

GREYHOUND SANCTUARIES FOR QUEENSLAND

COMBINING ANIMAL WELFARE AND REGIONAL JOB CREATION

In 2015 the Queensland government appointed Alan MacSporran QC to conduct a Commission of Inquiry into the greyhound racing industry in Queensland. The final report was delivered to the Premier on 1 June 2015. The Commission reported that “The Australian Veterinary Association has stated that the “biggest problem with greyhound racing in Australia is that significantly more animals are born than will have a long, healthy career in racing leading to unacceptable wastage levels”¹. This was a common theme from people the Commission has engaged with since 5 March 2015 and a topic which was frequently addressed in submissions.² Although there is an issue regarding the accuracy of the numbers, the magnitude of the difference between the number of pups whelped and those who are named and ultimately registered to race and have a full life in the industry is suggestive of an unacceptable level of wastage.”³

MacSporran reported “Between 2003 and 2013, approximately 24,231 greyhounds were whelped (an average of 2,203 per year), and 16,968 (an average of 1,543 per year) were named and registered with RQ.”⁴ “The difference in the quantity of greyhounds whelped and the quantity named reveals that 7,263 (average of 660 per year) or 30 per cent of greyhounds whelped are unaccounted for.”⁵ “A comparison of the number of dogs registered as having been whelped with the numbers notified as retiring pursuant to GAR 106(3) would indicate that a significant number of dogs disappear from the system.”⁶

WASTAGE

The Commission of Inquiry report continued “The information provided by RQ reveals an average wastage rate of approximately 30 per cent from 2003 to 2013. When examined in a more granular way, industry wastage rates deviate slightly however remain high.”⁷ “Accordingly, it is the Commission’s view that it is highly improbable that the figure of 1462 greyhounds registered as retired (including 1,195 in 2014) is accurate and that the actual number of greyhounds that should be recorded as retired is around 8,500. This reveals that between 2003 and 2013 approximately 7,000 greyhounds are unaccounted for, in that they were named, but not registered as retired.”⁸

¹ Queensland Greyhound Racing Industry Commission of Inquiry paragraphs 277.

² Ibid paragraph 278.

³ Ibid paragraph 281.

⁴ Ibid paragraph 284

⁵ Ibid paragraph 285

⁶ Ibid paragraph 309

⁷ Ibid paragraph 286

⁸ Ibid paragraph 316

“Further, the term ‘retirement’ is used very generally within the industry. The plain and ordinary meaning of the term infers that the greyhounds exit competitive racing and transition to life with the conditions and care expected generally of a domestic pet.”⁹ “However, the retirement forms reviewed by the Commission show that the majority of ex-racing greyhounds are either euthanised, die as a result of accidents (the most common being snake bites), or will simply go missing.”¹⁰ “Given the lack of variation over the years in the percentage of greyhounds that die subsequent to racing (76%), it is also very likely that the high number of greyhounds that should have been registered as retired (approximately 7,000) also suffer the same fate.”¹¹

Based on the Racing Queensland figure of an average of 2,203 greyhounds born each year between 2003 and 2013 and accepting that approximately 100 dogs are killed each year during racing, this leaves 2,103 dogs per year that need to be rehomed either as a 12-month old who is too slow to be a racer or the remaining dogs who go on to race and are retired at approximately four years old.

The Commission of Inquiry reported that an average of 86 dogs per year were homed through the Greyhound Adoption Program (GAP) in the period 2003 to 2013, that leaves 2,017 dogs on average not homed. What happened to them? Clearly there is no way 2,017 people in QLD are going to want to adopt a greyhound every year. The number of people wanting to adopt a dog is, and will always be, limited. Not everyone wants a companion animal, and not everyone wants a greyhound if they want a companion animal. Of note, the abundant number of homeless greyhounds are in competition with other dog breeds for adoption. If more greyhounds are adopted this results in the unnecessary deaths of other breeds. How can the maximum number of healthy dogs be saved from an early death? And how can opportunities be increased for other shelter animals to find homes?

The Queensland Racing Integrity Commission (QRIC) Annual Reports 2016/2017 and 2017/2018 reveal GAP falling adoption and increased euthanasia rates. The 2016/2017 report shows that GAP homed a record 318 greyhounds. The 2017/2018 shows GAP homed 223 greyhounds, a fall of 95 and less than the 230 they rehomed in 2015/2016.

The 2016/2017 Report shows that GAP euthanised 101 greyhounds as “not suitable to be rehomed” for reasons ranging from extreme prey drive to veterinary issues to extreme fear/anxiety. QRIC’s proposed solution to this euthanasia rate of 24.1% was to “implement a mandatory veterinary pre-screening and behavioural pre-assessment process....to identify and exclude unsuitable greyhounds from entry to the program”.

According to the 2017-2017 Annual Report, the pre-screening process resulted in a 19% decrease in euthanasia compared to the previous year. But did it?

In 2016/2017, 419 dogs entered GAP, with 318 rehomed and 101 euthanised (24.1%).

⁹ Ibid paragraph 317

¹⁰ Ibid paragraph 318

¹¹ Ibid paragraph 320

In 2017/2018, 305 dogs entered GAP, with 223 rehomed and 82 euthanised (26.8%).

While QRIC reports this as a 19% decrease in euthanasia (19 fewer dogs than the previous year), the reality is that despite the pre-screening process, the euthanasia rate of dogs entering GAP actually increased by 2.7%. And while last year, QRIC provided a breakdown on the reasons for euthanasia, this year they have not, so all we know is they were “unsuitable”. Importantly, also missing from the Annual Report is the number of dogs who were rejected by GAP, why they were rejected and their fate.

EXTENDED PRODUCER RESPONSIBILITY

The Commission of Inquiry concluded that there is an unacceptable level of “wastage” of young and healthy dogs in the greyhound racing industry. To the greyhound industry a dog is merely a product producing a profit. How do other industries ethically dispose of wastage?

In the area of waste management, Extended Producer Responsibility is a strategy to add all of the costs associated with a product throughout the product life cycle, to the market price of that product. Extended Producer Responsibility is a practice and a policy approach in which producers take responsibility for the management of the disposal of products they produce once those products are designated as no longer useful by consumers. Responsibility for disposal may be financial, physical, or a combination of the two.

LEGISLATION

Greyhound racing in QLD is legislated by the Racing Act 2002 and the Racing Integrity Act 2016. Excerpts from both Acts relevant to animal welfare are reproduced below.

RACING ACT 2002

CHAPTER 1—INTRODUCTION

4 Main purposes of Act and how they generally are achieved

(1) The main purposes of this Act are—

(a) to maintain public confidence in the racing of animals in Queensland for which betting is lawful; and

(c) to safeguard the welfare of all animals involved in racing under this Act.

(2) Generally, the main purposes are achieved by providing for the following—

(d) controls relating to the welfare of animals involved in racing, including the control of drugs;

RACING INTEGRITY ACT 2016

Chapter 2 Queensland Racing Integrity Commission

Part 1 Establishment

7 Establishment and status

(1) The Queensland Racing Integrity Commission (the commission) is established.

8 Commission represents the State

(1) The commission represents the State.

(2) Without limiting subsection (1), the commission has the status, privileges and immunities of the State.

Part 2 Functions and powers

10 Functions

(1) The commission has the following functions—

(i) to safeguard the welfare of any animal involved, whether directly or indirectly and whether lawfully or unlawfully, in racing;

(l) to promote compliance and integrity, and to promote animal welfare and prevent animal cruelty, by educating, providing information for, and working with, participants;

12 Powers

(1) The commission has all the powers of an individual and may, for example—

(a) enter into contracts or agreements; and

(b) acquire, hold, deal with, and dispose of, property; and

(c) appoint agents and attorneys; and

(d) engage consultants and researchers; and

(e) charge a fee for services and other facilities it supplies; and

(f) do anything else necessary or convenient to be done in performing its functions.

13 Ministerial directions

(1) The Minister may give the commission a written direction about the performance of its functions or the exercise of its powers if the Minister is satisfied it is in the **best interests of the Queensland racing industry to give the direction.**

(3) The commission must comply with a direction given under subsection (1).

Part 7 Administration

54 Funding

- (1) The cost of the performance of the commission's functions is to be funded mainly by the control bodies.¹²
- (2) The chief executive must—
 - (a) decide the amount a control body must pay from time to time towards the cost of the performance of the commission's functions; and
 - (b) give the control body an invoice for the amount.
- (3) The amount of the invoice is payable 28 days after the control body receives the invoice.

55 Recovery of unpaid amounts

If a control body does not pay an amount payable under section 54(3), the State may recover the amount from the control body as a debt.

56 Commission may charge fees for its services

- (1) The commission may charge fees for services it provides as part of the performance of its functions.
- (2) A fee charged by the commission for its service, including matters relating to licensing, must reflect the reasonable cost to the commission of providing the service.
- (3) Despite subsection (1), the commission must not charge a fee for a service provided under this Act or the Racing Act to the Minister or the chief executive.

Chapter 3 Commission's functions in relation to codes of racing

Part 2 Standards

Division 1 General provisions about standards

58 Standards for codes of racing

- (1) The commission may make a standard for a code of racing if—
 - (a) the standard is required under this Act or a Ministerial direction; or
 - (b) the commission reasonably believes it is good management to have the standard.
- (2) A regulation may prescribe that the commission must make a standard for a particular matter and the provisions to be included in the standard for the matter.

59 Form of standards

- (1) A standard must state the following—
 - (a) its name;
 - (b) the day the commission made the standard;
 - (c) the day it takes effect;

¹² The control body for greyhound racing is Racing Queensland.

- (d) its purpose;
 - (e) who will be affected by it;
 - (f) how the commission will make decisions about matters provided for by the standard;
 - (g) whether the standard will provide for matters about rules of racing.
- (2) The commission makes a standard when the standard is approved by the commissioner.
 - (3) A standard cannot take effect on a day earlier than the day the commissioner approves the standard.
 - (4) If the commission wishes to amend a standard, it must make a new standard.

61 Application of standards

To remove any doubt, it is declared that a standard may apply to an animal, club, participant or venue even though it was not licensed when the standard was made.

62 Standards are statutory instruments

A standard is a statutory instrument.

THE RACING INTEGRITY COMMISSION

The Racing Integrity Act 2016 established the QRIC as a State authority. The QRIC is specifically responsible to safeguard the welfare of any animal involved, whether directly or indirectly and whether lawfully or unlawfully, in racing and to promote animal welfare and prevent animal cruelty. The most basic form of animal welfare is to ensure that animals are not unnecessarily killed.

The Commission has a range of powers under the Racing Integrity Act to ensure greyhound welfare. The Minister may give the QRIC a written direction about the performance of its functions or the exercise of its powers if the Minister is satisfied it is in the best interests of the Queensland racing industry to give the direction. **In accordance with the Racing Act 2002 the Minister must ensure that the welfare of all animals involved in racing is safeguarded and controls relating to the welfare of animals involved in racing are provided.**

The Racing Integrity Act empowers the Commission to make standards to ensure greyhound welfare. These standards must include provision for all greyhounds to live to the term of their natural life which is between 12 and 15 years. Measures to ensure all greyhounds live to their full life expectancy are a basic welfare provision. To meet the welfare requirements of the Racing Integrity Act it is the responsibility of the QRIC to put in place regulations for such measures and to establish standards to ensure these measures are carried out in accordance with the five domains and the five freedoms of animal welfare.

FINANCIAL LIABILITY

The Racing Integrity Act states that the cost of the performance of the QRIC's functions is to be funded mainly by the control bodies which in the case of greyhounds is Racing Queensland. The chief executive of the Commission must decide the amount a control body

must pay from time to time towards the cost of the performance of the QRIC's functions and give Racing Queensland an invoice for the amount.

In accordance with the financial provisions of the Racing Integrity Act and the principles of the Extended Producer Responsibility the control body for the greyhound racing industry, Racing Queensland, is liable for the cost of maintaining a greyhound throughout its entire lifecycle. This lifecycle extends from birth to natural death. The only exception to this should be where a registered vet decides it is in the welfare interests of the greyhound to be euthanised.

Using the powers contained in the Racing Integrity Act, the Minister is able to direct the QRIC to develop and implement policies which will ensure that all healthy greyhounds can live comfortably for the full term of their natural lives. As already identified, given the sheer numbers of greyhounds who are no longer profitable to the industry, it is not possible to home by adoption into home situations. An alternative solution must be found. One such solution is the creation of greyhound sanctuaries.

GREYHOUND SANCTUARIES

Concept

One definition of the word sanctuary is a “place where injured or unwanted animals of a specified kind are cared for.” These sanctuaries would enable young and older greyhounds not required for racing to live out the remainder of their natural lives in a safe and comfortable environment and with the chance that a small percentage of them will be adopted to a loving home. The concept would involve the establishment, operation, regulation, inspection and funding of greyhound sanctuaries throughout QLD, primarily in regional areas. An additional benefit would be the creation of new jobs in regional areas.

Establishment and Operation

The concept requires the establishment and operation of greyhound sanctuaries as privately-operated businesses in accordance with standards set by the QRIC or operated by QRIC itself. Persons wishing to operate a private sanctuary will apply to the QRIC for a Greyhound Sanctuary Operators Licence. All applicants will be vetted and licenced by the QRIC. Industry participants will not be eligible to be licenced to operate a greyhound sanctuary. Persons working in QRIC operated sanctuaries will be employees of the State.

Standards

The QRIC will regulate the standards for greyhound sanctuaries to ensure the welfare of the greyhounds. The standards are to be based on the internationally recognised five domains of animal welfare and the five freedoms which form the basic framework for animal welfare standards globally.

The five domains of animal welfare are:

Nutrition. Appropriate nutrition and access to food must be provided. Nutrition requirements must be tailored to the age, gender, body mass and health of the dog. Water and feeding infrastructure must ensure accessibility to and security of food and food must be of good quality.

Environment. This must ensure environmental opportunity and choice by stipulating accommodation requirements, including sizes, materials, design, bedding, drainage, ventilation, yards, yard sizes, temperature control and location. This will include requirements for both indoor and outdoor accommodation. Sanitation requirements must include how often accommodation, pens and yards must be cleaned. Transportation requirements must ensure well ventilated transport for the greyhounds.

Health. This must ensure fitness, ableness and access to treatment. Veterinarian provision and health care, preventing the spread of infectious diseases and minimum exercise requirements must be met. A process for euthanasia whereby the greyhound can only be euthanised by a registered vet when the vet considers it is in the best interest of the greyhound must be enforced.

Behaviour. This must enable behavioural expression by banning the use of barking muzzles or other devices that hinder the dog from being able to express normal behaviours, anxiety or distress. All dogs must have access to activities that involve choice, variety and benign challenges. The use of substances not prescribed by a vet which may unnaturally alter the dog's behaviour is prohibited.

Mental or Affective State. This must encourage engagement and positive stimulation that provides goal-oriented engagement, rewards, playfulness, curiosity and affection. Security measures such as fencing to protect greyhounds from other animals which may cause harm or distress must be in place. Tethering and containment standards must be detailed. The number of dogs allowed per staff member must be specified.

The five freedoms are:

Freedom from thirst and hunger. Nutrition by ready access to fresh water and a diet to maintain full health and vigour.

Freedom from discomfort by providing a suitable environment including shelter and a comfortable resting area.

Freedom from pain, injury and disease by prevention or rapid diagnosis and treatment.

Freedom to express normal behaviour by providing sufficient space, proper facilities, and the company of the animal's own kind.

Freedom from fear and distress by ensuring conditions and treatment which avoid mental suffering.

Inspection

The QRIC will inspect all greyhound sanctuaries at least twice per annum to ensure standards are met.

Number of Greyhounds Requiring Sanctuary

The Commission of Inquiry reported that an average of 2,203 greyhounds were born each year between 2003 and 2013. Allowing for an estimate of 100 dogs killed per year in racing that leaves 2,103 dogs requiring homing. Assuming an average life expectancy of 13 years the number of greyhounds requiring sanctuary could be as high as 27,339 at any one time.

Privately Operated Sanctuaries Business Model

The sanctuary business model is based on private individuals or companies being paid to operate a sanctuary. The amount paid will cover all the costs of running the sanctuary. Prospective owner/operators will be able to calculate their costs, weigh these against projected income to ascertain the viability of establishing a sanctuary. The QRIC is to determine the amount paid to the operator.

The business model would include two classes of sanctuaries, domestic and commercial. A domestic sanctuary would house a small number of greys in a domestic home. The amount paid to the operator would recognise that caring for a small number of dogs does not constitute full time employment. A commercial sanctuary would house a larger number of greyhounds. The owner of a farm/hobby farm providing sanctuary for a significant number of greyhounds would receive an amount which would be enough for one or two people to be employed full time as carers.

QRIC Operated Sanctuaries

An alternative option to privately operated commercial sanctuaries is for QRIC to operate these larger sanctuaries. QRIC would acquire land and construct facilities, employ persons as carers and directly meet all the costs of the sanctuary. All QRIC's costs are to be recovered from the industry. A combination of private commercial sanctuaries and QRIC operated sanctuaries may be required to meet the demand to provide sanctuary for tens of thousands of greyhounds.

Funding

The Greyhound Racing Integrity Act legislates that among the functions of the QRIC is responsibility to ensure the welfare of any animal involved, whether directly or indirectly and whether lawfully or unlawfully, in racing and to promote animal welfare. To achieve this the costs of providing the sanctuary would be paid to the sanctuary operator by the QRIC. The

Greyhound Racing Integrity Act 2016 Part 7 Administration Clause 54 Funding states “The cost of the performance of the commission’s functions is to be funded mainly by the control bodies.”

Based on the principle of Extended Producer Responsibility and the provisions contained in the Racing Integrity Act 2016 Part 7 Clause 54 funding for the greyhound sanctuaries will be reimbursed to the QRIC by the greyhound racing industry as represented by Racing Queensland. Racing Queensland must accept that the cost of paying for dogs in sanctuaries is a cost of doing business. The funding will not only include the cost of paying sanctuary operators but also the additional costs incurred by the QRIC to administer the sanctuaries scheme including the cost of additional inspectors.

Sanctuary operators will receive funds directly from the QRIC. The QRIC will calculate the cost to the operator per dog and the amount paid to the operator will be calculated using the number of dogs in the sanctuary.

Employment

Greyhound sanctuaries will employ full time employees supplemented by volunteers. There must be a sufficient number of full-time-staff to operate the sanctuary in the event that volunteers cannot be found. The IER report identified 911 people employed full time either directly in racing activity or in supporting down-the-line industries. The Commission of Inquiry reported that the total participation in greyhound racing in 2013 was 1,832 persons.¹³

Based on the estimate that the sanctuary program would house approximately 27,000 dogs, the employment created would be many times that of current industry numbers. Direct employment in the sanctuary program will depend upon the ratio of carers to dogs but it can be anticipated that it will number many thousands of people. The indirect jobs created by the sanctuary project will be many times the numbers supplying the current greyhound racing population. The majority of these new jobs would be in regional areas. Not only does the sanctuary concept maintain the current level of racing industry employment, it will create substantial new employment in regional areas.

Greyhound Adoption

The public will be able to adopt greyhounds from the sanctuaries.

FAILURE TO ADOPT SANCTUARIES

If the greyhound racing industry does not accept it is financially liable to meet the costs of the whole of natural lifecycle of greyhounds, this is evidence that the industry is not serious about animal welfare. If the industry rejects the sanctuary model, it must state what measures it intends to implement to prevent the deaths of tens of thousands of healthy dogs. Adoption either through industry adoption programs or private rescues is not an answer. Without sanctuaries thousands of healthy greyhounds will be killed each year.

¹³ Ibid Annex D.

A 100% adoption rate aspiration by the industry has been shown in Victoria to be a failure. Not only did such an aspiration depend on independent self-funded rescue groups, even with the adoptions made by these groups, the adoption rate fell far short of 100%. In its 2018 annual report, GRV reported that 2,641 dogs were homed and only 1,163 of these were rehomed by the industry GAP program. The remainder were homed by independent groups. A total of 975 dogs were killed. These numbers demonstrate a gross failure to meet the 100% adoption rate aspiration.

CONCLUSION

Currently the greyhound racing industry in QLD kills thousands of young and healthy dogs each year. Out of an average of 2,203 dogs whelped each year during the period 2003-2013 only an average of 86 dogs per year are adopted through the Greyhound Adoption Program. This is not an acceptable animal welfare outcome. A solution must be found to allow those dogs not adopted to live out their natural lives. These dogs require to be housed, fed and to have their health and wellbeing maintained.

The Racing Integrity Act created the QRIC which is tasked with ensuring the welfare of greyhounds throughout their entire natural lifecycle. The QRIC is empowered to regulate to achieve this goal. The Racing Integrity Act gives the Minister the power to direct the QRIC. The Racing Integrity Act also directs that Racing Queensland is responsible to fund the costs of the QRIC.

The principles of Extended Producer Responsibility places upon the producer of a product that produces “waste” the responsibility for the costs associated with that product throughout the product life cycle to the market price of that product. This is the case for inanimate objects. In a moral and ethical society, it must apply in magnified strength when the ‘product’ is a sentient being. The greyhound racing industry regards greyhounds as a product and dogs who are too slow or too old to race as ‘wastage’, therefore in accordance with the principles of Extended Producer Responsibility, the industry is responsible to meet the full natural life cycle costs of all greyhounds.

One means of allowing all greyhounds to live to the end of their natural life is to create greyhound sanctuaries; privately operated, supervised by the QRIC and funded by the greyhound racing industry. Greyhound sanctuaries would be located primarily in regional areas and would create substantial employment in these regions. This employment would be additional to that already existing within the greyhound racing industry and would be much larger than the current level of employment.

If the industry opposes the sanctuary concept it must state what alternative plans it has to enable all greyhounds to live to the end of their natural lives.

RECOMMENDATIONS

1. That the Minister directs the QRIC to put in place [legislation](#) for greyhound sanctuaries.

2. That [this legislation takes](#) into account the principles outlined in this paper.
3. That the Minister directs the QRIC to commence the operation of the greyhound sanctuary scheme as soon as the legislation is approved.

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Dated 30/5/19