwise euthanised within the industry. I'm particularly interested in hearing about the process of rehabilitation for dogs, for example, that have been found to bite or have other psychological issues. Can you talk us through how many of those you've seen, what would happen to them if you hadn't seen them and what the process of rehabilitation is?

**LORRAINE RAMSAY:** Certainly. Probably at any one time, I have at least two greyhounds in my care that were homed through GAP for whatever reason—such as the greyhound allegedly bit their child, for instance, and then Greyhounds As Pets wouldn't take the dog back and the owners were actually advised to euthanise the dogs, which is amazing. Some of these dogs are lucky enough to get a second chance and I take them on. The first thing I do with them, apart from assess them as well as I can before I get to know them any better, is I let them decompress. They're made comfortable, and they have, say, a crate to sleep in because that can be theirs. It's where they can eat and sleep, they know they're safe and they know a routine. I ask very little of these harmed dogs for quite a while.

My own pet greyhounds are great ambassadors and great role models for these dogs. Some of them are just mentally problematic, and some are physically problematic as well. I make sure that they know their environment is safe for them and they have a routine—feeding, toileting, exercise and a safe, comfortable rest and sleep environment. When I start to work on them more seriously, I do it very slowly, and I have to be sure that the dog understands what I'm asking of it. Some of this rehabilitation takes literally months. I have these two Greyhounds As Pets returns at the moment, and they're long-term rehabilitation. What I do is I keep them for long enough that they realise their lives have changed for the better and they get used to a kind life.

**The Hon. MARK PEARSON:** Could I just ask a quick question there? What are the main concerns or areas that need to be rehabilitated in the greyhounds that come to you? Can you just identify two or three of what tend to be the main issues that need to be rehabilitated in a greyhound?

**LORRAINE RAMSAY:** Anxiety is a big one. Recurring injuries is another.

**The Hon. MARK PEARSON:** Sorry, recurring injuries?

**LORRAINE RAMSAY:** Pain from injuries.

**The Hon. MARK PEARSON:** What kinds of injuries?

**LORRAINE RAMSAY:** Whether they've had broken hocks, for instance. Some have been treated and some haven't. Sometimes they're lame with it. A lot of the greyhounds come out with untreated fractures, and that makes it much more difficult. Psychological problems are quite a long road to travel with a greyhound, the rehabilitation, because I have to set them up not to fail again. So I give them a lot of time.

**Ms ABIGAIL BOYD:** If you're not there to do that—and I understand that you do that without government funding and off your own bat—what would happen to those dogs then, with those sorts of psychological problems?

**LORRAINE RAMSAY:** I have no doubt that they would be euthanased.

**Ms ABIGAIL BOYD:** So the situation with GAP, then, is that they are rehoming, really, only the dogs that are most likely to, I guess, take less work to be rehomed? Would that be a fair statement?

**LORRAINE RAMSAY:** Yes, it's a fair statement. But I don't think they do a lot of rehabilitation work on them.

**Ms ABIGAIL BOYD:** Do you know how long an average stay with GAP would be for a greyhound—how long the program is?

**LORRAINE RAMSAY:** No, I have no idea.

**LISA WHITE:** Can I just point out the differences between what Lorraine and my group—or our group—does and the GAP process. It is that we are rehabilitating these dogs, if that's what you want to call it, in

our homes. These dogs are taken out of an environment that they've become used to, where they have expectations placed upon them, and they're brought into an environment that we intend to keep them in for the future. So I think the reason that, I believe, our adoption processes work possibly better than GAP's is that we don't put a time limit on the dog being settled and appropriate for, or suitable for, rehoming. But we bring them into an environment that is totally different to the racing environment. So I think there's a struggle with trying to get these dogs to let down and behave in a manner that is now expected of them as a pet or a companion animal, when they're still in that type of environment.

**Ms ABIGAIL BOYD:** Like the 300 dogs per facility at a standard GAP facility?

**LISA WHITE:** Exactly. And I don't believe a GAP employee could reasonably tell someone who was wanting to adopt this dog about it. Whereas a foster carer who has had the dog in their home, where it has been interacting with their pets, with their kids, being taken for walks in the community, we can say, "Yes, we believe this dog is a suitable match for your environment." We also conduct home visits for every adoption. We go to people's homes. We make sure—or, to the best of our ability, we ensure that that dog is going to a suitable and caring environment. It is not just being adopted from a shelter. I agree with Lorraine that initiatives like the \$30 Winter Adoption Day that Greyhounds As Pets is running today is not conducive to best homing outcomes. It, obviously, increases adoption opportunities, but it inspires impulse adoptions, it devalues the greyhounds and the adoption process and it puts those dogs in danger of being adopted by the wrong people, and basically just acts as a strategic kennel cleanout rather than an exercise in prioritising acceptable and appropriate welfare outcomes.

**Ms ABIGAIL BOYD:** One last question from me before I hand over to my colleagues again. I'm interested in your thoughts. We often see footage of races where a dog has fractured a hock or suffered an injury and, before you know it, the dog has been dragged off and we hear of them being euthanased. What's your view on that and, in an ideal world, what would you do with those dogs?

**LORRAINE RAMSAY:** Is that for me?

**Ms ABIGAIL BOYD:** Please, go ahead.

**LORRAINE RAMSAY:** To me, there is absolutely no excuse why fractured hocks or legs aren't treated. They're treated away from the track too for other greyhounds. Sometimes they're not treated at all and the dog still survives. So there is no excuse. I can't watch a greyhound race, but I see the ends of races on Facebook sometimes. When a dog has broken its leg, a steward comes along and picks up that dog in his two arms, with this broken leg hanging loose. Imagine the pain. There is absolutely no respect for the animal. They should at least have a stretcher and two stewards there to carry the poor dogs away. But they are usually then killed at the track when it is quite a treatable injury, such as a fractured hock or a fractured leg.

**Ms ABIGAIL BOYD:** Is that just through a lack of resources, then, to be able to afford to treat that dog? If we had loads of resources, is it feasible that we could put those dogs back in a state where they could be rehomed happily?

**LORRAINE RAMSAY:** Absolutely, but I guess the owners who have dogs fracture a leg in a race—they don't want to pay for it, but Greyhound Racing should.

**LISA WHITE:** The problem, too, is the aftercare of those injuries. Serious injuries, like broken hocks, can be repaired or, if not repaired, amputated. However, there are so many three-legged greyhounds running around enjoying life today. I have one. I know of quite a few dogs that are still very happily running around, and they do run. They can get around very well. But I think the aftercare involved in repairing or having the fractures treated is such that—we have found that we have received dogs with fractured hocks that have been treated, but they usually require further surgery because the aftercare is really important. I don't think the greyhound owners or trainers can provide the correct aftercare for those dogs.

**The Hon. MARK PEARSON:** Are you aware that any veterinarians on track are under duress and pressure to euthanise a dog because of exactly what you are saying—the cost of treating it, the time involved in treating it and the likelihood that it would no longer be a dog that could race again? Are you aware of any pressure or duress put on veterinarians to euthanise a greyhound where, in their own opinion as a veterinarian, they would not?

**LISA WHITE:** I am not aware of how the stewards would feel. However, there is an injury rebate scheme, and I don't think the uptake of that is enough. There are still dogs being euthanised for treatable injuries, and I don't know what Greyhound Racing NSW constitutes as unnecessary euthanasia. What is unnecessary euthanasia?



**LORRAINE RAMSAY:** The vets at the track are instructed to euthanise a dog if the owner wants that, but the owner can take that dog away. There are no facilities for surgery at a track, but that owner can take their dog away to a treating vet if they choose.

**The CHAIR:** Thank you very much, Ms White and Ms Ramsay, for your contributions today. We will take a break now and return at 1.40 p.m.

**(The witnesses withdrew.)**

**(Luncheon adjournment)**

**The CHAIR:** Welcome to today's public forum at the select committee hearing into the Greyhound Welfare and Integrity Commission. The Committee will be hearing directly from people who are part of the greyhound racing community or who have views about the regulation of the greyhound racing community. Before we commence, I will make some brief comments about the procedures for today's public forum. Speakers were asked to register in advance for today's forum. Those of you who have been registered to speak will be called to the table in turn. You are all actually sitting at the table—I have changed the rules. Before you begin, you will make either an oath or affirmation. The words of both will be provided to you. You will have five minutes to make a statement, followed by 10 minutes for questions by the Committee. What you say today is being transcribed and streamed live on the Parliament's website and will be included as evidence to the inquiry.

While all participants are covered by parliamentary privilege, 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 participants focus on the issues raised by the inquiry terms of reference and avoid naming individuals unnecessarily. While parliamentary privilege applies to participants giving evidence throughout this inquiry, it does not apply to what participants say outside of their evidence at the hearing. I therefore urge participants to be careful about comments you may make to the media or to others after you complete your evidence. If witnesses are unable to answer a question today and want to have more time to respond, they can take a question on notice.

Written answers to questions taken on notice are to be provided within 21 days. In accordance with broadcasting guidelines, media representatives are reminded that they must take responsibility for what they publish about the Committee's proceedings. 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 reporting potentially defamatory comments. Finally, can everyone please turn off their mobile phones for the duration of the public forum. I welcome our first public forum participant, Ms Susie Header.

**Ms SUSIE HEARDER**, before the Committee via videoconference, having been affirmed: My name is Susie Hearder and I reside in Tweed region of the Northern Rivers. I thank you for the opportunity to speak here today. I confirm my submission is published as No. 48. Because of the protracted nature of the inquiry, I will refer to new information, which I am happy to provide to the Committee. As a way of introduction, I actively advocate for all animals and I strongly oppose greyhound racing. I have been involved with animal rescue for decades and was a founding member and president of Friends of the Pound.

I was actively involved in the formation of the Friends of the Hound greyhound adoption group, which was formed because of the high number of greyhounds being dumped at the local pound to be killed. I also volunteer with Friends of the Koala and Tweed Valley wildlife groups and have regenerated and protected my 200-acre property as a safe haven for our precious wildlife. I mention this because our wildlife have also been victims of this industry. The fact that innocent victims and dogs need to be rescued is damning.

I have shared my life with many wonderful rescue dogs and currently have two rescued senior greyhounds. Like many ex-racing greyhounds, I have been unable to fully trace their former racing life, apart from the many obvious scars on their bodies. Not-for-profit volunteer groups go above and beyond to rescue, rehabilitate and rehome every dog that goes into their care at great personal cost, both physically and financially, but also emotionally as well. Until you have worked at the rescue coalface, it is impossible to comprehend the human toll. These groups should not have to spend extra time having to fundraise on top of cleaning up the industry's carnage. They should be totally funded. I also thank the Coalition for the Protection of Greyhounds [CPG] and Animal Liberation for their tireless work raising awareness, educating and lobbying for better and more transparent outcomes.

I encourage the Committee to review the CPG's recently published national survey report entitled *Observations about the health and living conditions of rescued greyhounds*, based on responses from 28 separate rescue groups about the widespread industry neglect of greyhounds which we know have been rescued. There is a well-known opposition here in the Tweed to the proposed new tracks at Chinderah. As an animal welfare advocate, I find it offensive that this includes plans to build a new oval track when all evidence indicates that most injuries and deaths occur on bends. Yes, this industry loves their dogs—to their death.

Based on the industry's own data, in 2021 some 92 New South Wales racing greyhounds were killed—64 on track and 28 off track. This is abhorrent, and it is in spite of around \$70 million of public money given to the industry since 2017, including funds for the mythical safer tracks. At the same time, the industry continues to promote this commercial and profit-driven carnage as family friendly, allowing children to become normalised to betting on greyhounds for gambling profits and to witness, firsthand, screams and distress of injured dogs, who have been forced to run on dangerous tracks. Industry footage is frequently edited to remove the animals' suffering and deaths on track.

I oppose Greyhound New South Wales' proposed 400-dog facility in Muswellbrook to warehouse discarded greyhounds. I find it ironic that, while Greyhound New South Wales claim the facility will be no kill, their own industry on-track vets are killing greyhounds almost weekly, simply because they have been injured, in spite of the industry's generous rebate scheme. While animal welfare was removed from Greyhound New South Wales, they continue to manage the industry's GAP program. Rescue and rehoming is a welfare responsibility that should fall under GWIC's management. CPG's published report, *A GAPing hole in the industry*, provides an analysis of the inadequate performance of GAP compared to self-funded volunteer rescue groups. While we have a current inquiry about puppy factories, the greyhound industry continues to breed around six times more dogs than can be placed. We now have the newly announced government e-tracking system, which will continue to fail because not all greyhounds are tracked. Many will continue to disappear.

The systemic and entrenched culture remains, as evidenced by GWIC's online final disciplinary decisions. Within six months, 34 of 49 decisions involved prohibited substances—one for failure to provide adequate supervision and veterinary care, one for misconduct towards a greyhound at a race meeting and one for possession of live rabbits at registered kennels. I'm pleased to note Government's sensible decision to independently fund GWIC to ensure no subservient relationship and avoid any conflict of interest.

Greyhounds are not expendable commodities, and we cannot regress with animal welfare in line with clear public expectations. The transfer of animal welfare and integrity from Greyhound New South Wales to an independent regulator, GWIC, is critical after the damning public exposure of the industry. We must support and strengthen GWIC, not weaken or attack it. Based on the global demise of greyhound racing, we will eventually celebrate the end of this industry in New South Wales. However, while it remains legal, I support the purpose of GWIC as an independent regulator. I encourage Government to do everything necessary to ensure GWIC are equipped to undertake their role as intended. Thank you.

**The CHAIR:** Thank you.

**Mr BOB WHITELAW**, before the Committee via videoconference, having been sworn: Thanks very much for allowing me to go this way. With the rail strike, it's been a little bit of a headache for me to get down. As a participant in the industry for over 50 years at all levels of greyhound racing—and witnessed many changes over the period of time. There's some good changes, but there's been many that have been very poor for the greyhounds and handlers. The greyhound racing industry has been under scrutiny since 1930 by all the State governments, and it still happens today. The decision to ban greyhound racing in July of 2016 was seen by many as a betrayal of liberal principles, compared to the attempt by then a Liberal reform party between 1904 and 1907 and their attempt to curtail drinking, smoking, dancing, mixed bathing and betting. There's no doubt that today the decision by the Baird Government to ban greyhound racing was on the advice of one of Grant's staffers and not on the decision by the two Ministers at the time.

Anyway, what happened was—yes, I found it was strange that it came from a staffer and not actually from the Ministers themselves. The Premier and the Deputy Premier, they themselves were guided by his advice to ban greyhound racing. It's come a long way since, and a major factor in the decision being overturned was the fact that the industry itself—and through the government coffers. The government's coffers has tax revenue that's going through it. It's gone right through New South Wales, being used at different levels for schooling, education, transport, the whole thing, through the taxation of the industry. The industry was never really supported, but it did keep the coffers of the State Government turning over. With the Hendra virus, the COVID virus, it continued on and kept the bankroll for the Government to use in other areas.

When the ban was put in place and the Deputy Premier and the Premier resigned, Gladys Berejiklian came along with the new racing Minister and formed GWIC. The way to suit the integrity and welfare of greyhound racing in New South Wales—greyhound racing has not worked at all properly since the ban. There's no two ways about it. Sadly, the GWIC board and the administration of GWIC know very little about greyhound racing or about greyhounds and the breeding and welfare side of it too, which we know, with another select committee—this is the second select committee they've had to look at greyhound racing and inquiring into it. I must point out, too, that the ban was lifted. This is an important point. When the ban was lifted, Greyhound Racing NSW was reconstituted, with the appointment of Mr Tony Mestrov, the CEO, who then too knew very little about greyhound racing, along with Dayle Brown, who came over from Victoria as the deputy CEO. He was the former integrity services manager with Racing Victoria. His expertise was a great help, but the Government, in their wisdom, decided to put together GWIC.

When you look at the structure of GWIC and you look at the commissioner, you also look at the staff, they knew virtually nothing about the industry. They were coming in and flying blind. On many occasions, I was approached by GWIC as one of the leaders in the industry reform group as to what was the best practices. No doubt, with some of the incidents that have happened over the period of time that GWIC's operated, they have been completely out of their depth. Now, some of the people have come on board as people that are supposed to have integrity—when they have come from another form of racing where their integrity has been compromised. It makes you wonder if GWIC is working properly in its capacity to regulate greyhound racing. You've got the situation, as that lady just said a minute ago, at Martindale, where Greyhound Racing NSW is about to put together a retaining facility for rehoming. Now objections have come along from the animal liberation side of it. This is a little bit contradictive when you talk about their principles about greyhounds and greyhounds with rehoming.

**The CHAIR:** Mr Whitelaw, your time is up. Thank you very much.

**Ms NATALIE PANZARINO**, having been affirmed: I have some materials that I would like to provide to the Committee. My name is Natalie Panzarino and I am the president of Greyhound Rescue. Greyhound Rescue is the State's largest independent greyhound rehoming organisation. We are a registered charity relying on fundraising and donations to do the work that we do. GR is run by over 240 volunteers, with two full-time and four part-time employees to ensure best practice at our kennels. GR is governed by an executive committee, the members of which are volunteers, myself included, with relevant professional skills. I work full-time hours in this role, having been an active volunteer with GR for 10 years and taking over running the charity three years ago.

Greyhound Rescue's mission statement is to ethically rescue, lovingly rehabilitate and safely rehome greyhounds, giving them a voice through advocacy and education. It is in the role of an advocate that I appear here today. We are on the ground every single day working with hounds who directly or indirectly are no longer wanted by the racing industry. The Government funds the racing industry, so then the Government is accountable for the standards within that industry. Their tools should rightly be an independent regulatory body with resources and powers in line with public expectations that standards of welfare are now beyond reproach. Reasonable welfare standards and improvements have been identified and set out by GWIC in codes of practice that have been clearly communicated to industry participants. Reasonable time frames and parameters to meet those requirements have been provided in order to meet the expectations of the taxpayers of New South Wales following the release of the McHugh report.

Many industry participants—indeed, some appearing before this Committee—maintain the rhetoric that it is just a few bad apples. I note that earlier witnesses speak of GWIC inspectors no longer arriving to conduct their inspections with cameras on. But if you're doing no wrong, then you should have nothing to fear. Actually, in many instances even if you are doing the wrong thing, you've nothing to fear—even in clear cases of multiple breaches of code. Of the scores of welfare breaches that we have reported, to the best of our knowledge only a few have actually faced disciplinary action at all. I support the work of GWIC and the work that they have done and continue to do to improve welfare standards. I'm here to highlight the deficit between the issues and GWIC's capacity to address them.

I would like to tell the story of a greyhound named Jaskier surrendered to Greyhound Rescue by a participant who we had a long history of assisting. It was a blistering hot day and, despite being asked to delay the surrender due to the extreme heat, the hounds were transported to us anyway. When they arrived, Jaskier was experiencing many very concerning symptoms, including difficulty walking, and he was urinating blood. He spent two days at the emergency vet receiving treatment for life-threatening, heat-induced myopathy at a cost of several thousand dollars. When our kennel manager contacted the participant to inform him of Jaskier's condition, the participant told her that we should have just killed him because that would have been cheaper. The participant in question was brought on disciplinary action on four charges—you've got a copy in front of you. The resulting penalties were a formal warning, six months' disqualification and two months' suspension, along with a \$200 fine. Is that penalty commensurate with public expectation? I doubt that it would pass the pub test.

I'm not here to have a go at the racing industry. That's not my job. I'm here to advocate for welfare and to tell you that, from firsthand on-the-ground experience, since the formation of GWIC the standard of welfare has indeed improved. Things such as registered pairings, requirements to attempt rehoming, codes that include requirements for vaccination and reasonable housing, socialisation and food standards and requirements for veterinary care, as well as the very recent announcement of lifetime tracking, are all great ideas. Unfortunately, welfare has not improved across the board anywhere near enough to be considered high. As pointed out by others before this Committee, welfare is a continuum. Like any industry, greyhound racing should be measured not by the heights reached but by the depths of its lows.

I've provided you with a piece of paper in an envelope because you might find the images on this paper distressing and so you could simply choose not to look at them. I'm showing you not because I'm looking for some kind of cheap shock value but because I feel that you truly need to understand what the better standard of welfare actually looks like. I invite you to look in the envelope. I say that we have seen an improvement, but improved standards does not mean high standards. Every image on that page is of a hound that we took on after GWIC's inception and, to be clear, we're not a medical facility with veterinary services: We're a rehoming organisation

Anyone would agree that the welfare standard demonstrated on that page is far from high. We regularly have greyhounds brought to us with serious injuries and wounds that should have received veterinary care. We see underweight hounds, hounds with fleas, ticks and worms; regularly we note that the hounds were vaccinated only prior to surrender and upon our request, contravening the code. We receive hounds that were operated on weeks ago but still have stitches in, rotten teeth, broken toes, legs and tails. And that's just their physical state, not to mention the many psychological scars that they carry.

The reality is that GWIC is a paper tiger, under-resourced and under-powered. GWIC has neither the resources to follow up on all concerns; nor do they have the power to enforce reasonable penalties for transgressions. If the Government is funding the industry, then it must also adequately fund the industry's regulatory body and give it disciplinary power to a level commensurate with the expectations of the public in regard to the standard of welfare and penalties for breaches. Welfare should be the main driver behind GWIC; it's part of their name. The recommendations from the McHugh report have been steadily watered down over time and we are now working towards a point where, after all of that, nothing much will have changed. GWIC must be given the resources and funding to monitor the industry extremely closely and the power to enforce steep penalties in order to provide the strong and robust independent regulation expected by the people of New South Wales.

**The CHAIR:** Thank you. Ms Scherer is next.

**Ms SONJA SCHERER,** having been sworn: In 2020, a year of social restrictions, the greyhound welfare industry integrity commission prosecuted 92 owners and trainers. Sixty-two of those prosecuted related to doping with all sorts of amphetamines, caffeine and arsenic, as well as other acts of cruelty. Long-term trainers and owners were found with lures—lures that contained animal hairs, skin and flesh. Shock collars were also used by some of the same long-term owners and trainers. The industry has not been pulled onto moral ground. Instead, it appears to pull GWIC into its web of contradictions. For example, one owner and trainer was suspended for nine months for abusive language and inferring the industry was corrupt. Another owner-trainer was fined \$1,200 for losing his temper. These fines and suspensions may not be enough. However, when we compare these penalties

to doping a greyhound, the average suspension is five weeks; 12 weeks' suspension for overbreeding a greyhound; and 20 weeks' suspension for killing an unwanted greyhound before it could be assessed by GWIC. There were no monetary fines.

In the case of the greyhound killed before GWIC could assess him—and, just to be clear, the owner and trainers were well aware when inspectors were coming to assess the greyhound for rehoming—the greyhound was disposed of, probably as a way to avoid the evidence of diabolical treatment as we have just heard. When you read the case history, owners and trainers use their long standing in the industry to mitigate their penalties; yet their entrenchment in the industry is not something that ought to be mitigated because it shows many are complicit in well-known and longstanding abuse of greyhounds. Between 2019 and September 2020, 580 greyhounds were euthanised because of racing injuries that resulted in severe, unbearable pain from bone and back fractures, spinal injuries and hock fractures, according to GWIC veterinary reports. In other words, 580 greyhounds were raced to death. In the same period, 72 greyhounds were euthanised at the track from catastrophic injuries. The details of those injuries ought to be, and should be, named. Transparency is the key.

Graphic information and marketing tweets such as that from the Minister for Better Regulation and Innovation—in support of GWIC, the Minister tweeted that the catastrophic injury rate in 2019 was at a record low of 0.7 per cent per 1,000 starts. The Minister's innovating marketing description of such cruelty to 72 greyhounds shows a total disregard for the abuse of intelligent companions to humankind, who feel pain. Eighty-three greyhounds were put to death because of behavioural problems, without any accompanying information. It should be noted whether the behavioural problems were due to suffering shock treatments as training mechanisms, drug abuse on a regular basis or severe pain because they were raced while injured and drugged. Is this the method of owners and trainers mitigating suspension by disposing of greyhounds to avoid knowledge of diabolical treatment? Forty-two greyhounds were put to death because they could not be rehomed, despite numerous greyhound rescue organisations. Again, is this a number of greyhounds whose owners and trainers have just said, "Kill the dog. Kill the dog."

Since the media exposed deplorable, shameful cruelty to greyhounds in 2015, there was supposed to be an overhaul of the industry, after Justice McHugh's independent inquiry. Justice McHugh was so horrified by the industry's acceptance of doping, live baiting of greyhounds, the use of shock collars as training methods and the cruel manner of disposing of unwanted greyhounds that he asked the Government to consider whether the industry had lost its social licence to operate. And the public agree. Thank you.

**The CHAIR:** Thank you. Mr Carl.

**Mr DENNIS MICHAEL CARL,** having been sworn: I'd just like to start by going back to the beginning of GWIC when they started in 2018. At that time, GRNSW transferred to GWIC 3,144 licensed participants. At the end of 2021 the number of licensed participants is now down to 2,128, notwithstanding the fact that a number of new applicants did come in and become licensed. I put that down, personally, to a number of meetings that I attended when the ban was lifted—the initial one being with the ex-Premier, which was delivered at the GBOTA's annual general meeting, followed up by a couple of addresses by the acting CEO. This was then followed by a meet and greet by GWIC, which I attended at the Richmond Race Club, where I happen to be the chairman of the GBOTA branch. All of those addresses were incredibly scary to say the least, and I believe that that is the beginnings of why these participant numbers declined so dramatically.

As we progressed into the beginnings of this time of GWIC, and of course the new GRNSW, what we were confronted with, in my view, was regulatory strangulation and financial starvation. The prize money that we were getting compared to the amount of money that we were earning for GRNSW was pathetic, and it is way, way behind other States. An example of that today is Victoria's prize money, which is \$53 million, against about \$38 million in New South Wales. Even Hobart's prize money, which is a very small racing set-up compared to here, is significantly higher than us.

After the presentation by GWIC, it seemed to me—and it didn't matter what organisation it was, GRNSW or GWIC—the people put in charge to govern us didn't have a clue what they were talking about. With the GWIC appointment, to me it looked like we were confronted with the sport of kings versus the sport of the working class. If you go through the participants in this sport, unfortunately, a great number of them—in fact, the vast majority—have issues with GWIC but have not come forward. I speak to many of them. They tell me the problems that they have had, but they won't let me speak or use their name because of the intimidation they know they are going to receive.

I have some examples that I can relate. I have one here that I would like to present to the Committee afterwards, which I think is very damning in certain instances. The behaviour is one thing they like to focus on. Behaviour is one of the rules by which participants have to abide by, and woe behold any of them if they step outside that. However, the behaviour of people in GWIC—whether they be compliance officers or stewards—can

be, to say the least, deplorable. We had an instance recently where a trainer was cited by the steward because in the opinion of the steward the greyhound was treated badly in the kennels leading out to the racetrack. Apparently, as the lure goes around—which we call the "stir-up"—the dog jumped around a little bit, and the steward charged the trainer with cruelty.

There was another person in that kennel right behind the trainer, who was an ex-GBOTA director and a person renowned for his attention to animal welfare, seriously. He wrote a letter to GWIC, refuting what the steward had said. The problem there for us is that steward goes to the inquiry, and the inquiry is conducted by another steward. So you've got a steward investigating a steward. At that point, my contention there is the trainer had no chance; he was going to be found guilty no matter what. The letter that was submitted by the ex-GBOTA director was totally ignored.

These are the sorts of things we get: behaviour, which we have just dealt with, and another issue we have is presentation. Participants take their greyhounds to the track and there is a substance—minute, normally, or often—and they are found guilty even though they have absolutely no idea that that particular contamination was in that dog. That's because today, I believe, we have a major problem with environmental contamination. Recreational drugs are rife out there. People go to the track, there are visitors et cetera, and they play around with the recreational drugs.

I put a motion through GBOTA—a number, actually—that things like random drug tests should be conducted in the racing kennels, be it for the greyhound trainer, steward, kennel staff and the vet. That way, if a dog presented was clean and everything else, they can't pick up anything that would give them a positive reading later on, because some of the positive readings—minute as they might be but end up with a very lengthy sentence of either suspension or disqualification—are very, very hard to reconcile.

**The CHAIR:** Thank you, Mr Carl. Mr Irwin, would you like to take the oath, please, and give us your statement?

**Mr DAVID IRWIN,** having been affirmed: My name is Dave Irwin. I have been a registered greyhound trainer since 1967—so 55 years. I have seen a hell of a lot of things that have been put in place by governments, as far as boards, to control greyhound racing in the past 55 years. The big problem, after we had the abysmal report from *Four Corners*, who tried to make out everybody was bleeding animals—and it has been proven everyone who has gone to court has got off. All they did, the one or two people that were doing the wrong thing, they kept slicing and dicing the tape and made out everybody was doing it. There was no action against *Four Corners*. Then the Government steps in and does what it does—another joke. We have a special commission; 70 per cent of the people are agitators and antis—people who think greyhounds don't like to race. They're born and bred to race. They're the purest breed in the world and have been for two or three centuries. You cannot mate any other dog with a greyhound and race it.

What we've had is the Government retracking because of the public backlash. We had public servants appointing committees, appointing commissioners and appointing a second board to look after us, at a mammoth cost. We heard here a while ago that they haven't got enough money. They haven't got enough money because the head of the place runs into millions. You've got executives on \$400,000 and \$500,000 doing nothing. They don't know. This is the biggest trouble. These people who have been appointed to these positions have no knowledge of greyhound racing and possibly don't desire to have any. They make rules and appoint people that have got the same standards—no knowledge, no acumen in the industry and possibly no caring—which results in making rules. We just had a revision of rules—70 new rules in the greyhound industry, after a code of conduct that was put in place by GWIC about three years ago, of which we resented about 124 of them. A code of practice was put in place, made by people who don't understand the industry, don't understand the greyhound and, to my knowledge, haven't got much concern over them. You've got to have a fuss, and that's what we've got now.

I'm here to say today to you people: Get rid of GWIC as it is now. They are a bully—harassment and intimidation—as Mr Carl pointed out, to all of the members of the industry. When the Government put these two parties or two committees together, they were asked to work for the betterment of the industry and to find and get the public support back. We've got the public support back, all by Greyhound Racing NSW, led very amicably by Tony Mestrov, who, sadly, is going to be replaced. If we get another stooge there again, after all the stooges we've had before Tony, the industry is going to go backwards. There won't be any money anywhere. What I want to say is this: As they are now, they are bullying, harassing and intimidating. If you stand up against them, they hit you with some sort of little fine of one of these new little rules they've put in place.

The rules have been put there and designed to make them more powerful. We have no rights of appeal. If somebody came into your place and went through your place with no reason, would you let them? As a greyhound trainer, we have no rights. They can walk on our place at any time they like without letting us know. They can go through our house, kennels, car and property. They can do what they like. They have got more rights

than the police, so we feel intimidated, bullied and harassed at all times. It's getting worse as it gets on. If we don't get rid of GWIC the way they are now, it is just going to get worse and the game's just going to keep going backwards.

We talk about drugs and swabs. Mr Carl has virtually just said—and the other people here have said—about all these drugs in sport. Contamination is the biggest fear. We've got a machine that tests the urine of a greyhound. In rule changes, they cannot only test the urine, they can test the saliva. They can take a hair sample. They can take a skin sample. Now is that more fairish? They can take every sample they like to get a swab—to be able to swab and to get a positive. The machine they're using now, if you drop two aspirin in a swimming pool of 55,000 litres it will show aspirin. As Mr Carl also mentioned, the drug problem in Sydney. You go into a toilet door, a drug bloke has just been there—contamination. You go back and touch your dog. And what's happened, the worst part about this rule, the rule states that the person in charge of the dog, it doesn't matter how infinitesimal the drug is, he's guilty of the charge. Now you could have a drug in that dog that has got no performance enhancing or no benefit whatsoever because it's at a minuscule rate, and you're charged. How does that work? Contamination is not even heard about.

As I said, these people make the rules; they don't know what they're doing. They enforce them. When you go to an inquiry, as Mr Carl said, you're fronted by a steward, another steward gives his what's-his-name, then you get the legal people in there. We've got evidence, which I will give you people here today, of cases where the hierarchy in GWIC—stewards, legal people—have lied in the inquiries and have been found out to lie. Nothing is done. We've also got another rule in there that they can conduct an inquiry however way they feel fit. So what they do—and I can tell you from experience. I challenged a vet. We've got a vet in this industry that is just hopeless. He doesn't know what he's doing. He should be up for malpractice for some of things he's done. That's in those notes that I've given you today. I've challenged him, said I want an inquiry into him. So six weeks' later I get the verdict back that nothing's wrong with this vet. They never even asked me for the information or the evidence I had to put forward. This rule states that they can conduct an inquiry in any way they see fit. Now, if it was the other way around, if I was being challenged or inquired into, I would have 70 or 80 pages of legal documents in front of me. It just goes on and on and on.

A lot of the people, as these other people have said—all these people have been charged with misdemeanours et cetera. In the industry we plead guilty because we get a 25 per cent cut. Even if we're guilty or not, you plead guilty because you don't want to rattle the boat—because their mantra is if you rattle the boat and challenge them, they harass you. That can be proven with statements that we've got there. Actually, we need 15 weeks to give you all the evidence of this standover, bullying, harassment tactics of GWIC. I am imploring you here today, if you people let them continue, this industry is just going to go down the gurgler. I know these other people here would love it to go down the gurgler. Well, then they would have about 70,000 greyhounds to look after, so that'll really keep them in business. Thank you.

**The CHAIR:** Thank you, Mr Irwin, for your statement.

**Mr RON ARNOLD,** having been sworn: I suppose I would just like to introduce myself as the last chairman of the Greyhound Racing Advisory Board that the Government had appointed some 20-odd years ago. We played the role where the participant could come to us to put forward an issue, whereby we could then go to in those days the Greyhound Racing Control Board and put a case to them that they need to look at it. Obviously, it takes out that sometimes embarrassment where some of our participants—and, obviously, we do have some elderly people that haven't always got the access to the modern technology and way of conducting themselves at a proper meeting. We played that part as the middle man. Of course, after the ban situation and the new role that was played by both GWIC and GRNSW, the advisory board was put onto the backburner and gone. I do believe we need to reintroduce a similar board to that. As far as I know, the thoroughbreds still have their advisory board. We are not decision-makers or rule makers, but I honestly believe that the participant just needs that shoulder to be able to cry on and someone that can put the case in the right words and be able to put it through the right submissions for the future.

One other issue that has only come up in the past couple of weeks that I think the whole of the three racing codes needs to address is the government taxations. New South Wales and Queensland have put into their budgets about the rise in the consumption tax. Just recently, in the ACT a political party put forward that horseracing funding cease. The same thing has happened in New Zealand with Auckland greyhound racing and, as little as 24 hours ago, in the UK there has been a motion put forward to the Johnson Government to curb online gambling advertising. If you put that whole picture together, there is definitely a mix being formed where the wagering dollar may have hit the peak. It may not grow anymore. One of the issues with that, then, is that we have all of these establishment authorities that are costing millions of dollars to run.

Between GRNSW and GWIC there are something like 150 employees. We want the welfare to be maintained. We want the stewarding to be maintained. Prize money decreases are going to be the first target. We know what happens when those things are happening, and you have seen it with COVID over the past couple of years with businesses that cannot survive. We will lose a lot of participation. Subsequently, yes, the dogs won't be bred, but all of a sudden we will have track closures. There are regional areas. The people who live in those areas certainly want to be able to race their animals, whether they are horses or dogs. They also have farm animals. They have plenty of activities. I work in the agricultural industry and have done for 40 years. I go to the feedlots and the dairy farms. The small people are in decline, and it is something we have to address.

I know the property real estate market is massive and people on the coast get more money for a house than they do to run a dairy farm; I respect that. But the rest of the industries should be able to be maintained. It is difficult now, going along, to want to increase your finances with a bank if you are in the racing industry. Not every bank likes the racing industry, like they do with farms and coalmines and a few other activities in that regard. So it is very, very difficult in that aspect, and I think GWIC is going to struggle for the future for the simple reason that the funding—if it does reduce, we cannot maintain these levels. One organisation going forward is certainly going to be the way. It may not be immediate, but certainly in five or 10 years—people around this table here probably won't be sitting here in that time, but I can assure you that that will be something for the future.

We do have an election coming up in March; no doubt the racing industry will play a major part in that election issue. I certainly look towards having strong racing across the three codes, but certainly greyhound racing has done marvellously well the past five years. With GRNSW, they have a funding model in place. The majority of the participants, on the larger side, are able to race their greyhounds right across the State. The tracks are of a reasonably good standard and are being improved all the time. Yes, sadly, accidents will happen on a corner on a racetrack. Unfortunately there was a car accident in Sydney yesterday, too. That is part of our life. We would love it to be perfect, but we cannot always have that.

**The Hon. MICK VEITCH:** Just for clarification, Mr Irwin, in your presentation you were talking about how people plead guilty so they get the 25 per cent cut. You said, "That is why they plead innocent." I think you meant to say—

**DAVID IRWIN:** No, that is why they plead guilty. The problem is that if you do get hit with a suspension, you cannot race. If you keep challenging it, you still cannot race. If they wanted to give you three, four or five months, they make it pan out for that three, four or five months. Even if you are innocent, you have still done the five months that they wanted to originally give you, even though you haven't committed the offence. It is a penalty whether you are guilty or not, so most people are copping the early way out. Some people are probably guilty, but there are a hell of a lot that aren't. As Mr Carl said, if you react and fight them you then get on the list and you become harassed. It is not just me telling you here now. I could give you a thousand cases tomorrow. This is what is happening and it is happening all the time.

**The Hon. MARK LATHAM:** Dave, in your presentation you spoke about this problem of illicit drugs out there in society—picking up trace elements in the toilet and then patting the dog and the dog records a prohibited substance. You said that you would be charged for that. Under the GWIC rules, isn't there an automatic presumption of guilt? Straightaway you are guilty of that offence even though there is no consideration of the environmental or social circumstances in which the trace drug is passed on to the dog.

**DAVID IRWIN:** I think GWIC must be a member of France because we are all guilty until we prove ourselves innocent. The cost of proving ourselves innocent is getting way out of hand, as you know. Anything you do with any legal person you are looking at \$40,000 or \$50,000. I know there is a chap here today who spent \$80,000 on his defence over cobalt. Now, this is how ridiculous it is. Cobalt is a natural substance in your blood. Without cobalt, your body cannot produce red cells. Now, the cobalt incident come about with the horses. They call it blood doping because more red cells means more oxygen, so that is blood doping. That is what the bike rider from America was doing, but he was doing it with EPO, which is a drug, so he was doing it. But with cobalt, they were found with 3,000-plus nanograms of cobalt per millilitre, which is outlandishly high.

New South Wales has set a level that is outlandishly low at 70 nanograms. If you do not have that amount of cobalt in your system, a racing greyhound cannot produce the red cells it requires because these red cells die and it is a replenishment act on a daily basis. We are getting pinged for a natural substance in your body. The early time was eight to 10 months' suspension when you have exceeded their level, but their level was found not by a scientific idea. They put 12,000 swabs through the thing and they took an average and then decreased it to make sure no-one got over it. But at the time everybody knew you were going to get pinged for cobalt so nobody would give their dogs any B12 or iron. Naturally, everybody was low. The stewards possibly could have fined us all for not having our dogs fit enough because we were all frightened of going over the level.



**The Hon. MARK LATHAM:** So you are saying that with cobalt they took an average level without any evidence that that was actually a performance enhancer?

**DAVID IRWIN:** I will mention the bloke's name, Dr Peter Yore. He is a prominent vet and has been a greyhound specialist vet for possibly 50 years. He recommended 350 or 400 nanograms and they have dropped it down to 70. He was on a board then. As I said, the only people GWIC will employ are people who know nothing about greyhounds. We do not have one greyhound specialist vet in any capacity in GWIC now. They have all left because they were all sacked.

**The Hon. MARK LATHAM:** Dave, as the AWU delegate, are you aware of any legal advice about the power that GWIC has conferred upon itself for these inspectors with body cameras just to randomly march into people's homes and properties and do these inspections? Is this actually within the law?

**DAVID IRWIN:** It is under their law. It is possibly not the law of the land, but when we sign our paper to say we want to become a registered person, it says you have to abide by the rules and regulations set down by GWIC. Now they make their own rules and regulations. As I said in my opening speech, the people who are making them have no greyhound experience, greyhound knowledge and possibly no feeling for greyhounds. We are just banging our heads against a brick wall. There is no justice. If you are a greyhound trainer in New South Wales, you have signed your rights away because of the overly demanding GWIC.

**The Hon. MARK LATHAM:** On this point, to Natalie, don't you think it's a form of totalitarianism for government officials to have the power to march onto someone's property unannounced, unauthorised, possibly illegally, with body cameras? For you to say, "Well, if you've done nothing wrong, you've got nothing to hide", can any of us in this room, including yourself, say you've never done anything wrong inside your house and that would warrant random government powers like the Stasi, the worst of East Europe, to come in and do this to individuals? Don't we still have some basic civil liberties in our society?

**NATALIE PANZARINO:** Yes. I think we do. However, I think if you've signed an agreement that says that you'll abide by those rules, you've consented to signing that agreement, you've consented to following those rules. If I had signed an agreement that said that people could come into my house with a body camera on, then I would allow them to do so because that's following the agreement that I signed. Anyone that's come under scrutiny from GWIC has the right—the same rights as any other person in New South Wales that's come under the scrutiny of any independent regulatory body—to seek administrative and judicial review. They can take it the Racing Appeals Tribunal and ultimately to the Supreme Court of New South Wales. If you've consented to those rules, then I think it's reasonable to expect that you would follow them.

**The Hon. MARK LATHAM:** Do you think it's much of a choice to consent to the rules or lose the thing that you love doing—training or owning a greyhound?

**NATALIE PANZARINO:** I think there's a—

**The Hon. MARK LATHAM:** It's not much of a choice, is it? We talk about mental health. There's a lot of battlers out there who live on the hope. Maybe they've got the next Zoom Top. Is it much of a choice in their life to say, "Sign the form and have these Stasi powers inflicted upon you, or lose all your hope and prospects in life for the thing you love, your greyhounds"? You might only have a couple, walking them every afternoon. Isn't it a dreadful, diabolical choice to impose upon people?

**NATALIE PANZARINO:** I don't believe it is. No. You can agree to follow the rules in many things in this life. If you've signed a piece of paper that says that you agree to follow the rules, then I think it's reasonable to expect to follow the rules.

**The Hon. MARK LATHAM:** I'm expecting, in other parts of your politics, you preach compassion and care, but you're not too worried about people with greyhounds if that's their only hope in life and all these—

**NATALIE PANZARINO:** I've got plenty of compassion for people who own greyhounds.

**The Hon. MARK LATHAM:** I'm sure you say that.

**NATALIE PANZARINO:** If you'd like to let me finish. I've got plenty of compassion for people that own greyhounds. My role and our organisation is not in the business of being an anti-racing organisation. Our role is to rescue, rehabilitate and rehome. I'm not here to see the end of the greyhound racing industry. None of what I've said today has said anything along those lines. What I'm here to advocate for is the welfare of greyhounds. It would be my expectation that people that hold the racing industry so dear, the people that you've just mentioned, would also be interested in seeing the greyhound racing industry have the very highest standards of welfare. I think how they got in this situation in the first place was that there were some issues. Any member

of the greyhound racing community that's not extremely interested in upholding the highest standards of welfare within that industry, I think they're doing themselves a disservice.

I'm not the one out there that's making the rules and that's policing these things. I'm just here to show you that this is what we experience and this is what we see. From our perspective, we would love nothing more than to see an extreme increase in welfare across the board in the racing industry because, if those greyhound participants are meeting the highest standards, then we are going to see fewer dogs that we have coming into us, that have injuries, that have medical concerns, that have all these other kinds of issues. If we're not getting dogs that have those severe injuries, then that's great for us.

**The CHAIR:** Ms Panzarino, given what you've just said, would you be happy to be governed by GWIC as well, with the same standards?

**NATALIE PANZARINO:** Absolutely. We've actually invited GWIC inspectors to our property numerous times—

**The CHAIR:** No. I'm talking about under law.

**NATALIE PANZARINO:** Sure.

**The CHAIR:** Would you be happy with that, Ms Scherer?

**SONJA SCHERER:** Yes.

**The CHAIR:** You would be?

**SONJA SCHERER:** Yes.

**DAVID IRWIN:** Could I just say one thing? Sorry. In that statement there, we know we got to have rules and we got to follow them. But what we're saying is these rules that have been set aren't ethical, they aren't right. This lady says that she wants really good welfare rules. Ninety-eight per cent of greyhound people want good greyhound rules. But we've got poor rules. We've got rules made by people who don't understand them and they're wrong rules. There are some rules in there that actually make the welfare standard of the greyhound worse. We've also—

**The Hon. MARK PEARSON:** Could you give us an example, Mr Irwin?

**DAVID IRWIN:** What's that?

**The Hon. MARK PEARSON:** An example of where the rules actually make the welfare worse for the greyhound?

**DAVID IRWIN:** Righto. We'll go from the start. We pay our money to buy a bitch to breed, to rear a litter of pups, right. We're then told to take our pups, when they're five or six weeks of age, to the shops, to any community, to become—what do they call it? Human behavioural what's-his-names. You're putting the cart before the horse. We raise those pups; we spend our money to race those dogs. Now people say, "Oh, that's bad, you're gonna get money out of gambling and racing your dogs, which they don't like." Let me tell you, they love racing. I said, last time, that they love to get in the car. They love to go to race. They love all that. I think it was one of you parliamentarians who said that if they were locked up in a kennel for 23 hours a day, they would like to get out and race, et cetera. But in that 23 hours a day—and as I said, rest is just as important as exercise.

A dog is an explosive animal. He gets out, he goes as fast as he can for as long as he can. So fitness comes into that. The fitter he is, the further he runs. Then he goes and rests and sleeps. But in that day—in that 24-hour period of a day—my dogs get out at 6.00 in the morning and they go for exercise. We either swim them or give them a run, trial, or whatever they've got to have. They then go back and get fed. They go back to bed. They go back out at 11.00 to empty out and use their bowels and kidneys. They are then checked over—so they get their toes done, they get their pads done. They are checked over. If they have a slight injury, a manipulation, massage. They have a hot hydro bath. They have laser treatment, they have ultrasound treatment, they have pulsed electromagnetic field treatment, which is possibly an hour and a half.

**The Hon. MARK PEARSON:** Is that the typical daily life of a greyhound?

**DAVID IRWIN:** Typical daily life of a greyhound in a top kennel.

**The Hon. MARK PEARSON:** I'm just trying to get clarification. What is the welfare problem with introducing the pups to people? What is the welfare issue there that concerns you?

**DAVID IRWIN:** You want the pup—the pup is bred to race. Bred to chase. He is actually bred to chase game. In the First Fleet, when Cook came to Australia, he told Phillip to take eight or 10 greyhounds on the First

Fleet with him, otherwise the vermin will reach out. They have been here the longest, all bar the dingo. So they're bred to chase game. We won't go into the bleeding part, but that's any dog will chase something, grab it, shake it and kill it or drop it and run away. Whatever. That is their defence mechanism—grab it, shake it. But these are bred to chase. You want us—or the rules want us—to take them to get used to people. Well, they get used to people because people handle them all the time, even as pups.

I was talking about a day in the life of a greyhound, the 23 hours. So then after 11.00 he gets all that treatment. Then he is let out again at about 4.00. He is fed. Then they go out again at 10.00 at night. So they've got a pretty active life. They're probably in the car 10 or 15 hours a week, going to and from races and trials, et cetera. A pup, you want him to go to the what's-his-name, become friendly, play with Polly, play with Harry, see a little dog down the corner. You want him to get all funny and jovial, where their first instance is to race, chase and get some money. The more money they earn, the better chance they've got to be rehomed, et cetera. So, as I said, you are putting the cart before the horse. If you put them through what they've got to do, and then when they finish racing you then socialise them to the humans, which isn't a big deal because they've already been socialised, basically, through their growing-up period and their racing life.

**The Hon. MARK PEARSON:** I have one other question in relation to the powers that you referred to earlier. Are you saying that inspectors came into your private home without a warrant?

**DAVID IRWIN:** Yes. Not on one occasion, on several occasions.

**The Hon. MARK PEARSON:** Do you realise that that's not permitted?

**DAVID IRWIN:** It is under our rules, that this lady here agrees with.

**The CHAIR:** It is, under the new rules.

**The Hon. MARK LATHAM:** This happens all the time. You don't find an inspector with a warrant.

**The CHAIR:** They've just got to turn up.

**DENNIS MICHAEL CARL:** Can I just make a comment there?

**The CHAIR:** Unless you agree to them searching your home, in writing, before they grant a licence, they won't give you a licence.

**DENNIS MICHAEL CARL:** That's the point. If you do not agree to that, you don't get a licence. It's just that simple. They've even got another thing they've brought out now, called a pet register. You're not allowed to own a lot of certain pets on the property. So you have to have a pet register, which allows you to keep certain pets that they agree to. If they don't agree to them, you can't have them. I mean, we are—

**The Hon. MARK LATHAM:** Can you just elaborate on that? There's a GWIC rule that you can't have pets on your property under the argument you might—some of these domestic animals are very expensive.

**DAVID IRWIN:** Yes, there's a lure.

**The Hon. MARK LATHAM:** You might spend \$8,000 or \$10,000 to buy a puppy dog these days for your daughter. But GWIC has a rule that you can't, without authorisation, have that dog there because you might put it on the lure.

**DAVID IRWIN:** Exactly.

**The Hon. MARK LATHAM:** You'd have to be a bloody idiot, wouldn't you, to spend \$8,000 on a dog for your daughter and then you stick it on the lure one day for your greyhound? What sort of imbecile would do that instead of buying a five-dollar chook down at Woolworths?

**SONJA SCHERER:** I think they're talking about rabbits.

**DENNIS MICHAEL CARL:** No, rabbits and possums you can't have. That's automatic.

**DAVID IRWIN:** That's what we're saying about the rules that have been put in place.

**SONJA SCHERER:** That's what I mean. That's the sort of animals they're talking about—rabbits.

**The Hon. TAYLOR MARTIN:** Sorry, do you mind if we get one response at a time.

**The Hon. MARK LATHAM:** Rabbits? I've got fifty rabbits a night on my property. If I had a greyhound, he'd eat 50.

**Ms ABIGAIL BOYD:** Point of order: I think it's impossible for Hansard to be doing anything.

**The Hon. TAYLOR MARTIN:** There's a lot going on.

**Ms ABIGAIL BOYD:** There are four or five people talking at the same time.

**The CHAIR:** I take the point of order. Mr Latham?

**The Hon. MARK LATHAM:** I clarified the rule at GWIC about pets which, again, is something you would have got in the old Soviet Union.

**DENNIS MICHAEL CARL:** Yes, exactly. Got it here now. I just want to remind the Committee, when we had the forum at Goulburn, the Deputy Chairman asked a very eminent veterinarian in Derek Major re cobalt. Now cobalt is an issue that, as far as I'm concerned and others, is ridiculous in this sport. I, along with others—one in particular—have been campaigning against this for a long while. The Deputy Chairman asked Derek Major, "Is cobalt injurious to animals and is it performance enhancing?" And the answer he gave to both questions was no. Now, at that point you would think GWIC would start to look at this particular rule in a different light. We've got participants that have been suspended and fined, and whatever, over this rule that shouldn't be there—absolutely shouldn't be there. One thing Derek Major discovered in conducting many tests was that cobalt predominates in soil, whereas GWIC were telling us to cut outside—cut out this, cut out that, change their diet. It's in the soil, and greyhounds eat soil.

**The Hon. MARK LATHAM:** Of course.

**The Hon. MARK PEARSON:** I'm just wondering if you could clarify for us, if what you say is true, that there are only a few bad apples and you said *Four Corners* just spliced it all together to make it out that most people involved in the industry were live baiting and doing other unlawful activities, why is it we have such a high number of greyhounds requiring homing after they've had to have wounds treated, veterinary intervention and behavioural assessment and intervention? If a percentage of greyhounds were all faring very well, as you claim, why do we have this large number that have to go into this level of care?

**DAVID IRWIN:** Well, it's pretty simple. As you get older and you get a few injuries, you can't perform as fast as you can without it, right? So if that dog—say it's a male dog—is not in the higher echelon to breed from because in the industry you breed from your best, same as every industry. So if that dog, say, got to a third—say, a second-class dog, not a first-class dog, it's not financially viable to breed from. So he's not financially viable to race because you're possibly—it's a welfare issue if you do race him because of the injuries he's got. You get some dogs with arthritis. Now, if we give them an arthritis tablet that you'd take, we're gone for a swab. So he retires. He needs rehoming. That's why. But you're talking about these high numbers—

**The Hon. MARK PEARSON:** Are you saying that these dogs are genetically manipulated to become sick, abnormal, deformed?

**DAVID IRWIN:** No, no.

**The Hon. MARK LATHAM:** They're fast.

**The Hon. MARK PEARSON:** Is that not what we're looking at?

**The Hon. MARK LATHAM:** They get injuries.

**DAVID IRWIN:** Where are you coming from, mate? Genetically engineered and all this stuff—

**The Hon. MARK PEARSON:** Bred. Genetically bred.

**DAVID IRWIN:** It's just a natural progression. He's gone through life. The dog, he's been well educated, well reared, well looked after. He cops a few injuries, the same as every sportsman does. You see your Olympic Games runners. They get a few hamstring tears. Do they keep running, or do they drop off? They retire. So it is a retirement for a dog on some occasions—on most occasions—that have got too many injuries to continue or have slowed up and can't keep up and is not good enough to breed from. So, they're retired.

**The Hon. MARK PEARSON:** That's excellent. Thank you very much.

**DAVID IRWIN:** But we talk about this retirement business as if it's only just started. The greyhound industry, in 55 years of my life, we've been rehoming our own dogs as well, not on a commercial level that is going on now because we had no support from government or no support from anybody to rehome and there wasn't enough money in greyhound racing to be able to earn enough to be able to keep your dogs. But in saying that, I know different people that aren't well off and have got 14 and 15 pets at home with five or six dogs racing, so you can't call us all bad.

**The Hon. MARK PEARSON:** And we're not.

**The Hon. MARK LATHAM:** Dave, is it frustrating, as a long-time greyhound trainer, to have this false assumption that it's only greyhounds that get injuries as dogs? I was at the vet waiting room with our little

chihuahua, who's got a dislocated knee, but that's not a problem because the dog is so small. But the dogs coming in, they had more bandages on them than you would see at Anzac Cove.

**DAVID IRWIN:** Mate, German shepherds—hip dysplasia.

**The Hon. MARK LATHAM:** Yeah—running and bounding around. I asked a few of them, "What happened? How did your dog break its leg?" Just bounding around, being stupid, and came to grief.

**DAVID IRWIN:** I appreciate all these people who spend their time and look after any animal because I love animals. I love my dogs. I had one break down yesterday and I deadset cried because she hurt her wrist. We've done plenty of treatment with it. But she'll go to the breeding barn because she is good enough but she'll still get treatment for it. But to hear them say that they don't like to race, we shouldn't race them, they don't want to do it, it's cruel, we're getting money out of it, we don't look after them—sure, there are people out there that don't look after their kids so they're not going to look after their dogs.

It's not only greyhounds. How many others? You go to the RSPCA, and how many other dogs do you see sitting there looking for an owner, someone to look after them? So don't just crash it all on the greyhounds because the greater percentage of greyhound people—sure, there's a few that just want some money and there's a few that will probably give them a bit of coke to try to get them going faster, but a very small majority. There's probably more crook politicians than there are crook greyhound trainers.

**The Hon. MARK LATHAM:** Oh, don't say that. We got rid of a few—Obeid, Macdonald, Kelly, Tripodi.

**The CHAIR:** We're trying to get rid of some of them.

**DAVID IRWIN:** I hope you don't have to go through that era again.

**The Hon. MARK LATHAM:** They couldn't get rehomed, though. Oh, they got rehomed in the big place.

**DAVID IRWIN:** You see, our greyhound trainers are getting rehomed or thrown out because they're crooks.

**The CHAIR:** They got rehomed to Her Majesty's pleasure.

**DAVID IRWIN:** There's none there because they're not crooks, but they're still getting sent out because they're getting a positive swab from a miniscule amount of—as Dennis Carl said, cobalt is one. Arsenic was brought up here a while ago. Arsenic is in the water and the ground. You know, as I said, the infinitesimal amounts of the drug that's found and could be given—but the GWIC don't want to do that because the rule says, as soon as you find a drug, you're gone; you're guilty. As far as signing that bit of paper and agreeing to their rules, we signed the bit of paper because without it we can't race.

So we've got to abide by that. But what I'm saying here today—and I've been asking GWIC for four years, since they've been formed, to sit down and do the rules properly by prominent people, not crooks, but educated veterinarians that know greyhound racing, not public servants who know nothing about it and have just got the little cushion on the what's-its-name and are going to get their \$100,000-a-year little side earn. We need the rules to reflect the true industry and to enable the industry to be able to go forward instead of backwards and having all these people come in and snipe, "Oh, look at this—96 positive swabs in the last two years." Positive to nothing! Probably one or two of them was for an incorrect procedure.

**The CHAIR:** Mr Arnold, if the Government were to re-establish a greyhound racing advisory board, who would it report to and who would be on it?

**RON ARNOLD:** Normally, Mr Chairman, they would always put the application out for people to nominate. Traditionally what we used to have was there was one representative of the training ranks, one from a club, one from a breeder. In those days there was one from the bookmaking-wagering industry. So there was a culmination of a representative from each group that impacts the racing. They then elect a chairperson from that particular group. I am more convinced than ever listening to people speak here today, Mr Chairman, that that middle ground needs to be reintroduced where there is something like what Mr Irwin has just been talking about. Even from GWIC's point of view, they have got someone to lean on and say, "We've got this rule. Do we need to tweak it somewhere?" And then we can go back to the industry and get genuine discussion. As I've said before, we'll never get 100 per cent agreement, but we need to improve, certainly, things as they go forward. Speaking of animals, I know one trainer that was a serious canary breeder. He had 80 canaries in his aviary. He was asked to remove them. You just can't get your head around those sorts of things.

**The CHAIR:** Would this advisory board advise the Minister?

**RON ARNOLD:** The applications always originally came from the Minister for racing at the time.

**The CHAIR:** Referrals you mean.

**RON ARNOLD:** Yes.

**The CHAIR:** The referrals came from the Minister.

**RON ARNOLD:** Yes.

**The CHAIR:** And then the reports were rendered to the Minister.

**RON ARNOLD:** Yes. There was a period in the late nineties to the mid-2000s when we even had our own secretariat that we used to support all that information through, in those days, to the CEO of GRNSW in the old form—sorry, GHRRA I think it was, in that group. Because, again, we had the split group back in those days when harness and greyhounds were all separated, so a lot of this is not foreign.

**The CHAIR:** So this committee would be made up of people who have industry knowledge and experience—

**RON ARNOLD:** Exactly right.

**The CHAIR:** —as opposed to GWIC, where no-one has got any knowledge or experience.

**RON ARNOLD:** Exactly right.

**The CHAIR:** Is that what you're saying?

**RON ARNOLD:** Yes.

**Ms ABIGAIL BOYD:** Can I ask Ms Panzarino—thank you very much for the photos that you've provided of the injuries of greyhounds that have come into your care. It is very similar to a lot of the pictures I've seen from other rescue orgs. Has it got any better since the reforms were brought in in 2017 in terms of the extent and the number of injuries you are seeing?

**NATALIE PANZARINO:** Absolutely. Yes, we've seen a definite improvement, and our wish is that we continue to see an improvement of welfare in the industry. As I indicated before, animals that are treated better in the industry are animals that are healthier and with fewer injuries when they come into our care. The photos that I provided you with today—I mentioned in my opening statement—are all animals that came to us after the inception of GWIC and new codes and all of that kind of stuff came into place. These are not old photos from the before times. This is the kind of stuff that we're getting every day.

Earlier this week we had some hounds surrendered to us from a property where there are, according to the property owner, 160 greyhounds living at this time. On intake inspection, on one of those hounds—I think that there's a photo at the bottom of that page—the skin on her feet has actually melted, and the participant can't tell us how that happened or when that happened, but that's what we have discovered upon intake when we've brought this dog into our care. So I think that while there may be many, many industry participants who treat their dogs well, and we certainly do take surrenders from industry participants who do treat their dogs very well—their dogs are very healthy, their teeth are beautifully cleaned, there are no signs of parasites—there are still industry participants that will surrender dogs to us with open wounds and walking around on broken legs, with broken tails and with teeth in horrendous condition. They've got parasites; they've got fleas.

**The CHAIR:** Do you only take dogs from the industry or do you take dogs from the general public when people want to give up dogs?

**NATALIE PANZARINO:** We only rescue greyhounds, and almost all of our greyhounds come from the industry. Essentially all of them directly or indirectly come from the industry. A vast majority of our intake is direct from trainers and owners. Occasionally, we will take greyhounds that have been rehomed, sometimes by other organisations and it wasn't a suitable home for them. We will take them and work with them. Sometimes we take surrenders from pounds. We take surrenders from veterinary clinics where greyhounds may have been brought to be euthanised, and if we've got space, we'll take them on.

**The CHAIR:** So those pictures you've given us today, where do they come from? Are they all from the industry? Is that what you're saying?

**NATALIE PANZARINO:** Yes.

**Ms ABIGAIL BOYD:** Do you get any government funding at all?

**NATALIE PANZARINO:** We don't get any direct government funding for our rescue rehabilitation and rehoming practices, no. We can't say we get no government funding because any business can apply for government funding, such as the COVID grants and all of that kind of stuff. So we do get government funding that other essentially small businesses are entitled to and we can apply for grants, but we don't get any direct funding to conduct the rescue, rehabilitation and rehoming work that we do.

**Ms ABIGAIL BOYD:** Where do you get your funding from, then?

**NATALIE PANZARINO:** Fundraising and donations.

**Ms ABIGAIL BOYD:** So there is no payment from the trainers or owners?

**NATALIE PANZARINO:** We do ask for a surrender donation in good faith that, "We are caring for your greyhound and we will find it a suitable home." If participants choose not to make that donation, we still will accept the dog; it is not conditional. We don't discriminate based on the age of the dog, the colour of the dog, the sex of the dog, whether or not it has a current injury, a previous injury or any illness. We don't discriminate. It's virtually a first come, first served. We have a waiting list of about six months of trainers wanting to surrender their dogs into us at this time.

**Ms ABIGAIL BOYD:** Are they dogs that can't go to GAP, or is it a choice that they are making to give them to you instead of to GAP?

**NATALIE PANZARINO:** We do receive many dogs that weren't accepted by GAP. We also do receive dogs where the trainer perhaps doesn't wish to surrender the dog to GAP and would rather bring the dog to us.

**Ms ABIGAIL BOYD:** Why would that be?

**NATALIE PANZARINO:** Only anecdotally, but some trainers have had negative experiences with their hounds not being admitted to GAP because they failed the intake assessment, so they would rather skip to the end than wait through the GAP waiting period and then only have the dog fail. They would just put them on our waiting list instead.

**Ms ABIGAIL BOYD:** What sort of things do GAP refuse to take a dog for, then? What are the criteria?

**NATALIE PANZARINO:** I can't attest to their internal decision-making mechanisms, but the kind of things that they have listed on their intake assessment form are things like reactivity to other dogs, how the dog behaves with people, whether the dog has any injuries or illnesses and how the dog behaves around food.

**Ms ABIGAIL BOYD:** So GAP is taking sort of the cream of the crop? They are taking the animals that are most easily rehomed?

**NATALIE PANZARINO:** They are essentially taking the dogs that are most easily rehomed, correct.

**Ms ABIGAIL BOYD:** If the dogs weren't then brought to you—if a trainer had gone to GAP, GAP had said no and they couldn't get it into a rescue org because there wasn't the space, what would happen to the dog?

**NATALIE PANZARINO:** There are provisions within the code that participants have to attempt to rehome the dog a certain number of times, and there is a provision that a veterinary professional can sign off on having the dog euthanised.

**Ms ABIGAIL BOYD:** Thank you.

**DAVID IRWIN:** Can I just say one thing on what you've just asked? Most of the trainers keep to themselves. A lot of trainers have kept dogs for three and four months, trying to get into these programs. There are possibly more people like these. There is space for them because of the way the dogs are. But those dogs that are put in, it's like any dog—they can become vicious and they are unsafe to put back in the general public. It's all right to say, "They're getting put down," but they are putting them down for a reason. It's the same thing as if you're going to let a criminal walk the streets.

**Ms ABIGAIL BOYD:** Can I probe that a bit? We heard earlier from organisations that spend months and months rehabilitating dogs that otherwise would be in that "too hard" basket. For example, a dog that isn't very good around children can be rehabilitated; it just takes a lot of time and resources. It's not that it's beyond rehabilitation. It's just we don't—

**DAVID IRWIN:** Do you really believe that, do you?

**Ms ABIGAIL BOYD:** I've seen it.

**DAVID IRWIN:** You would let your kid walk around with a dog that could be vicious?

**Ms ABIGAIL BOYD:** Yes, I've seen it.

**DAVID IRWIN:** You're a braver woman than me.

**NATALIE PANZARINO:** Am I able to respond to that?

**Ms ABIGAIL BOYD:** Please.

**The CHAIR:** All responses have to be addressed through the Chair.

**NATALIE PANZARINO:** Sure. Last year we rehomed 255 greyhounds. We euthanised one for unrehabilitatable behavioural reasons. That was only after we spent several months trying to rehabilitate him. We saw several veterinarians. We saw a veterinary behavioural expert. We put into place a behaviour management plan, and we put into place a medication plan. At the end of his life, the decision was made for us by the greyhound. He decided to stop eating and didn't want to leave his kennel environment anymore. We had to euthanise him, which is not something that we do.

**The Hon. MARK PEARSON:** Could I just ask a question? Of the dogs that you've rehabilitated, including all of the people who have done that, were there dogs that came into your care with a history of potential or actual viciousness towards a person or a child that were then rehabilitated successfully without harm to a person?

**NATALIE PANZARINO:** Yes.

**The Hon. MARK PEARSON:** What percentage would you say that would be, if you can give us that off the top of your head?

**NATALIE PANZARINO:** That's a super hard question to answer because behaviour rehabilitation is another one of those things that is not a continuum. It's not a binary yes or no. Our adoption process is extremely rigorous. It's the most rigorous adoption process of any organisation that I have come across. A huge part of our adoption process is on educating the adopter because greyhounds, as we heard earlier, miss out on that early socialisation period that most other dogs get. There are a lot of differences between a greyhound that is leaving a track environment and any other dog that you might meet. I'm sure everyone here today can tell you how special greyhounds are, but there are a number of things that they have not encountered in this world that we expect them to be able to deal with. It's like taking somebody from their job here in Parliament and then sending them out to Kalgoorlie and saying, "Alright, now you operate a deep drill mine. Off you go." It doesn't work like that.

A huge part of what we do is making sure that our adopters are educated—that they're not putting greyhounds in situations where they're set up to fail, that they understand elements of greyhound behaviour, and dog behaviour in general, and that they understand the risks that can be associated with adopting a dog that hasn't been properly socialised. At our kennel facility, we spend a lot of time rehabilitating dogs with people in general. We spend a lot of time rehabilitating them for things like reactivity with other breeds of dogs and small dogs. We also work with the greyhounds and with children in getting the greyhounds used to being socialised with children as well. We spend a lot of our time educating those adopters around the different aspects of greyhound care that may be different to working with other breeds of dog and how to make sure that your greyhound is best set up for success. In fact, we've actually provided advice to GWIC and provided them with educational materials to assist industry participants in preparing their greyhounds for pet life.

**The Hon. MARK LATHAM:** Can I just ask for your assessment of GWIC's new policy that, instead of getting certification from a qualified vet that a dog is so vicious it has to be put down, dog owners and trainers now have to take them to the local council pound, where it's exceptionally rare that you've got a qualified vet? Most people think of the pound—not many dogs come out of there once they're admitted.

**NATALIE PANZARINO:** If there's a qualified person making a determination about a dog's behaviour, that would be appropriate. I can't attest to what qualifications that person might have. That's outside of my scope of knowledge. However, I would think that if there is a person that is appropriately qualified—and not all veterinarians are necessarily appropriately qualified about behaviour. But if there's an appropriately qualified person, I think that would be acceptable.

**The Hon. MARK LATHAM:** But the dog you put down, you took it to a vet. You didn't take it to the council pound. Why didn't you take it to the pound?

**NATALIE PANZARINO:** We took it to a veterinary behaviourist, who is far more qualified.

**The Hon. MARK LATHAM:** Why didn't you take it to the council pound where you live?

**NATALIE PANZARINO:** Why didn't we take it to the—why would we?



**The Hon. MARK LATHAM:** That's the GWIC policy. You're defending GWIC and saying they're doing a great job.

**NATALIE PANZARINO:** We're not governed by GWIC.

**The Hon. MARK LATHAM:** No, I know. But you're praising GWIC, so you must be influenced by their standards and policies, no?

**NATALIE PANZARINO:** We've taken them to somebody who is more qualified than that.

**The Hon. MARK LATHAM:** Thank you.

**DAVID IRWIN:** Mr Chairman, I'd just like to point out that Greyhound Racing NSW are the adoption people. They adopt the greyhounds. GWIC don't adopt them. GWIC makes the rules on all of these things and, as I said, a lot of them should be done again, right throughout the rule book. It is actually Greyhound Racing NSW that is in charge of the adoption part.

**The CHAIR:** Mr Irwin, are you suggesting that GWIC should take on the adoption and maintenance of dogs as well?

**DAVID IRWIN:** I'm suggesting that GWIC gets banned, the stewarding and welfare part goes back under Greyhound Racing NSW—

**The Hon. MARK PEARSON:** Like the old days.

**DAVID IRWIN:** —and that way we'd get back to taws. We'd be able to get some rules in there that are the proper rules for greyhound racing. We don't discard the adoption program. We still have the inspectors to do the inspections of the properties. I have noticed that there has been a few people under the rules that GWIC have challenged and probably suspended over welfare issues that, once again, I'd say weren't welfare issues at all. I just think the way GWIC is, the way it's been run for the last four years, there is nothing that you could really give GWIC a rap for, barring this new e-tag system, which has taken four years to come into place. Now if they were so efficient and so—what's the word—you know, hands on, why would it take four years to put one of the most important things in, the eTrac, for all greyhounds? As I said, a lot of the suspensions—and don't get me wrong, there are still people there doing the wrong thing and we've got to have inspectors to look after them, but there are a fair few that have been suspended over things that they shouldn't have been suspended; and there are a few that should have been suspended and are still walking around. So GWIC, they're both ways. They're not normal people, I tell you, like, as far as controlling a greyhound industry.

**The CHAIR:** Thank you very much. We will call a halt to this part of the inquiry today and come back at 3.30 p.m.

**(The witnesses withdrew.)**

**(Public forum concluded.)**

**(Short adjournment)**

**Mr KEVIN ADAMS**, Senior Steward Hunter Region, Greyhound Welfare and Integrity Commission, sworn and examined

**Mr WADE BIRCH**, Director of Race Day Operations and Integrity, Greyhound Welfare and Integrity Commission, affirmed and examined

**Mr CHRIS WHEELER, PSM**, Acting Chief Commissioner, Greyhound Welfare and Integrity Commission, affirmed and examined

**Mr STEVE GRIFFIN**, Chief Executive Officer, Greyhound Welfare and Integrity Commission, on former oath

**Mr DAVID O'SHANNESSY**, Chief Inspector, Greyhound Welfare and Integrity Commission, on former oath

**Dr TONY KUIPERS**, Chief Veterinary Officer, Greyhound Welfare and Integrity Commission, sworn and examined

**Mr MATTHEW TUTT**, Director, Compliance, Policy and Legal, Greyhound Welfare and Integrity Commission, sworn and examined

**The CHAIR:** Welcome, one and all. I note that Messrs O'Shannessy and Griffin have already been sworn, so you do not need to be sworn again. I might ask, starting with you, Dr Kuipers, to give us a brief description of your role.

**TONY KUIPERS:** My primary role is protecting the welfare of greyhounds and promoting their wellbeing. My role involves overseeing the contract vets at all the race meetings across New South Wales. I assist Wade Birch in the management of many race day operations. I assist in the research for things which will assist in reducing injuries for greyhounds.

**WADE BIRCH:** I oversee the stewarding and contract veterinary surgeons functions on behalf of the commission.

**The CHAIR:** Thank you. Mr Griffin, did you want to make a short opening statement?

**STEVE GRIFFIN:** I will pass that on to Chief Commissioner Wheeler.

**The CHAIR:** Thank you.

**CHRIS WHEELER:** I thank the Committee for the opportunity to make a brief opening statement today. This Committee has heard evidence from a range of participants. I have to note that over half of them have been the subject of disciplinary action undertaken by the commission or have a personal or employment relationship with somebody who has. Their evidence appeared to be quite similar to, if not the same as, evidence before the 2013-14 select committee inquiry into GRNSW—chaired by you, Mr Chair—which recommended the establishment of a racing integrity commission oversight above the Independent Commission Against Corruption. As recommended by that committee, we now have a separate integrity body, albeit not one seated across all three codes as was contemplated. Nevertheless, the benefits of the oversight applied to GWIC and its role are not necessarily understood by all in the industry.

As the late Alan Brown AM said at hearings in May last year, the establishment of the commission was not a smooth one and there were a range of problems that the commission needed to address. The commission has considered the issues raised throughout this inquiry process and has been proactive in moving quickly to address any justified concerns that were raised. The commission has restructured itself to enable a decentralised approach to its operations. Many staff are now regionally based, where they can be more connected to the industry and more responsive in supporting the industry. The commission's disciplinary processes are moving away from a centralised approach to a regional model whereby disciplinary decisions are made more efficiently by regional panels. The respected Ray Murrhy from the thoroughbred industry has been brought in to assist us with that transition.

We have introduced a disciplinary action guide and penalty guidelines to make the disciplinary process more transparent and accountable. The paperwork of the disciplinary process has been reduced both in volume and legalese. In response to feedback regarding the commission's kennel inspection program, the commission has developed and published new kennel inspection protocols. The new protocols set out the circumstances when the commission will conduct an unannounced or an announced inspection and when it will utilise body-worn camera technology. Having regard to the feedback regarding the training of our veterinarians, the commission has contracted with the well-known greyhound veterinarian John Newell to provide greyhound-specific training to our veterinarians.

Any suggestion that the commission's mission is to close the industry by stealth is ridiculous. In reality, the commission's efforts to support the greyhound racing industry in New South Wales throughout the pandemic have gone largely unrecognised. Firstly, the commission's executive was responsible for developing various racing protocols that would allow racing to continue whilst remaining compliant with the ever-changing health orders. While some other jurisdictions stopped racing completely, the industry in New South Wales was kept alive by the hard work and commitment to the industry of the commission in developing COVID racing protocols, and its stewards and veterinarians continued to turn up to officiate at race meetings. It was the commission's staff, together with club officials, that allowed the industry to achieve its successes throughout the pandemic. That, in my argument, should not go unrecognised.

As life was beginning to return to normal, the commission looked to introduce new classifications of registration that would allow younger people to participate in the sport. Now, young people from the age of 12 are allowed to handle greyhounds at trials and, when they turn 14, can handle greyhounds at race meetings for their parents. This initiative has been well received, with many new participants now joining the industry. On 1 May this year the commission introduced a new policy in relation to syndication. The new policy significantly reduces the red tape for people who simply want to invest in a greyhound. Under the new policy, individuals who want to be a member of a syndicate no longer have to register with the commission as an owner; all they need to do is provide their name, address and date of birth to the syndicate manager, who then will provide it to the commission.

The commission hopes that this new policy will see an increase in investment in greyhounds by those individuals put off by having to register as a participant. The commission also sees syndication as playing an important role in increasing the rehoming places, with syndicate members frequently putting up their hands to rehome greyhounds to themselves. The work of the commission throughout the pandemic to support greyhound racing and its attempts to increase participation are hardly evidence of an organisation seeking to close it down by stealth. Despite the impact of the pandemic, the commission has been able to complete its implementation of e-tracking, a system that will allow the industry to protect itself from any spurious claims of greyhounds going missing, in addition to demonstrating that it has the highest welfare standard in Australia, if not the world.

In comparison to the greyhound racing industry of 2013 and 2014, the industry today is stark. The industry's finances have improved, it has higher prize money to offer, higher standards of welfare and it has more participants. Contrary to what you were told earlier, there are more participants now than there were back then. The participation of younger people is increasing and we have a more accountable regulatory agency that is oversighted by the ICAC, the Ombudsman and the Auditor-General, and is subject to the Public Interest Disclosure Act, the Government Information (Public Access) Act, the State Records Act and the annual reports legislation, which is an improvement on what was there before. As a result, community and punter confidence is at an all-time high. The claim made by some that the industry is worse off as a result of the commission is not supported by the evidence. Thank you.

**The Hon. COURTNEY HOUSSOS:** Thanks very much for your time this afternoon. I want to ask about the new funding arrangement that has been put in place since the inquiry was established. Mr Griffin or Mr Wheeler, perhaps you could provide us with your thoughts on that new arrangement.

**STEVE GRIFFIN:** Yes, thank you for the question. We welcome the Government's change in funding arrangements for the commission. It was certainly a vexed issue that arose between the commission and GRNSW on an annual basis. When I arrived at the commission at the end of 2019, it was very much an issue of contention between the commission and GRNSW. We can understand and appreciate that because many of the functions of GRNSW were moved across to the commission, as was a major part of the budget. We certainly saw that as an issue that needed to be resolved and we thank the Government for doing that. The commission is now funded largely by the Point of Consumption Tax to the tune of about \$10 million, and the remainder is Consolidated Revenue support from the Government.

**The Hon. COURTNEY HOUSSOS:** In terms of your employees, how are you benchmarking their payments? This is the first time we have had a separate integrity agency, but obviously similar work is being done within the other racing codes. How do you benchmark your employees against those, or did you?

**STEVE GRIFFIN:** Yes, we have. The one issue we spoke about last time was the fact that GWIC, as a government employer, the salary rates are higher in terms of the salary bands that exist within the government sector compared to non-government sector wages. We actually compared ourselves to Greyhound Racing Victoria and their annual expenditure on a like-for-like basis. That was done on a 2019-20 comparison. The commission's expenditure at that time was \$16.4 million and on a like-for-like basis Greyhound Racing Victoria was \$15.3 million.

**The Hon. COURTNEY HOUSSOS:** I might pass to my colleagues. I apologise, I am a new addition to the Committee so I was not here for that evidence.

**Ms ABIGAIL BOYD:** Can I pick up on that funding point. We heard at the beginning of the inquiry and in some of the submissions the idea that industry participants were perhaps more anti-GWIC in a way because of the feeling that the funding was going out of the commercial side of the industry and into the regulator. I think the hope was that some of that tension would go away if the funding was changed. Has that made a big difference, do you think, or will it take a bit longer for those feelings to dissipate?

**STEVE GRIFFIN:** In terms of participants, obviously the prize money has gone up as a result of increased revenue coming into the sport. The issue of funding really was something that was between the two organisations, GRNSW and the commission, in terms of the funding model. That was the much-vexed issue between the two organisations. It was an annual issue that was frequently and hotly debated. But, in terms of participants, they just want both the commission and GRNSW to get on with improving the industry. That's what we work with them to do.

**Ms ABIGAIL BOYD:** There was, though, a number of participants who were—I absolutely understand that really that tension with funding was between the two organisations, but that sort of discontent had spread to the participants or at least that was being reflected back to us from participants. Do you think that the relationship between GWIC and the participants has become better as a result of that? Or is it too early to tell?

**STEVE GRIFFIN:** I don't know. I go to race meetings and speak to participants. GWIC is not the top of their list when I speak to them about issues. I'm not quite sure that the change in the funding model is the reason for that. I think that they understand that GWIC is working to improve itself and this is their feedback to me. They can see that GWIC's changed, particularly over the last couple of years. It's taking steps to improve the way that it relates and works with industry. More particularly, they understand that GWIC's got an important role to play. So I think there's a lot of other factors. And, thirdly, that we have supported the industry strongly throughout COVID. They do appreciate that we were there, particularly our vets and our stewards. We're there every day at race meetings, making sure that racing could continue. So they now know that we're certainly fully supportive of the industry and having a sustainable future. I'm not quite sure whether the change in the funding model is the impetus for the change in view. I think it's more the fact that we've actually walked the walk and we've been there with them through the hard time and saw the industry through that.

**Ms ABIGAIL BOYD:** Another of the issues, I guess, we were discussing when we had you before this Committee a year or so back was that we talked about whether it was because GWIC was relatively new still. But I'm curious, if you took on board some of the feedback in relation to participants feeling that they weren't given adequate notice of rule changes, that they felt that they didn't necessarily have the technology required to engage with GWIC in the way that GWIC wanted it to. There was a bunch of, I guess, relationship issues between GWIC and the participants that we were talking about during that hearing. Do you think that that has improved over time now, in the last year or so?

**STEVE GRIFFIN:** Thank you for the question. Yes, most definitely in terms of technology and communicating better with the industry. I think the greyhound industry participant advisory council has been very helpful in better informing the commission and what it needs to do. We've taken on board a lot of the issues that were raised throughout this Committee process to improve our process, as the Acting Chief Commissioner outlined. We have listened. I guess the major thing, probably, as the Acting Chief Commissioner has raised, is that there has been friction because GWIC is a government agency. Because it is a government agency, it operates differently than the previous controlling body, which was not a government agency. The Chair's previous Committee, back in 2013-14, raised those similar issues that we've heard throughout this inquiry, about overharsh penalties, attack on whistleblowers, those sorts of things. They still remain. But the issue is that the commission is a government body, so it will act differently than the previous controlling body.

As said earlier, a thing that probably is not appreciated at the moment is that, if participants feel aggrieved by the way the commission has treated them, apart from appealing the disciplinary processes, they can go to the ICAC if they believe corruption's occurred. They can go to the Ombudsman if they believe there's maladministration, they can come to members of Parliament. Unlike the previous controlling body, we are strictly regulated and controlled and oversighted, something I don't think the industry is quite well aware of, as much as we try to promote that fact. But that's the reality.

**Ms ABIGAIL BOYD:** We heard some evidence earlier that there was perhaps a disproportionate response to some offences over others. I think the examples that were given in evidence were somebody sort of speaking out against GWIC in a poor way or being offensive on a track would get quite a relatively severe penalty, versus somebody who had committed a welfare offence against a greyhound. Do you have a response to that?

**STEVE GRIFFIN:** Yes, thank you. First of all, I just want to correct on public record that the commission does not make the rules of racing. They are largely made by Greyhound Australasia. The commission does make some local rules, but they are very few and far between, and that's done in consultation with the industry, particularly Greyhound Racing NSW, GBOTA and Greyhound Clubs NSW. The major thing that we have done there, as articulated earlier, was to publish penalty guidelines so that we could be held to account for the disciplinary decisions we do make. If people feel aggrieved by those, they can certainly seek an internal review. Again, an internal review of a decision is something unique to a government agency. So that can be done. Unfortunately, as much as we try to publicise it, internal reviews haven't been taken up frequently.

Then there is also the Racing Appeals Tribunal for people to take up if they feel aggrieved about a decision made by the commission in regard to discipline. It is like court. We know, through the court system, that there's always different decisions made in different courts. But, at the end of the day, they're usually based on finding information that people were not privy to as part of the decision-making process. And so that's why you need to read the decisions to understand the differences between the decisions that are made.

**Ms ABIGAIL BOYD:** I have one final question before I hand over to my colleagues and give them a chance. I take your point that, being a government agency, there are avenues of appeal. There are things that you can do if you feel that the penalty was not proper, or even the investigation, or that things were not done in a proper way. But, with every avenue of appeal, there is always going to be the time and the cost involved and the knowledge, like knowing, "How do I go and do that? Do I have to get legal representation? What are the steps I need to go through?" Is there any form of support given to participants to enable them to more easily take advantage of those appeal avenues?

**STEVE GRIFFIN:** As I said, we have provided a disciplinary action guide and further information on our website, together with some flow chart information in terms of what the process involves and whether they need to actually engage a legal support. As I said earlier, we try to remove the legalese, remove the paperwork, so people feel that they don't need to get lawyers. We are decentralising the whole process so that we can deal with these things at a local level very quickly, rather than going down a central process.

When the commission was established, it was a very central operating model. We have reversed that 180 degrees, making the decisions at the lowest possible level, on a regional basis, using regional panels, and that means we can issue some charges and be dealt with them within a couple of days. We can do an inquiry and a panel and make a decision very quickly, rather than going through a long, legalistic process. There will still be some occasions where we are dealing with a serious offence that people will need to obviously seek some legal guidance and support in relation to that. The other element is that we were working with the Greyhound Breeders, Owners & Trainers Association to develop a support process. GBOTA does provide support to participants who are facing disciplinary charges that the commission has laid.

**CHRIS WHEELER:** Could I just add that we also provide a lot of information to people who are going through a serious process, including a lot of information about the sort of case that they need to address when there is a hearing. The hearings are quite informal in the way that they are held, and there's no surprises. There is even information about previous decisions that might be relevant to them.

**The Hon. MARK LATHAM:** To Mr Griffin, after our hearing in Bathurst, you went away and devised with your colleagues a document of strategies of how to respond to and counteract this parliamentary Committee. In three instances you were going to commission former judge, Wayne Haylen, to negate certain suggestions about Ken Burnett and about disciplinary processes being too unfair or onerous, and also to negate the assertion that the commission's use of interim suspension powers is unfair and capricious. Did you employ Haylen, and how much did it cost? Why was he employed or commissioned for what was supposed to be an independent review when the outcomes were already determined in your strategy document? This is a disgraceful misuse of public money, isn't it?

**STEVE GRIFFIN:** Mr Latham, the actual document itself was put together by myself. There was no external firm, as you've previously suggested in other forums. There was no money spent in that regard, so I was merely pulling together the strategies that the commission was going to pursue in light of the issues that were raised through this Committee process. So there's nothing untoward in that respect. As a CEO it's my job to make sure that we're practically managing those issues, improving the way that we operate in response to feedback given by people who have come forward to this Committee either via submissions or by coming in and giving evidence. Yes, Mr Haylen was engaged. From memory it was a suggestion by the former Chief Commissioner in terms of his racing experience. My understanding is that the cost of his engagement was \$10,000.

**The Hon. MARK LATHAM:** And why wasn't this actually an independent process? Your rationale listed here is to negate the suggestion about Mr Burnett, about disciplinary processes, about the interim suspension rule. Why wasn't it open in this document for Wayne Haylen to find, yes, Ken Burnett had been unfairly targeted

by the commission; yes, your disciplinary processes are unfair or too onerous; and that your suspension powers are unfair and capricious? This was a farce, wasn't it—

**STEVE GRIFFIN:** No, it wasn't.

**The Hon. MARK LATHAM:** —using \$10,000 of taxpayers' money for a predetermined outcome?

**STEVE GRIFFIN:** It wasn't predetermined. It says rationale. Look at the top of the column. It says rationale. It doesn't say outcome.

**The Hon. MARK LATHAM:** Yes, it says "to negate any suggestion."

**STEVE GRIFFIN:** It doesn't say outcome. You're wrong. It doesn't say outcome at all.

**The Hon. MARK LATHAM:** Well, why were you expecting Haylen to negate the suggestions about Ken Burnett being unfairly targeted and to negate that disciplinary processes are unfair?

**STEVE GRIFFIN:** It's rationale for pursuing that strategy. It doesn't say the outcome. Wayne Haylen is a person who's, I'm sure—he's an ex-judge. He would not be doing anything untoward. He would be doing an independent assessment of those issues. The internal document, Mr Latham, wasn't provided to anyone else.

**The Hon. MARK LATHAM:** Well, it was provided to me and he was a gun for hire, wasn't he? Because clearly under the rationale, certain outcomes were expected. There wasn't a statement where it was open for Wayne Haylen to find, yes, Ken Burnett has been unfairly targeted and the other two areas of investigation as well.

**STEVE GRIFFIN:** I didn't brief Mr Haylen.

**The Hon. MARK LATHAM:** No, that's not what I'm asking. I'm not asking who briefed him. I'm asking that he was a gun for hire—

**The Hon. WES FANG:** Point of order—

**The Hon. MARK LATHAM:** It was not open to Mr Haylen under this document to find—

**The CHAIR:** To the point of order?

**The Hon. WES FANG:** I wanted to provide the witness the opportunity to finish their answer before Mr Latham—

**The Hon. MARK LATHAM:** Well, he was on a different topic.

**The Hon. WES FANG:** I just think that he was trying to address something. But also, I'm just mindful that Hansard might be struggling to actually record the two voices at the same time. I would just think that—

**The CHAIR:** I take the point of order.

**The Hon. MARK LATHAM:** And what did Mr Haylen find?

**STEVE GRIFFIN:** He found that there was not a misuse of powers by the commission, that the interim suspension powers were used appropriately. And they were his findings.

**The Hon. MARK LATHAM:** He found what you wanted him to find in the document, didn't he?

**CHRIS WHEELER:** Can I add something new?

**STEVE GRIFFIN:** He found as an independent—

**The Hon. MARK LATHAM:** He found exactly what's in this document and he was commissioned as a gun for hire.

**STEVE GRIFFIN:** So you're questioning the integrity of Mr Haylen here, Mr Latham.

**The Hon. MARK LATHAM:** Why haven't you resigned?

**STEVE GRIFFIN:** Why haven't I resigned? Why would I resign?

**The Hon. MARK LATHAM:** Why haven't you resigned over this farce alone?

**STEVE GRIFFIN:** This is not a farce. It was the engagement of a person based upon his experience and expertise in racing. That's why the former Chief Commissioner determined that he was the best person to undertake that review. That document doesn't articulate an outcome. It says a rationale for attempting to achieve a strategy within that document. It is not an outcomes document.

**The Hon. MARK LATHAM:** Is it true that Haylen has found in each of the three areas what the document wanted him to find?

**STEVE GRIFFIN:** He's found what he found, Mr Latham. He was free to determine what he wanted to determine. He is a free, independent individual and you are casting aspersions on his character by suggesting otherwise.

**The Hon. MARK LATHAM:** No, I am casting aspersions on your character—that you've commissioned someone with a predetermined outcome set out in your strategy document. That is what I'm asserting.

**STEVE GRIFFIN:** No.

**The Hon. MARK LATHAM:** Why is that the role of GWIC in response to a parliamentary Committee? You're sworn in here under parliamentary privilege and the Parliamentary Evidence Act. Why is that the role of GWIC, instead of coming here with honest answers and an honest process, to go away and try to negate and diminish the work of this Committee?

**CHRIS WHEELER:** Can I just add here it was the former Chief Commissioner's decision to do this. Mr Haylen was not briefed on an outcome. He was asked for his advice and he gave that advice. I don't think you were involved in the brief.

**STEVE GRIFFIN:** No.

**CHRIS WHEELER:** That was done by other officers. So, what you are alleging is completely inaccurate and it is insulting to the person concerned.

**The Hon. MARK LATHAM:** Well, you're saying that Brown, who is now dead, commissioned him but he is nominated here by Griffin in this document three times. How do you explain that?

**CHRIS WHEELER:** We do talk.

**The Hon. MARK LATHAM:** Well, you've just misled this Committee by saying it was solely the work of Brown. It was instigated by Griffin three times in this document nominating Haylen on every opportunity with a predetermined outcome.

**STEVE GRIFFIN:** Mr Latham, all—

**The Hon. MARK LATHAM:** We're not here to be misled—

**STEVE GRIFFIN:** We're not misleading you, Mr Latham.

**The Hon. MARK LATHAM:** —or taken as fools. It's in black and white.

**Ms ABIGAIL BOYD:** Point of order—

**STEVE GRIFFIN:** That's just rubbish.

**The CHAIR:** A point of order has been taken.

**STEVE GRIFFIN:** That document—

**The Hon. MARK LATHAM:** You nominated Haylen—

**The Hon. TAYLOR MARTIN:** Hang on, let's hear this out.

**The Hon. MARK LATHAM:** It had nothing to do with Brown, who is now dead.

**CHRIS WHEELER:** We know that.

**The CHAIR:** Order! I might remind everybody—

**STEVE GRIFFIN:** That document merely articulates—

**The Hon. WES FANG:** Mr Griffin—

**Ms ABIGAIL BOYD:** Okay—

**The Hon. WES FANG:** Mr Wheeler, a point of order has been taken.

**The CHAIR:** Order! I might remind everybody here that you address all your answers through the Chair.

**Ms ABIGAIL BOYD:** My point of order is that, particularly when a member of this Committee is putting quite serious assertions or allegations to witnesses, that witnesses be allowed the time to respond before the member asks further questions on top.

**The Hon. MARK LATHAM:** Fair enough. Did you nominate Haylen three times in your document, Mr Griffin, which earlier on you've said was solely your own work?

**STEVE GRIFFIN:** Yes. I recorded in that document agreed decisions made by the commissioners and the executive. That's what I have recorded in that document

**The Hon. MARK LATHAM:** Why did you nominate Haylen with these predetermined outcomes?

**STEVE GRIFFIN:** Because that's—I recorded in that document—

**The Hon. MARK LATHAM:** Why Haylen?

**STEVE GRIFFIN:** Because the former Chief Commissioner recommended he be the person to conduct those reviews.

**The Hon. MARK LATHAM:** But you said this was your own work; no-one else was involved in this document. That is what you told us earlier on.

**STEVE GRIFFIN:** In the preparation of the document.

**The Hon. MARK LATHAM:** You cannot have that both ways.

**STEVE GRIFFIN:** In the preparation of the document, Mr Latham—prepared the document based upon conversations with the Chief Commissioner and the executive on how we're going to deal and move forward with feedback from this Committee.

**The Hon. MARK LATHAM:** Can you table the three Haylen documents that cost \$10,000 of taxpayers' money?

**STEVE GRIFFIN:** Yes, we can.

**The Hon. MARK LATHAM:** You can. You're happy to do that?

**STEVE GRIFFIN:** Happy to do that.

**The Hon. MARK LATHAM:** Okay. Can I turn to Mr Birch and ask why did you accuse former steward Tyszwk of leaking material about Brett Davenport to Ray Hadley when you had no proof that any such thing had occurred and in fact Mr Tyszwk didn't leak that material to Hadley or anyone else?

**WADE BIRCH:** I didn't accuse him of that.

**The Hon. MARK LATHAM:** You're denying the assertion that the person you were talking to remembers that he was accused of that?

**WADE BIRCH:** I didn't accuse him of that.

**The Hon. MARK LATHAM:** Why did Mr Tyszyk leave the organisation?

**WADE BIRCH:** He resigned.

**The Hon. MARK LATHAM:** Didn't you bully and harass him out of the organisation because of the allegation that you'd said that he'd leaked the material to Hadley?

**WADE BIRCH:** No, I did not.

**The Hon. MARK LATHAM:** Why did Brett Davenport become registered as a participant when he was a convicted murderer and shouldn't have been anywhere near a greyhound track where people go for the enjoyment of this wonderful sport, not to rub shoulders with a convicted murderer that your organisation registered as a participant?

**WADE BIRCH:** I didn't register him.

**The Hon. MARK LATHAM:** Well, who did, and how did it come about? How does this possibly happen in this organisation that convicted murderers—and we heard earlier on an alleged rapist is registered as a participant by an integrity organisation? Any answers from anyone?

**CHRIS WHEELER:** If I could?

**The Hon. MARK LATHAM:** Brett Davenport handled a dog at Bulli—a convicted murderer.



**The CHAIR:** Please.

**CHRIS WHEELER:** Mr Davenport applied for registration as an owner/trainer in September 2020. As part of its registration processes, the commission requested a national police check. The commission interviewed the applicant and requested further information. Mr Davenport provided it. The commission considered Mr Davenport's application in March 2021 and determined, having regard to all the information available, that he was a fit and proper person to be registered. So we're talking about an offence that occurred—well, put it this way: He had an unblemished record since 2011. The evidence of extensive efforts to rehabilitate and his current employment as a council ranger were factors taken into account. The other issues I really won't go into because of the Privacy and Personal Information Protection Act.

**The Hon. MARK LATHAM:** So what you are saying, then, is that you knew he was a convicted murderer and that wasn't a problem in terms of being of good enough character to be a participant in this industry? Shouldn't GWIC have higher standards?

**CHRIS WHEELER:** He served his time and he had demonstrated that he had taken steps to rehabilitate himself. His current employment was one of trust and he had an unblemished record since 2011.

**The Hon. MARK LATHAM:** And what was his record before 2011?

**CHRIS WHEELER:** I think you have mentioned it.

**The Hon. MARK LATHAM:** Okay.

**CHRIS WHEELER:** I'm sorry, I should have directed that through the Chair.

**The Hon. MARK LATHAM:** So who would you rule out, having found out these types of crimes in the national police history check? What does it take to be ruled out as a participant?

**MATTHEW TUTT:** If I can assist, Mr Latham.

**The Hon. MARK LATHAM:** Convicted murderers and rapists are okay. Who would be ruled out?

**The Hon. MARK PEARSON:** Point of order: Could the member please allow the witnesses to answer the questions uninterrupted?

**The Hon. MARK LATHAM:** He hadn't started. I'm just clarifying. Who would be ruled out?

**The CHAIR:** I uphold the point of order.

**MATTHEW TUTT:** Towards the end of 2021 the commission introduced a new fit and proper person framework and that outlines in fairly clear criteria what particular matters the commission has regard to when they register a prospective applicant. That outlines an array of matters including past criminal conduct or matters of disciplinary history within both the greyhound industry and other racing industries. We published the registration framework so that we could give our prospective applicants for registration an understanding of what it is that the commission will have regard to before we register our participants.

**The Hon. MARK LATHAM:** Today would you register a convicted murderer?

**MATTHEW TUTT:** We would give consideration to a variety of criteria, and we would look at such things as when the offending conduct occurred, what steps of rehabilitation may have been made by a particular person and whether it's in the best interests of the greyhound racing industry to register a particular person. We are given that power, of course, through the Greyhound Racing Act but we overarch that with our registration framework.

**The Hon. MARK LATHAM:** What about a rapist?

**MATTHEW TUTT:** As I said, Mr Latham, we have regard to a variety of factors. Criminal history is one of those and it depends, of course, on not only their criminal history but whether that person being registered would be in the best interests of the industry. It's not a hard-and-fast rule. Each applicant is taken on their merits, and we apply, as I said, our registration framework against the application process.

**The Hon. MARK LATHAM:** What duty of care do you feel you discharge to people who attend a greyhound meeting and, unbeknownst to them, would be rubbing shoulders with a convicted murderer or a rapist, and would feel obviously distinctly unsafe and shocked that such people could be registered by an integrity body as legitimate participants in this industry?

**MATTHEW TUTT:** At the forefront of our registration processes is what is in the best interests of the industry and what protective measures we can apply. As I said, it may be that we have regard to past history, criminal or otherwise, and if a particular instance in the past renders that person inappropriate to be registered,

then we apply our framework against that. If there were any instances of anyone in the industry at a racetrack or otherwise who felt uncomfortable about a particular situation, then there are mechanisms for them to go about reporting that to us and we take those steps.

**The Hon. MARK LATHAM:** Do you feel like it's a double standard that so much priority is given to the welfare of the dog but that the welfare of a young woman at a greyhound racing meeting who is standing next to or has contact with a rapist or a convicted murderer is not a priority for saying that that person shouldn't be on the track?

**MATTHEW TUTT:** As I said, Mr Latham, I have explained our process that we go about as to how we register particular applicants.

**The Hon. MARK PEARSON:** Thank you very much, everybody, for attending. From looking at your report, it's quite clear that you have a very strong policy on rehoming. That's correct, isn't it?

**STEVE GRIFFIN:** Yes.

**The Hon. MARK PEARSON:** I am just wondering how that policy is implemented through Greyhound Racing NSW and what oversight GWIC has of that very important area. I'm not quite sure who might be in the best position to answer that question.

**STEVE GRIFFIN:** Yes, rehoming is a responsibility of Greyhound Racing NSW. There are clauses in its operating licence in relation to creation of rehoming places. The commission's responsibility relates to a policy that sets out pathways for greyhounds to be rehomed and what the pathways are for those greyhounds that can't be rehomed.

**The Hon. MARK PEARSON:** Is there quarterly or annual reporting by Greyhound Racing NSW to GWIC as to the success or otherwise of rehoming programs?

**STEVE GRIFFIN:** We have received no information that I am aware.

**MATTHEW TUTT:** No, that's right.

**The Hon. MARK PEARSON:** Even though your policy is very strong about rehoming and that it should be being implemented?

**STEVE GRIFFIN:** Correct. We receive information direct from the participants—GAP and other rehoming organisations—when greyhounds are rehomed. We do get the data directly in terms of greyhounds that are rehomed. In terms of the need for GRNSW to provide us with rehoming statistics, it's not overly concerning.

**The Hon. MARK PEARSON:** Thank you for that. I just needed to get it clear what the relationship is on that issue.

**MATTHEW TUTT:** If I might, Mr Pearson, the commission staff do work closely with GRNSW GAP staff, particularly in relation to numbers that may be rehomed through those facilities. There is that interrelationship between both of our organisations.

**The Hon. MARK PEARSON:** Thank you for that. I—

**STEVE GRIFFIN:** Sorry to interject, Mr Pearson. I just make the additional point that the commission has no responsibility in overseeing Greyhound Racing NSW and its functions. The exchange of information is one that's dealt with under an MOU between the two organisations. We certainly didn't want to give you the impression that we have an oversight function of GRNSW. We simply don't.

**The Hon. MARK PEARSON:** But if Greyhound Racing NSW was beginning to fail in providing homes for the number of dogs that are retired that the community would expect, what would GWIC do if that was brought to your attention?

**STEVE GRIFFIN:** Our responsibility is to report such things to the Minister under section 12 (f) of the Greyhound Racing Act.

**The Hon. MARK PEARSON:** My next question is probably to Dr Tony Kuipers. I understand that the Greyhound Welfare and Integrity Commission has an animal welfare panel. Is that correct?

**TONY KUIPERS:** Yes.

**The Hon. MARK PEARSON:** What constitutes that panel? Who is on it?

**MATTHEW TUTT:** I can probably assist in that question as well.

**The Hon. MARK PEARSON:** Sure.

**MATTHEW TUTT:** The animal welfare committee is made up of the five members that are contained within the Greyhound Racing Act. There is a person with veterinary experience, there is a representative of the industry, there is a representative of GRNSW, there is a representative from the Department of Primary Industries, and there is also an RSPCA representative.

**The Hon. MARK PEARSON:** But my understanding is that it doesn't necessarily have to be a veterinarian to be in the position that is allocated to a veterinarian; it could be another agent from another community centre or public service. That is actually written in your report, that it isn't an absolute requirement that it be a vet. Why is that when it is an animal welfare panel dealing with animals?

**MATTHEW TUTT:** I'm not sure. The person that has occupied that position, to my understanding, has always been a veterinarian.

**The Hon. MARK PEARSON:** You might need to take that question on notice, then. Is one of the requirements of that veterinarian to have some recognised expertise in greyhounds?

**MATTHEW TUTT:** I can't recall what the actual provision in the Act says, Mr Pearson, but I'm happy to take that on notice.

**The Hon. MARK PEARSON:** My final question is in relation to a situation where, I understand, a veterinarian was performing a procedure on tendons and other tissue in the legs of greyhounds. Apparently, at the time, what was essentially a burning, scarring procedure—it wasn't called firing because, under the Prevention of Cruelty to Animals Act, firing is prohibited. That occurred back in 1997 in relation to horses. I understand there is a matter before GWIC concerning a veterinarian, or even more than one, where this procedure had occurred, and it now is becoming evident that it was actually firing and there is a case perhaps before the courts. Could you update the Committee as to where that very important matter is up to?

**MATTHEW TUTT:** That matter is still under investigation, Mr Pearson, so it's not appropriate that I go into too much detail about that at this point.

**The Hon. MARK PEARSON:** Is it the case, in the regulations pertaining to greyhound racing, that firing, or the equivalent of what firing constitutes, will become prohibited?

**MATTHEW TUTT:** What the commission did in December of last year, on the back of some matters where we understood that greyhounds had undergone a procedure, was introduce a local rule that prohibited the procedure known as firing. The commission defined what firing was under the rules. As part of the local rule brought in by the commission, that prohibited greyhounds that, in the commission's view, had undergone that procedure.

**The Hon. MARK PEARSON:** Therefore, if somebody is facing an inquiry and had been undertaking that procedure, which is now pretty much defined as firing, they've actually committed an offence. Correct?

**MATTHEW TUTT:** What the rule does is it prohibits greyhounds that have undergone that procedure from racing or participating in trials. The purpose of the rule was to protect the industry and to ensure that greyhounds that had undergone the procedure known as firing would not race.

**The Hon. MARK PEARSON:** In this table of the mortalities—greyhound deaths reported in 2019-20—13 per cent of them were euthanised after a private veterinarian certified that the greyhound was behaviourally unsuitable for rehoming, "typically aggressive". Does the commission think that 13 per cent of greyhounds being considered to be aggressive is unusual?

**STEVE GRIFFIN:** Sorry, Mr Pearson, what was the question?

**The Hon. MARK PEARSON:** If 13 per cent of greyhounds have been euthanised because they have been considered to be aggressive, my question is, if you look at other species and other animals that are euthanised, wouldn't 13 per cent be considered to be an abnormally high percentage considering greyhounds are such a docile animal?

**The Hon. MARK LATHAM:** Tigers, lions.

**STEVE GRIFFIN:** I would have to take that on notice, Mr Pearson. I've had discussions with Steve Coleman from the RSPCA in relation to this matter. Within all breeds of dogs or animals, particularly dogs, there's a certain percentage—and Steve's very familiar with this—that simply cannot be rehomed because they're too aggressive. It would be wrong to rehome dogs in certain circumstances.

**The Hon. MARK PEARSON:** Are you aware of there being arguments to euthanise a dog for aggressive behaviour or to euthanise a dog for a possible catastrophic injury—there is pressure and duress being

put on veterinarians to euthanise animals simply because the owner doesn't want to pay for the treatment or it's a way of reducing the numbers that have to be rehomed. Has that come to the attention of the commission at all?

**STEVE GRIFFIN:** Certainly not in terms of our veterinarians. I'm happy for Dr Kuipers to take that further. Our veterinarians would only euthanise when they make a clinical decision that it's absolutely necessary. In relation to those on-track euthanasias, they have declined significantly in the last four years. Certainly, for the first six months of this year there is about—I think it is eight fewer than this time last year.

**TONY KUIPERS:** Yes.

**STEVE GRIFFIN:** So, clearly, yes, in some respects you might have some pressure. But, largely, participants are aware of the injury rebate scheme that exists. The injury rebate scheme is there to support participants who may need some assistance in terms of getting the vet treatment. And Greyhound Racing NSW and GWIC are working to implement the greyhound care scheme, which actually is a process where we would take the greyhound who is injured immediately to a veterinary surgeon nearby so appropriate diagnosis can be undertaken and treatment provided.

**The Hon. MARK PEARSON:** And that would avoid the statistics of a euthanasia on track for a catastrophic injury? And then I will hand over to Mr Fang.

**The Hon. WES FANG:** Thank you.

**The Hon. MARK PEARSON:** Sorry. Do you understand my question?

**STEVE GRIFFIN:** I do, Mr Pearson. What we do is we follow up on those matters within 24 hours to see what the outcome is and we transparently report that outcome on a quarterly basis.

**The Hon. MARK PEARSON:** So it would go into the statistics?

**STEVE GRIFFIN:** Correct, and it does.

**The Hon. MARK PEARSON:** Okay.

**The CHAIR:** Mr Fang?

**The Hon. WES FANG:** Thank you. G'day. How are you going?

**STEVE GRIFFIN:** Good.

**The Hon. WES FANG:** Thanks for coming in today. I noticed in the opening statement you talked about you felt as if participants perhaps hadn't recognised what it is that GWIC had done during the COVID pandemic. Do you think you could expand a little bit more on that and just tell us some of the things that GWIC has done to assist participants and the industry during the COVID pandemic?

**STEVE GRIFFIN:** Yes. Thank you for the question. As the Acting Chief Commissioner outlined earlier, throughout the pandemic our vets and our stewards were very much on the front line. They kept the industry going in a very difficult time and that enabled the industry to take advantage of the increase in racing revenue that was occurring throughout that period. The people here today were a part of working hard to develop protocols that needed to be developed very quickly to meet NSW Health-ordered requirements. So if it wasn't for some of the people here present today we simply would not have been able to have a race meeting continue. In other jurisdictions racing did stop. We were able to work together with the racing clubs. At the end of the day, it's the racing clubs and our staff that deliver race meetings. They continued to do that. They continued to turn up, and we're very proud and thankful that they did that throughout that important period. As the Acting Chief Commissioner said, I want that to be publicly recognised. Those people did some fantastic work during that period.

As we said earlier, after the pandemic finished we turned our minds to increasing participation in the sport. A couple of the mechanisms for that was to allow younger people—based upon feedback, again, that was given to us by participants and the advisory council that these young people were participating anyway; it was just that they weren't part of the framework. And so we created the registration categories that allow young people to be registered. There is a real appreciable benefit in the sense that we're bringing young people in; they have a different view of the world, they are very welfare-centric, and so they're very good in terms of coming into the industry. We are very proud of that, and that has increased participation in the industry. The number of participants in New South Wales is now 4,378. That's continuing to grow.

On 1 May this year we introduced a new policy in relation to syndications. Many people would tell me that they could go to participate in the thoroughbred racing industry and they didn't have to be registered—they could just give their money to a syndicate and be part of racing, and that was great—but when it came to greyhound racing they had to be registered as an owner. That was part of the old racing rules. Those racing rules expired. So

we developed a new policy on 1 May that allows for people to invest in greyhound racing and be part of the industry but they don't necessarily need to be registered by the commission. They simply need to provide their details to their syndicate manager.

Our hope is that that will bring more people into the industry. It certainly will allow for greater investment in the industry. With greater investment—because welfare costs money—it adds to the amount of money that the industry has to provide greater welfare for greyhounds. As the Acting Chief Commissioner outlined earlier, we see this as a very important pathway to increasing rehoming numbers, because many of these syndicates have hundreds of people within them and they frequently put up their hands to rehome greyhounds once they retire. We see that as a very important piece of the jigsaw puzzle in terms of future rehoming places, so we are very pleased to be implementing that on behalf of the commission.

**The Hon. WES FANG:** Would it be fair to say that these hearings have had some attention from the industry and also from GWIC? Given that attention, I imagine that you have probably been keeping abreast of what has been happening within the hearings. Given some of the issues that have been raised during this hearing and previous hearings, I imagine that you have already started work on some solutions to this. Can you provide the Committee with some insights as to the work that has already started on addressing some of the issues that we have looked at during these hearings?

**STEVE GRIFFIN:** Yes. Thank you for the question. There certainly has been a lot of feedback that has come out through submissions to this inquiry. We do take on board that feedback, and some of it is very valid feedback. The commission is only four years old; it is four years of age tomorrow. As I said earlier, when the commission was first formed it had a very centralised process, which really slowed the way that it was delivering outcomes and supporting the industry, so we have completely restructured the organisation. We have restructured the way that we do disciplinary decisions. Disciplinary decisions are now made more quickly by the commission's Integrity Hearings Panel. This is only an interim step as we move towards complete regional decision-making—I spoke about penalty guidelines earlier—so we can be quick and responsive at a local level via our stewards and inspectors being regionally based.

As I said earlier, Ray Murrhy has been brought in and engaged to help us develop a better inquiry process so that we can deliver on this regional hub model that can deliver efficiencies to the industry and make our decision-making more efficient and effective. The notices of disciplinary action, based upon feedback at this Committee, have been reviewed and pared back and made less legalistic, which is very important. The commission has also published a disciplinary action guide and other information on its website to better inform participants of the steps involved in the disciplinary process. Among other things, the disciplinary action guide sets out in what circumstances the commission will invoke powers to issue interim suspensions. That was a much-vexed issue, as we heard from many participants, about whether and when the commission should be using interim suspensions.

Having regard to penalties issued by the commission, it has developed in consultation with key industry stakeholders a comprehensive penalty guideline, published on its website. We look forward to taking this back again to the industry. We are going to re-consult with the industry in relation to that penalty guideline because we want them to have further input into that guideline. That guideline is designed to deliver consistent and fair disciplinary decisions. It allows participants to understand the likely penalty that will apply to breaches of the racing rules and commission policies. Most importantly, it is there to ensure that the commission is accountable for the decisions it makes. As I said, the commission intends to consult further with industry in relation to the current penalty guidelines.

In response to feedback regarding the commission's kennel inspection program, the commission has developed and published its new kennel inspection protocols. The protocols set out the circumstances when the commission will conduct announced and unannounced inspections and, more importantly, when it will utilise body-worn camera technology. It also sets out the powers of the commission's inspectors in relation to how they can attend kennels and when they are required to obtain a warrant. Just to clarify something that was mentioned earlier, our inspectors cannot go into a residential premises unless invited. They have no greater or lesser powers—in fact, far lesser powers—than the police in that regard. The Greyhound Racing Act certainly does allow us to go to kennelled premises but, again, the protocol sets out when, and the commission will do that either announced or as part of a routine inspection process.

**The Hon. MARK LATHAM:** Mr Griffin, you had a prepared speech in answer to that question. Who organised that?

**STEVE GRIFFIN:** I can't recall. It would have been someone in the organisation.

**The Hon. MARK LATHAM:** Coming back to the Haylen reports, thanks for your agreement to table them. On what other occasions have you commissioned Mr Haylen for work?

**STEVE GRIFFIN:** None that I can recall.

**The Hon. MARK LATHAM:** This was it?

**STEVE GRIFFIN:** That is correct.

**The Hon. MARK LATHAM:** Other than Ken Burnett, what other participants under disciplinary investigation have had a former judge paid to review the matter?

**MATTHEW TUTT:** I can answer that if you like, Mr Latham. As I said previously, Mr Haylen was engaged on the basis of assessing whether the commission was acting reasonably in taking the disciplinary action that they did in relation to Mr Burnett's matter. The commission has not engaged Mr Haylen for any other disciplinary matters. It is also important to note that the decision-makers in that disciplinary process were not provided with any information or any of Mr Haylen's report, which was ultimately provided to the commission and the commission's executive, but not the decision-makers as part of Mr Burnett's matter.

**The Hon. MARK LATHAM:** To answer my question, which other participants under investigation for disciplinary action have had a former judicial officer review their particular case?

**MATTHEW TUTT:** There have been no other participants.

**The Hon. MARK LATHAM:** Only Ken Burnett? Hundreds and hundreds and hundreds of inquiries and disciplinary actions and only Ken Burnett has been targeted in this way?

**MATTHEW TUTT:** Mr Haylen was engaged for the specific purpose of assessing whether the commission was acting reasonably in taking the disciplinary matter. Mr Haylen provided a report in relation to the commission's executives and commissioners, but there are has been no other instance where the commission has engaged Mr Haylen or any other former judicial officer.

**The Hon. MARK LATHAM:** The rationale in the Burnett matter was to—

**CHRIS WHEELER:** Mr Chair, can I add something to that answer?

**The Hon. MARK LATHAM:** There was someone else other than Ken who you targeted?

**CHRIS WHEELER:** I would like to say that the reason why this was done is this was a very public issue and there were some complexities in there in relation to issues. We wanted to be certain that if we were going to take any action that we were on firm ground and that we were acting fairly and reasonably. It was a very different situation to what the commission normally encounters in relation to a disciplinary matter.

**The Hon. MARK LATHAM:** The rationale for this paid review by Haylen was to negate any suggestion that Mr Burnett had been unfairly targeted by the commission. How many times did Mr Haylen speak to Mr Burnett or his legal representatives to get the other side of the story?

**MATTHEW TUTT:** That wasn't part of the process. The process was for Mr Haylen to engage with the documentation that the commission had in relation to the matter and to receive instructions directly from the commission. But it wasn't a requirement as part of that process or engagement of Mr Haylen that he engage directly with Mr Burnett.

**The Hon. MARK LATHAM:** Are you telling this inquiry that Haylen never spoke to Mr Burnett or his legal representatives?

**CHRIS WHEELER:** He was not engaged to conduct an investigation. He was engaged to see whether the evidence before the commission was sufficient to proceed or not. He was not an investigator.

**The Hon. MARK LATHAM:** But he was conducting what was supposed to be an independent review of the matter.

**CHRIS WHEELER:** Of the evidence before the commission.

**The Hon. MARK LATHAM:** Wouldn't he speak to the person who is claiming he has been unfairly targeted? To decide whether there has been unfair targeting, wouldn't he speak to the target?

**CHRIS WHEELER:** The evidence before the commission was sufficient to determine whether he was being unfairly targeted. There was a transcript of evidence that was made from a recording. The evidence was there and the question was, "Are we unfairly targeting this gentleman, given that evidence?"

**The Hon. MARK LATHAM:** Isn't that a denial of due process—

**CHRIS WHEELER:** No. He is not making a decision.

**The Hon. MARK LATHAM:** —to not ask the target or talk to him?

**CHRIS WHEELER:** Through you, Mr Chair, he is not making a decision, he is not doing an investigation. He was looking at the evidence to hand to tell the commission whether, based on that evidence, it was appropriate to proceed or not.

**The Hon. MARK LATHAM:** Under Mr Griffin's strategy document responding to our Committee, it states you're going to include the outcome of the Haylen review when announcing the outcome of the disciplinary process against Mr Burnett. Did that happen?

**MATTHEW TUTT:** No. We did not do that.

**The Hon. MARK LATHAM:** Why not?

**MATTHEW TUTT:** At the time that the decision was made, the integrity hearings panel, who did not have access to Mr Haylen's report, made their decisions unaffected by any of that extraneous information and only considered the matters that were relevant to the disciplinary process, including, importantly, submissions and evidence provided on behalf of Mr Burnett, who was represented throughout that process.

**The Hon. MARK LATHAM:** So until I asked for the tabling there was no intention to make the Haylen review a public document. You say it never went to the investigators.

**MATTHEW TUTT:** No, it never went to the integrity hearings panel who were making the disciplinary decision.

**The Hon. MARK LATHAM:** But there was no intention, until today, to make it a public document.

**CHRIS WHEELER:** It wouldn't have been my intention to make it public, until today. But you've wanted it. I hope you're happy with what you read. This matter's before the RAT at the moment, so we need to be careful about where we go with this.

**MATTHEW TUTT:** It has been resolved.

**CHRIS WHEELER:** It was resolved. So we will make that a submission to the Committee.

**The Hon. MARK LATHAM:** Why was it your intention, Mr Griffin, in the strategy document that you alone devised, to include the outcome of the Haylen review when announcing the outcome of the disciplinary process against Mr Burnett? The clear process here would've been to announce the decision about Burnett and release the Haylen review simultaneously.

**STEVE GRIFFIN:** I think, Chair, that was a discussion that was had at the time, involving the then Chief Commissioner. That would be the end process.

**The Hon. MARK LATHAM:** So you were expecting, at that time, the Haylen review would be in sync with the disciplinary decision.

**STEVE GRIFFIN:** I can't recall, but I do recall, in the context of the discussion that is recorded in that document, that there was a view expressed by the then Chief Commissioner that that be dealt with at the same time if possible.

**The Hon. MARK LATHAM:** So you weren't expecting that there would be a disciplinary finding of any kind against Mr Burnett and the Haylen review would contradict that and GWIC would look silly in releasing them simultaneously. That wasn't your intention, was it, Mr Griffin?

**CHRIS WHEELER:** I don't know how far to go here.

**The Hon. MARK LATHAM:** It's Mr Griffin's document about a response to this Committee.

**CHRIS WHEELER:** Mr Griffin's document was not setting out how something was going to be resolved. The documentation that accompanies the Haylen review isn't something that necessarily is in Mr Burnett's interest to release. The decision that was made was that we would not proceed, but you want it released, so we will release it.

**The Hon. MARK LATHAM:** Great. It's good to have a spokesperson, but can Mr Griffin actually answer the question? Why were you wanting to simultaneously release the Haylen review with the finding against Mr—are you okay there? Am I allowed to ask my questions as a parliamentarian without disrespectful carry-on?

**CHRIS WHEELER:** Absolutely.

**The Hon. MARK LATHAM:** Thank you. Mr Griffin can answer the question. Why was it your intention to release the outcome of the Haylen review simultaneously with the disciplinary process against

Mr Burnett, other than that they would be identical findings? You weren't going to make a fool of yourself, were you, by Haylen contradicting the findings of the process?

**STEVE GRIFFIN:** Yes, not at all. The intent there was to be transparent.

**The Hon. MARK LATHAM:** Why didn't you be transparent and do what you intended to do in this document dated 17 June last year?

**STEVE GRIFFIN:** I just don't—

**The Hon. MARK LATHAM:** Can Mr Griffin answer without the spokesperson whispering in his ear? Thank you.

**STEVE GRIFFIN:** I'm not quite sure what transpired after that, but there were decisions made subsequent to that document being prepared, Mr Latham. They were decisions that were made by the Commissioners at the time.

**The Hon. TAYLOR MARTIN:** Mr Wheeler's able to answer. Mr Wheeler's able to contribute.

**The Hon. MARK LATHAM:** It's not his document. He wasn't even the Commissioner at that time.

**CHRIS WHEELER:** If we could go in camera, we could go into more detail about this. I think that's only fair to Mr Burnett.

**The Hon. MARK LATHAM:** Could I turn to Mr Birch and ask about The Gardens, race 3 on Thursday 26 May? How many times in the history of GWIC has the lure got around the corner before the box is opened so the dogs have got no line of sight on the lure and the chief steward at the time declared that to be a legitimate race?

**WADE BIRCH:** None in my time.

**The Hon. MARK LATHAM:** The only time it's happened.

**WADE BIRCH:** That's my understanding, yes.

**The Hon. MARK LATHAM:** What was the process whereby, over the next seven days, eventually it was declared a non-race?

**WADE BIRCH:** Myself and Mr Degan and a senior steward with GWIC interviewed all the trainers involved in the race. We made a decision that it should have been a no-race, and we reversed the decision.

**The Hon. MARK LATHAM:** What do you say to the punters who would feel that it wasn't a fair contest and they did their money cold on dogs that lost?

**WADE BIRCH:** We made a mistake.

**The Hon. MARK LATHAM:** What action did you take against the person responsible—Mr Adams, here?

**WADE BIRCH:** I counselled Mr Adams. We have also changed our processes. There was a process and systems error. We used a bunker system throughout the course of COVID which limited our steward's exposure to participants and people on track. That resulted in the chairperson of the meeting being stationed from their home. It was something we continued with. That system raised issues with communication between stewards on track and off track and, as a result, that's contributed to this particular decision. So, in doing what we thought was right for the industry, we've obviously failed in this particular respect. Something was wrong. It needed to be made right, so we conducted an inquiry. We got to the right decision.

**The Hon. MARK LATHAM:** Why wasn't Mr Adams stood down after this unprecedented, farcical event?

**WADE BIRCH:** We didn't think it was appropriate to stand Mr Adams down.

**The Hon. MARK LATHAM:** Why?

**WADE BIRCH:** Because, as I said, we believe it to be a systems and communications error. That was a contributor. We counselled Mr Adams in respect to the process. We believe that to be the appropriate course of action.

**The Hon. MARK LATHAM:** And why has the footage of the race been taken off the website? Was that at your request?



**WADE BIRCH:** No. We don't control the website. That's the dogs website—that's Greyhound Racing NSW website.

**The Hon. MARK LATHAM:** You don't know why they took it down?

**WADE BIRCH:** I don't.

**The Hon. MARK LATHAM:** Okay. Also at The Gardens, under the watch of Mr Adams, on 23 April, two dogs, a litter of sisters, were kennelled for the wrong race. It was only when the trainer walked the first dog onto the track that the wrong race was identified, and Mr Adams then intervened to tell the staff to take that dog back to the kennelling area and swap the dog for the correct dog. Isn't Mr Adams responsible for identifying these greyhounds via the microchip before they are kennelled, and this should never have happened?

**WADE BIRCH:** Mr Adams is not, no. Not as the chairman of the meeting. No, he's not.

**The Hon. MARK LATHAM:** Who was responsible?

**WADE BIRCH:** I'd have to ask Mr Adams.

**KEVIN ADAMS:** I'd have to take it on notice. I don't recall.

**The Hon. MARK LATHAM:** You don't recall the incident with the wrong dog?

**KEVIN ADAMS:** I recall the incident, yes. I don't recall who was the first identification on the day.

**The Hon. MARK LATHAM:** Why did the trainer get fined \$200 for presenting the wrong greyhound, if he realised it was a mistake at the microchipping stage? And especially when the trainer was the one who saved the humiliation of the wrong dog running in the race by alerting the stewards?

**KEVIN ADAMS:** The circumstances on the day, Mr Latham, was that the trainer's wife kennelled the dogs in the wrong race bays. I don't recall what races they were in, to be frank with you. But I do know the trainer's wife at the time put the incorrect dog into the incorrect kennel bay. Therefore, when those dogs were retrieved for that particular race, the steward, Louise Warren, who was the second identifying steward at the time, could not correctly identify the greyhound because it was the wrong greyhound that was put into the kennel bay. Whilst she was endeavouring to go around the business to find out why she couldn't identify it, that's when the trainer brought it to attention that the greyhound was the incorrect greyhound for that race.

**The Hon. MARK LATHAM:** Who microchipped the dogs?

**KEVIN ADAMS:** Which time?

**The Hon. MARK LATHAM:** For these races, to make sure it was the right dog.

**KEVIN ADAMS:** Ms Warren microchipped the dog for that particular race, and she came to the conclusion it was the incorrect dog because she couldn't identify the dog through the microchip.

**The Hon. MARK LATHAM:** When did she do that? Because the action was taken as they were walking the dog to the boxes.

**KEVIN ADAMS:** I don't believe that was correct. I believe the trainer brought it to the attention of the stewards when he was actually holding the dog during the stir-up. It never got on the way to the track to the boxes. That's my understanding.

**The Hon. MARK LATHAM:** You wouldn't microchip after the stir-up, would you?

**KEVIN ADAMS:** I'm not aware of when the microchip was taken.

**The Hon. MARK LATHAM:** But surely the microchipping was before the thing got to the stir-up?

**KEVIN ADAMS:** My understanding is—

**The Hon. MARK LATHAM:** And that microchip would have shown it was the wrong dog.

**KEVIN ADAMS:** Correct. That's my understanding, is when she—

**The Hon. MARK LATHAM:** What happened to that steward, who has microchipped the wrong dog?

**KEVIN ADAMS:** She didn't microchip the wrong dog. The wrong dog was presented to her to race. Because the identification couldn't be done, she couldn't identify that particular dog. Then she went to her computer to get onto our system of OzChase to try to identify the dog that was actually microchipped. Obviously, I wasn't there at the time. This is just what has been told to me since. The trainer then took the dog outside and made an alert to the stewards that it was the incorrect dog.

**The Hon. MARK LATHAM:** But in microchipping the dog she didn't think it was the wrong dog at that stage?

**KEVIN ADAMS:** No, she was aware she couldn't identify the dog because the only microchips that come up for that particular race are the dogs that are in that race.

**The Hon. MARK LATHAM:** Doesn't that indicate it was the wrong dog?

**KEVIN ADAMS:** Yes, she was aware that there was a problem with the dog. That's my understanding, yes.

**The Hon. MARK LATHAM:** She was aware it was the wrong dog, so why was she allowed to proceed to the stir-up and it took the trainer to alert people, "Hey, you've got the wrong dog"?

**KEVIN ADAMS:** I can't answer that question. I'm not aware of what took place. I wasn't there at the time.

**The Hon. MARK LATHAM:** Why has the trainer been fined \$200? I don't think they've done anything wrong.

**KEVIN ADAMS:** The trainer's wife placed the greyhound in the incorrect bay. If you put the dog in the right bay, the right dog would have been presented to race.

**The Hon. MARK LATHAM:** Mr Birch, did you employ Mr Adams based on your experience together in Queensland?

**WADE BIRCH:** The commission employed Mr Adams.

**The Hon. MARK LATHAM:** What role did you play?

**WADE BIRCH:** I was on the recruitment.

**The Hon. MARK LATHAM:** Did you declare your prior association in Queensland racing?

**WADE BIRCH:** I didn't have a prior association with Mr Adams in Queensland racing.

**The Hon. MARK LATHAM:** None whatsoever?

**WADE BIRCH:** I worked there for around—

**The Hon. MARK LATHAM:** What probity check was taken to look at Mr Adams' credentials? I mean, a Google check would look at the serious allegations from Barbara Scott, where there are allegations of sexual harassment. She won an unfair dismissal action. Shouldn't we have a higher standard of integrity than having someone who's been subject to these allegations coming into our industry?

**WADE BIRCH:** They are just that—allegations.

**The Hon. MARK LATHAM:** What checking was made about the nature of the allegations? Because they're supremely important and no-one would want a sexual harasser to be a steward.

**WADE BIRCH:** The usual checks are done in accordance with government process. Referees were taken. We were aware of an Industrial Relations Commission case in which Mr Adams was mentioned. Mr Adams was very up-front about that in respect to his past in the recruitment process. We're aware of it. There were no proven allegations against Mr Adams. Mr Adams' character is, in our view, sufficient to hold the role of a steward.

**The Hon. MARK LATHAM:** What knowledge did you have about Mr Adams before you were part of the recruitment panel?

**WADE BIRCH:** I met Mr Adams in the hall at Queensland racing. He was introduced to me by Jamie Dart, chief steward of the greyhounds. That was the last time, I think, I saw Mr Adams until the recruitment process in which we've just referred.

**The Hon. MARK LATHAM:** Can you tell us a bit about the box draw for the group 2 Richmond Oaks and Richmond Derby on 24 June, which had to be aborted because the stewards didn't know how to do the box draw properly? They were going to do it in alphabetical order, meaning, that all of us interested in greyhounds if we bought one they'd all be called Aardvark.

**WADE BIRCH:** No, they did the draw incorrectly.

**The Hon. MARK LATHAM:** They did it incorrectly?

**WADE BIRCH:** Yes.

**The Hon. MARK LATHAM:** And how is that possible from an organisation that's supposed to have integrity and professionalism? How can you have stewards for a group 2 race who didn't know how to do the box draw?

**WADE BIRCH:** The steward, unfortunately, was a part-time steward that did that box draw or oversaw the box draw. It was done incorrectly. It needed to be redrawn and was redrawn.

**The Hon. MARK LATHAM:** What happened to the steward? Did they get sacked for being a goose?

**WADE BIRCH:** Sorry?

**The Hon. MARK LATHAM:** Did they get sacked for incompetence?

**WADE BIRCH:** No, they did not.

**The Hon. MARK LATHAM:** What training do you give people about how to do a box draw, which is obviously one of the most fundamental jobs of a steward?

**WADE BIRCH:** We're currently putting together a steward's manual. The manner in which you do a box draw will be contained in that particular manual.

**The Hon. MARK LATHAM:** What confidence do you think punters and participants should have in the capacity of your stewards, given the litany of fiascos there that I've just read out: a race declared valid, which is clearly a non-race; the wrong dog; the wrong box draw. This is like the Keystone Cops, isn't it?

**WADE BIRCH:** I wouldn't call it a litany. We have 28 race meetings a week, Mr Latham, and you've got, what, two or three?

**The Hon. MARK LATHAM:** I've got three fiascos and there are more.

**WADE BIRCH:** You've got two or three instances when we have 28 race meetings a week over the last—how long? Four years?

**The Hon. MARK LATHAM:** Well, punters are careful with their money. They don't want any mistakes. We don't—

**WADE BIRCH:** I completely disagree with what you're saying.

**The Hon. MARK LATHAM:** —see the AJC Derby having the wrong box draw in the thoroughbreds.

**The Hon. WES FANG:** Point of order: Hansard cannot record two people speaking over each other in the manner that's happening now. I suggest that we have a question asked and then we allow the witnesses to respond.

**The CHAIR:** Thank you. Point taken.

**The Hon. MARK LATHAM:** Why don't we see these mistakes in the thoroughbreds?

**WADE BIRCH:** Sorry?

**The Hon. MARK LATHAM:** Why don't we see these mistakes in the thoroughbreds? Why are they only in the greyhounds in New South Wales?

**WADE BIRCH:** I worked in the thoroughbreds for 20 years. These mistakes occur in the thoroughbreds, I can assure you.

**The Hon. MARK LATHAM:** What, the AJC Derby has the wrong box draw? There's the wrong horse in a different race?

**WADE BIRCH:** There's been plenty of incorrect barrier draws done in thoroughbred racing, Mr Latham. I regulated it for 20 years.

**The Hon. MARK LATHAM:** How many are declared to be a valid race and a week later a non-race?

**WADE BIRCH:** I think they started a race in South Australia last week—

**The Hon. MARK LATHAM:** No, no—New South Wales thoroughbreds.

**WADE BIRCH:** No, when a horse was still under the barriers, so matters and mistakes—

**The Hon. MARK LATHAM:** Did they declare it a non-race when the horse was under the barriers?

**WADE BIRCH:** Incidents do occur. Accidents do occur.

**The Hon. MARK LATHAM:** In South Australia, did they declare that a non-race?

**WADE BIRCH:** I couldn't tell you, I'm sorry.

**The Hon. WES FANG:** Chair, I'm sorry. This is beginning to become a farce. We need to have a question asked and allow the witnesses to—

**The CHAIR:** I have seen a lot worse situations, Mr Fang. I think Mr Lathan has come to the end of his questioning, thank you.

**Ms ABIGAIL BOYD:** Thank you. I have just a few additional questions. Firstly, I understand that the RSPCA has raised the issue of greyhounds being given away on Gumtree and other sort of internet sites and that some of these greyhounds are being just free to a good home. Is that something that the commission is looking into? Are you concerned about the welfare outcomes of dogs sold in that way on Gumtree?

**STEVE GRIFFIN:** Thank you for the question. Look, the method of seeking rehoming through Gumtree is not necessarily an issue itself. Obviously, we want to make sure that there's proper welfare outcomes. As you're aware, as a greyhound is rehomed from the industry the commission, first of all, contacts the new owner who's outside the industry to make sure they're a bona fide person and puts their details on the Companion Animals Register, and we also send them information about how to actually look after a greyhound because it is a different breed to look after. So, if there are any concerns about participants seeking to use Gumtree to rehome a greyhound, then on occasions they are brought to our attention and we investigate.

**Ms ABIGAIL BOYD:** Similarly, I understand that GAP has been sort of having these \$30 dog days where you can come along and pick up a dog for \$30. Do you have concerns about that as a process for the adoption of greyhounds?

**STEVE GRIFFIN:** Not in particular. As I said, obviously we need to ensure that we're getting the bona fides in the details of the individuals to whom the greyhounds are being rehomed. That's happening. As I said, we're checking the bona fides. We are putting the details of those people on the Companion Animals, contacting them and giving them the information they need, regardless of the method or approach that has been taken to rehome those greyhounds.

**Ms ABIGAIL BOYD:** In relation to the recent media release about the eTrac system that we have been waiting for for a little while, is it your understanding that this eTrac will still only apply to participants? Will it actually fill that gap between GWIC's ability to be able to investigate greyhounds that have moved onto the Companion Animals Register?

**STEVE GRIFFIN:** The commission's eTrac will cease once the greyhound comes off the greyhound register in New South Wales and the greyhound is placed on the Companion Animals Register.

**Ms ABIGAIL BOYD:** So there still will not be an obligation on a person who has adopted a greyhound or taken a greyhound outside of the industry to get that microchip checked every year or any of those things?

**STEVE GRIFFIN:** No.

**Ms ABIGAIL BOYD:** No. So it does not fix that problem with what's happening to those dogs, necessarily, that are leaving the industry.

**STEVE GRIFFIN:** There is no ability for the commission to compel a private individual to have their greyhounds scanned, no.

**Ms ABIGAIL BOYD:** Because we have not got that legislative fix yet.

**STEVE GRIFFIN:** That's a matter for government policy.

**Ms ABIGAIL BOYD:** That's all right; I just wanted to confirm my understanding. In relation to the death of a dog at The Gardens on 15 May 2020, which we have talked about before, where the dog died after contacting the running wire inside the lure rail, has a safety rail been installed in The Gardens since that event?

**STEVE GRIFFIN:** I would have to defer that to Mr Tutt.

**MATTHEW TUTT:** I understand that there is now a safety rail at The Gardens.

**Ms ABIGAIL BOYD:** Okay. So that has been dealt with.

**MATTHEW TUTT:** At least in part, the safety rail's there in part, yes.

**Ms ABIGAIL BOYD:** I have just two more questions. The first one is, has the number of investigations increased under GWIC compared to under the previous iteration of the regulatory pre-GWIC times? Do you know?

**MATTHEW TUTT:** We don't. We're unaware of the precise numbers by the regulator before the commission.

**Ms ABIGAIL BOYD:** Okay. My final question is I understand that there was a Greyhound Racing NSW survey of participants in relation to a number of things, including how they felt about GWIC. It was quite a political style of survey. Do you feel that GWIC has been undermined by Greyhound Racing NSW through that survey?

**STEVE GRIFFIN:** What I can say is that we weren't consulted, and we didn't give approval for the survey to canvass views about the commission's performance.

**Ms ABIGAIL BOYD:** Did you take up the issue of that survey with Greyhound Racing NSW once you became aware of it?

**STEVE GRIFFIN:** No, we didn't—I didn't. There was a previous telephone survey that I did take up with GRNSW at the time and I left that issue to the Minister.

**The CHAIR:** Any more questions?

**The Hon. MARK LATHAM:** I have one final one. Mr Griffin, you mentioned earlier on that your inspectors legally can't go into the residences where the greyhounds are kennelled. Have all participants been advised of that legal reality? Because there was an instance, wasn't there, of one of your inspectors going into a home to check the gun cabinet, with a teenager being the only one present? That was a few years ago. I haven't got the details with me. But, anyway, have participants been advised of what you told this Committee?

**STEVE GRIFFIN:** It's certainly on our website.

**MATTHEW TUTT:** Plus the Greyhound Racing Act has an express provision that GWIC inspectors cannot enter the premises without consent or a warrant.

**The Hon. MARK LATHAM:** Into the residence.

**MATTHEW TUTT:** Residential premises.

**The Hon. MARK PEARSON:** What about on a reasonable suspicion that there is an offence occurring in the residence or if they can hear rabbits squealing or something like that?

**MATTHEW TUTT:** No, we don't have that power, Mr Pearson.

**The CHAIR:** Or mice squeaking.

**The Hon. MARK LATHAM:** Rabbits squealing—I won't say. Legally, have you got advice that your entry-to-premises rule is legitimate in the absence of prior notice or a warrant?

**MATTHEW TUTT:** I don't believe we've got express advice on that point.

**The Hon. MARK LATHAM:** This is a complaint from a lot of participants, obviously, that their kennels are inspected by people with body cameras on a random basis. You've got no legal advice to say that that has a legal standing that's beyond reproach?

**MATTHEW TUTT:** Are you talking about kennel premises?

**The Hon. MARK LATHAM:** Yes.

**MATTHEW TUTT:** We've certainly received legal advice in relation to our use of body-worn camera footage.

**The Hon. MARK LATHAM:** But what about the inspections themselves without notice or warrant?

**MATTHEW TUTT:** The Act provides commission inspectors with the ability to attend kennel premises to conduct inspections of those premises.

**The Hon. MARK PEARSON:** Can they conduct the inspection without the owner being there or the person responsible for the animals?

**MATTHEW TUTT:** They don't do that, Mr Pearson, in the general sense. It would be very rare that a GWIC inspector would enter the kennel premises of a participant without that participant, or someone nominated by that participant, being present. The usual course is for an inspector, if it's a routine inspection, to attend at a

pre-announced time to undertake the inspection. There will always be instances where inspectors have to attend kennel premises without providing an announcement in advance, and that's for intelligence-led reasons. We do that when the circumstances require it. But if it's a routine inspection, there will certainly be that notice in advance.

**The Hon. MARK LATHAM:** Have you got legal advice saying that random inspections of kennels without a warrant has legal standing and authority?

**WADE BIRCH:** I might be able to assist, Mr Tutt. The powers are consistent across the three codes of racing. They've been tested at appeal on many, many occasions.

**The Hon. MARK LATHAM:** Have you got a legal advice that says what you're doing is legally valid?

**MATTHEW TUTT:** I don't believe we've got advice in relation to our inspections. We had received a lot of advice when the commission commenced its regulatory operations, but I am happy to take that on notice, Mr Latham, as to whether we've got any express legal advice on that particular point.

**The Hon. MARK LATHAM:** Let me put it in the negative: Have you got an advice that says it is illegal?

**MATTHEW TUTT:** To conduct inspections?

**The Hon. MARK LATHAM:** No, randomly, without notice, with no-one home and without a warrant.

**MATTHEW TUTT:** No. As I said, I'm happy to take on notice whether we have received any express advice in relation to our inspection powers more generally.

**The Hon. MARK LATHAM:** But you say you've got a legal advice justifying the body cameras.

**MATTHEW TUTT:** We have received legal advice in relation to body-worn cameras. Yes, we have.

**The Hon. MARK LATHAM:** Hang on, what does that say—that it's okay?

**MATTHEW TUTT:** It provides some extensive advice. I can't recall precisely what the tenor—

**The Hon. MARK LATHAM:** If you can get back to the Committee on both those matters, the further information would be appreciated. You can take that on notice.

**The CHAIR:** It has been put to us that the commission now is requiring people who apply for a licence, as a condition before they get the licence, to be able to grant the commission automatic right of entry. Is that true?

**MATTHEW TUTT:** In the past, I believe there may have been an instance where we sought that from a participant as part of a registration condition. That would only be by the consent of the applicant.

**The CHAIR:** Hang on, you just said you sought it, and then it's "by consent".

**MATTHEW TUTT:** Yes.

**The CHAIR:** You haven't actually answered the question. To get around your non-right of entry, unless you are invited, is it a policy that for new participants or participants renewing their licences you are making it a condition that they have to consent to automatic entry without permission? That's the question.

**CHRIS WHEELER:** Mr Chair, could I answer that? The Greyhound Racing Rules contain several critical provisions that are relevant to this. One is:

These Rules apply from the date of their commencement to any person who takes part in any activity in connection with greyhound racing in Australia or New Zealand.

Greyhound Racing Rule 16 provides as follows:

(2) ... a *Controlling Body*, or an *officer of the Controlling Body* or *person* authorised by a *Controlling Body* may at any time enter upon land or premises owned, occupied or under the control of a *person* bound by the *Rules*.

...

(3) A *person* who is found upon any premises referred to in subrule (2) must:

...

(g) permit the making of a photographic, audio, video or other record as the *Controlling Body* or *officer of a Controlling Body* may reasonably require;

We don't need to put that condition on anybody. It is there as part of their registration under the rules.

**The CHAIR:** You are talking about their personal residence?

**CHRIS WHEELER:** Not the residence.

**The CHAIR:** That's what I'm talking about.

**CHRIS WHEELER:** The Act is quite specific that we cannot go into a residence.

**The CHAIR:** I'm talking about their residence. That's what I'm talking about.

**CHRIS WHEELER:** The Act is quite specific we cannot go into their residence, and I'm not aware of any attempt to get permission to do what the Act says we can't.

**The CHAIR:** You alluded to it that it was happening.

**MATTHEW TUTT:** Perhaps if we can take that on notice as to whether there has been a precise case, but it would only be with the express consent or—

**The CHAIR:** You shouldn't be seeking their consent. It's a breach. You shouldn't be just saying, "To get your licence, you have to let us come into your personal residence and search it." Doesn't that smell to you? Why would you want to do that and go through people's underwear and things like that? I just find that offensive. The answer should be, "No, we won't do it. We haven't done that in the past" et cetera.

**The Hon. TAYLOR MARTIN:** Why don't we hear the answer?

**CHRIS WHEELER:** We will come back to you with an answer. I'm not aware of that ever happening. It certainly shouldn't have happened if it did.

**The CHAIR:** Thanks very much for coming today. Those of you who have taken questions on notice, 21 days, please, for a response to the secretariat.

**CHRIS WHEELER:** Could we—

**The CHAIR:** Mr Wheeler, you want to say something?

**CHRIS WHEELER:** I was just looking at the terms of reference. This is, I think, the second time or third time—

**MATTHEW TUTT:** Second.

**CHRIS WHEELER:** —second time that the commission has been called in front of the inquiry. I was just wondering about—three of your terms of reference out of six refer to Greyhound Racing NSW, and I'm not aware that they had been called or they have appeared to give evidence.

**The CHAIR:** Mr Wheeler, you are here to answer questions, not ask me questions. The Committee will determine what it has to do and who it is going to bring before it. Thank you very much for coming today. Goodbye.

**The Hon. WES FANG:** Chair, I was going to say that I think it's not an unreasonable point.

**The CHAIR:** It's not an unreasonable question to ask, but I'm not going to answer because the Committee hasn't made a determination in relation to this matter.

**The Hon. MARK LATHAM:** If you follow the agenda, we are calling them for the next hearing.

**The CHAIR:** Thank you very much. The hearing is over. Thank you.

**(The witnesses withdrew.)**

**The Committee adjourned at 17:04.**