

**COALITION FOR THE PROTECTION OF GREYHOUNDS  
SUBMISSION TO SELECT COMMITTEE ON  
ANIMAL CRUELTY LAWS IN NSW**

**INTRODUCTION**

The Select Committee on Animal Cruelty Laws in NSW has called for submissions from the public. This submission is from the Coalition for the Protection of Greyhounds Incorporated (CPG). The CPG works with a number of affiliated greyhound rescue organisations to improve greyhound welfare. This submission addresses the issues raised in the Terms of Reference as they relate to greyhound welfare. It will concentrate on those parts of the Prevention of Cruelty to Animals Act 1979 (POCTAA) that cover unnecessary death and serious disablement.

**BACKGROUND**

In 2015, a Special Commission of Inquiry into the Greyhound Racing Industry in NSW was established by the NSW Government following a Four Corners report on live baiting. The Special Commissioner was the Honourable Michael McHugh AC QC. In June 2016 the Special Commission of Inquiry delivered its report to the then Premier of NSW Michael Baird.

The Special Commission of Inquiry Report stated that “the greyhound racing industry has been exposed as an industry that:

- has implicitly condoned as well as caused, the unnecessary deaths of tens of thousands of healthy greyhounds;
- has failed to demonstrate that in the future it will be able to reduce the deaths of healthy greyhounds to levels the community could tolerate;
- has engaged in the practice of live baiting;
- has caused and will continue to cause injuries to greyhounds that range from minor to catastrophic;
- has treated greyhounds as dispensable commercial commodities;
- has deceived the community concerning the extent of injuries and deaths caused during race meetings;
- has preferred the commercial interests of the industry to the animal welfare interests of the greyhounds;
- has exported greyhounds to race in places such as Macau where animal welfare standards are very poor; and
- has ignored or failed to recognise that the industry has obligations to the community that go beyond its strictly legal obligations.”<sup>1</sup>

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<sup>1</sup> Report of the Special Commission of Inquiry into the Greyhound Racing Industry in NSW para1.113.

The report found that “The reality is that the industry has a dark side. The slaughter of many thousands of purpose-bred greyhounds long before they reach their normal life expectancy may be ‘just business’ for many breeders, owners and trainers. **But it is a cruel business**”<sup>2</sup>

As a result of the Inquiry’s report, Premier Baird announced on 7 July 2016 that greyhound racing would be banned in NSW. On 11 July 2016 the Leader of the Opposition Luke Foley announced that he opposed the ban and would work to overturn it. On 11 October 2016 Premier Baird announced that the ban would be overturned and appointed a Greyhound Industry Reform Panel to provide recommendations on potential new animal welfare and governance arrangements to reform the industry.

The Greyhound Industry Reform Panel made 122 recommendations, all of which, with one exception, were accepted by the Government. Some of these recommendations will be discussed later in this submission.

The most basic freedom from cruelty is to be free from unnecessary and premature death and preventable injury. Greyhounds suffer this cruelty both on-track and off-track. Unlike the deaths recorded on-track, there are no accurate figures for deaths occurring off-track. The most reliable estimate was compiled by the Special Commission of Inquiry.

In FY18/19, the greyhound racing industry in NSW was responsible for 95 on-track deaths and 2,601 on-track injuries ranging from minor to major injuries. In addition, there were 3,560 greyhounds that were unaccounted for, the majority of whom have most likely been killed. By any measure this is a monumental failure of preventing cruelty and promoting welfare for one breed of dog.

## **GREYHOUND LIFECYCLE**

To understand the size and scale of the cruelty inflicted on greyhounds in NSW, it is necessary to examine the lifecycle of a greyhound. The information below has been extracted from the Special Commission’s report.

### **Life expectancy**

Greyhounds who do not participate in the greyhound racing industry have an approximate life expectancy of between 12 and 15 years.<sup>3</sup>

### **From birth to racer**

Pups are usually weaned at around eight weeks and raised in litters until approximately six months of age. The rearing period ends when the pups are approximately 12-16 months. At this point the ‘breaking-in’ process begins. This involves training the dog to exit the starting box at speed and chase the lure. Following ‘breaking-in’ some pups are assessed as

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<sup>2</sup> Ibid 1.117

<sup>3</sup> Ibid 11.1.

unsuitable or uncompetitive and do not progress further. The remainder will progress to pre-training. Greyhounds Australasia has reported that 40% of dogs whelped never race.

### **The racing greyhound**

Greyhounds generally race from 18 months of age to 3.5-4.5 years. The average length of a racing career is 363 days.<sup>4</sup> Approximately 20% have five or less starts. At the end of their racing career greyhounds are retired. Retired dogs are retained for breeding purposes, adopted as pets or *disappear*.

### **The disappeared**

The Special Commission's report stated that "The normal life expectancy of a greyhound is between 12 and 15 years. Over the last 12 years 97,783 dogs have been whelped in NSW. Currently, there are about 6,809 registered greyhounds. Absent death through misadventure or illness, the average life expectancy of a greyhound indicates that another 90,974 greyhounds should still be alive. Some pups that were whelped in the last 18 months may be within litters, being reared, broken in or in pre-race training and not registered. However, even assuming that none of these juvenile animals (approximately 10,253) has been destroyed, where are the remaining 80,721 greyhounds? What has happened to them?"<sup>5</sup>

## **THE PREVENTION OF CRUELTY TO ANIMALS ACT 1979**

The Prevention of Cruelty to Animals Act 1979 (POCTAA) Part 1 clause 3 states the objects of the Act:

### ***Objects of Act***

*(2) For the purposes of this Act, a reference to an act of cruelty committed upon an animal includes a reference to any act or omission as a consequence of which the animal is unreasonably, **unnecessarily** or unjustifiably:*

*(a) beaten, kicked, **killed**, wounded, pinioned, mutilated, maimed, abused, tormented, tortured, terrified or infuriated, (Bolding by CPG)*

*(b) over-loaded, over-worked, over-driven, over-ridden or over-used,*

*(c) exposed to excessive heat or excessive cold, or*

*(d) inflicted with pain.*

Part 1 clause 4 of the Act defines cruelty as follows:

### ***Definitions***

*(3) For the purposes of this Act, a person commits an act of aggravated cruelty upon an animal if the person commits an act of cruelty upon the animal or (being the person in charge of the animal) contravenes section 5 (3) in a way which results in:*

*(a) the **death**, deformity or **serious disablement** of the animal, or*

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<sup>4</sup> Ibid 11.12

<sup>5</sup> Ibid para 1.2

*(b) the animal being so severely injured, so diseased or in such a physical condition that it is cruel to keep it alive.*

Part 2 clause 24 provides certain defences:

***Certain defences***

*(1) In any proceedings for an offence against this Part or the regulations in respect of an animal, the person accused of the offence is not guilty of the offence if the person satisfies the court that the act or omission in respect of which the proceedings are being taken was done, authorised to be done or omitted to be done by that person:*

*(a) where, at the time when the offence is alleged to have been committed, the animal was:*

*(i) a stock animal—in the course of, and for the purpose of, ear-marking or ear-tagging the animal or branding, other than firing or hot iron branding of the face of, the animal,*

*(ii) a pig of less than 2 months of age or a stock animal of less than 6 months of age which belongs to a class of animals comprising cattle, sheep or goats—in the course of, and for the purpose of, castrating the animal,*

*(iii) a goat of less than 1 month of age or a stock animal of less than 12 months of age which belongs to the class of animal comprising cattle—in the course of, and for the purpose of, dehorning the animal,*

*(iv) a sheep of less than 6 months of age—in the course of, and for the purpose of, tailing the animal, or*

*(v) a sheep of less than 12 months of age—in the course of, and for the purpose of, performing the Mules operation upon the animal, in a manner that inflicted no unnecessary pain upon the animal,*

*(b) in the course of, and for the purpose of:*

*(i) hunting, shooting, snaring, trapping, catching or capturing the animal, or*

*(ii) destroying the animal, or preparing the animal for destruction, for the purpose of producing food for human consumption, in a manner that inflicted no unnecessary pain upon the animal,*

*(c) in the course of, and for the purpose of, destroying the animal, or preparing the animal for destruction:*

*(i) in accordance with the precepts of the Jewish religion or of any other religion prescribed for the purposes of this subparagraph, or*

*(ii) in compliance with any duty imposed upon that person by or under this or any other Act,*

*(d) (Repealed)*

*(e) in the course of, and for the purpose of:*

- (i) carrying out animal research, or*
- (ii) supplying animals for use in connection with animal research, in accordance with the provisions of the Animal Research Act 1985, or*
- (f) for the purpose of feeding a predatory animal lawfully kept by the person if:*
  - (i) the act concerned was the release of live prey for the predatory animal, and*
  - (ii) the diet of the predatory animal included animals of the kind released, and*
  - (iii) the person believed on reasonable grounds that the feeding of live prey to the predatory animal was necessary for the predatory animal's survival because the predatory animal would not eat a dead animal or meat from a dead animal.*

*(2) Subsection (1) (b) does not apply to a person accused of an offence against section 19A.*

*(3) (Repealed)*

None of these defences refer to greyhounds.

## **PREVENTION OF CRUELTY TO ANIMALS REGULATION 2012.**

The Prevention of Cruelty to Animals Regulation 2012, Part 6, Regulation 36 and 37 gives exemptions from the Act for rodeos, steeplechasing and hurdles. There is no mention of an exemption for greyhound racing.

## **UNNECESSARY KILLING**

The Special Commission of Inquiry reported in 2016 that “of the 97,783 greyhounds that were bred in NSW in the last 12 years, the evidence suggests that somewhere between 48,891 and 68,448 dogs were killed because they were considered too slow to pay their way or were unsuitable for racing”<sup>6</sup>.

### **Wastage**

The Special Commission of Inquiry stated “In the greyhound industry, this mass slaughter of young and older greyhounds bred for the purpose of greyhound racing, and which are subsequently destroyed either prior to being named or raced, or upon retirement from racing, is euphemistically called ‘wastage’”.<sup>7</sup>

Wastage is the result of deliberate overbreeding and the failure to rehome dogs considered unprofitable. The Special Commission of Inquiry and the Greyhound Industry Reform Panel,

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<sup>6</sup> Ibid para 1.4

<sup>7</sup> Ibid para 1.5

made a number of recommendations to prevent the unnecessary deaths of thousands of young and healthy greyhounds who are no longer profitable for the industry. These recommendations led to a new Greyhound Racing Act, new Greyhound Racing Regulations, new Greyhound Racing Policy and the establishment of the Greyhound Welfare and Integrity Commission (GWIC). These new laws and regulations and the GWIC are meant to prevent ‘wastage’ in the industry. These new laws and regulations do not address overbreeding therefore rehoming is the only answer to stop unnecessary euthanasia.

## **GWIC GREYHOUND REHOMING POLICY**

The new Greyhound Rehoming Policy will take effect on 1 December 2019. The Clauses detailing requirements for rehoming, restriction on transferring greyhounds and euthanasia are shown below.

### **5. Rehoming requirements**

*A greyhound owner must make genuine attempts to rehome any greyhound that they do not wish to retain. If an owner is unable to rehome the greyhound privately, they must first seek the greyhound’s admission to the Greyhounds As Pets (GAP) program. If the greyhound is not admitted to the GAP program, the owner must then:*

- *seek to rehome the greyhound through at least one other pet rescue or rehoming organisation; or*
- *seek the greyhound’s admission to the GAP program a second time.*

### **6. Exceptions to rehoming requirements**

*The minimum rehoming requirements referred to in clause 5 do not apply in the following circumstances:*

- *where a greyhound has already been rehomed. For example, if a greyhound is rehomed privately, the rehoming requirements have been met and the owner simply needs to provide a completed Retirement Notification form to the Commission; or,*
- *where a greyhound is legally required to be euthanased under a court order, or has been declared a dangerous or menacing dog under section 34 of the Companion Animals Act 1998.*

### **8. Restrictions on transfers**

*Participants must not transfer a greyhound to a person who is under the age of 18 years. A greyhound owner must not transfer a greyhound in circumstances where the owner knows or has reason to believe that the greyhound may be euthanased.*

### **10. Restrictions on euthanasia**

#### **Medical euthanasia**

*A greyhound may be euthanased where a veterinarian certifies that the greyhound is suffering from an intractable condition or injury that causes significant pain or discomfort or a marked reduction in quality of life, such that it is inhumane or would otherwise compromise the welfare of the greyhound to delay euthanasia.*

### ***Notification of intent to euthanasia a greyhound***

*Where a greyhound is not suffering from an intractable condition or injury that causes significant pain or discomfort or a marked reduction in quality of life, the owner must comply with minimum rehoming standards specified in clause 5 of this Policy before considering euthanasia. If the owner intends to have the greyhound euthanased, they must notify the Commission of this intention at least 10 business days before the greyhound is euthanased, by lodging a completed Intent to Euthanase Greyhound Notification form.*

## **12. Notification requirements**

### ***Rehoming***

*Where a greyhound is rehomed to a person or organisation which is not an industry participant (including GAP), the relinquishing owner must, within 10 days of the greyhound leaving their care, notify the Commission by lodging a completed Retirement Notification form.*

### ***Euthanasia following unsuccessful attempts to rehome***

*Where an owner of a greyhound has complied with the rehoming requirements in clauses 5 and 6, and the owner intends to have the greyhound euthanased, the owner must, at least 10 business days before the greyhound is to be euthanased, notify the Commission of their intention by lodging a completed Intent to Euthanase Greyhound Notification form. If the greyhound is euthanased following the notification period, the owner must also notify the Commission by lodging a completed Euthanasia of Greyhound by Vet Notification form.*

However, there are problems with the Rehoming Policy that will enable young and healthy greyhounds to continue to be killed and these are discussed below.

## **PROBLEMS WITH THE REHOMING POLICY**

### **Admission to Greyhound As Pets (GAP) program or pet rescue or rehoming organisation**

Clause 5 assumes that GAP and the pet rescue and rehoming organisations have the capacity to rehome thousands of dogs. Greyhound Racing NSW (GRNSW) advised the Special Commission of Inquiry that it needed 7,500 greyhounds to be whelped each year to meet a racing schedule similar to its schedule for FY15/16.<sup>8</sup> Even after taking into account the number of dogs killed during racing, dying of natural causes or being retained for breeding this leaves many thousands of dogs requiring rehoming.

GRNSW Annual Reports shows the following rehoming figures.

### **GAP program**

The number of greyhounds rehomed by the GAP program are:

FY14/15	179
FY15/16	324

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<sup>8</sup> Ibid para 1.15

FY16/17	498
FY17/18	415

### **Pet rescue and rehoming providers**

In addition to GAP, there are several independent pet rescue and rehoming organisations in NSW and, along with owners and trainers, these groups play an active and major role in the rehoming of greyhounds. In FY17/18 GRNSW reported that 1,395 greyhounds had been rehomed by independent rehoming organisations or owners and trainers.

The total number of dogs rehomed in FY17/18 by GAP and other groups was 1,810. Based on the greyhound lifecycle it can be estimated that 5,810 greyhounds should have been rehomed. The calculations used to arrive at this estimation are shown in attachment 1. GAP and the pet rescue and rehoming organisations do not have the capacity to take all dogs requiring to be rehomed.

### **Private rehoming**

Where a greyhound has already been privately rehomed, the minimum rehoming requirements referred to in clause 5 do not apply. The issue with this rule is that an industry participant can rehome a dog with a person not registered as an industry participant, who then registers the dog on the NSW Companion Animals Register. It could then end up being dumped at a pound and killed or meet some other deliberately unfortunate end. Once on the NSW Companion Animals Register there is no active tracking of the dog's future.

### **Euthanasia permitted**

Clause 12 permits the euthanasia of a greyhound not suffering from an intractable condition or injury that causes significant pain or discomfort or a marked reduction in quality of life if the owner cannot rehome the greyhound in accordance with clauses 5 and 6. Therefore, in accordance with the Rehoming Policy, once GAP and the pet rescue and rehoming organisations have advised that they do not have the capacity to take a dog and it cannot be privately rehomed, it can be euthanised.

In accordance with the POCTAA “unreasonably, unnecessarily or unjustifiably” killing an animal is an act of cruelty and is an offence. The Rehoming Policy must be amended to limit euthanasia to those greyhounds suffering from an intractable condition or injury that causes significant pain or discomfort or a marked reduction in quality of life, such that it is inhumane or would otherwise compromise the welfare of the greyhound.

## **PREVENTING ‘WASTAGE’**

The Special Commission of Inquiry identified that the unnecessary and premature death of greyhounds regarded as no longer profitable is “somewhere between 3,774 and 5,284 per annum”.<sup>9</sup> These deaths are concealed by the racing industry when a dog ‘disappears’ from the Greyhound Racing Register but does not appear on the NSW Companion Animals Register.

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<sup>9</sup> Ibid 1.17.



The tracking of a dog from one register to another is the key to monitoring the survival of dogs deemed unprofitable by the industry.

Both the Special Commission and the Review Panel condemned the mass killing of young and healthy greyhounds because they were no longer profitable to the greyhound racing industry. The government agrees with this position and enacted new legislation, regulations and rules to try to prevent this practice. Utilising this existing legislation and amending legislation, regulation, policy and rules where necessary the following actions are required to ensure that all greyhounds can live the full term of their natural life:

1. whole of life tracking and monitoring
2. whole of life inspections
3. investigation and prosecution
4. rehoming through both industry and private rehoming providers
5. permanent rehoming with private individuals who may or may not be registered sanctuaries.

### **Whole of life tracking and monitoring**

Whole of life tracking and monitoring requires that every greyhound is registered on either the Greyhound Racing Register or the NSW Companion Animals Register. Organisations responsible for maintaining these registers must co-ordinate with each other so that greyhounds do not 'disappear'. These registers must be actively monitored to ensure that dogs leaving the racing industry are registered as companion animals.

The Greyhound Industry Reform Panel's recommendation 78 stated "The greyhound racing register should be updated by the licenced owner when the greyhound is rehomed or euthanised." The Government accepted this recommendation in principle and added "Information should be lawfully shared between persons responsible for the greyhound racing register and the Companion Animals Register so that there is visibility of a greyhound's whereabouts throughout its life." **There is currently no system in place to proactively track and monitor all greyhounds for the duration of their entire natural life. Such a system must be put in place.**

### **Whole of life inspections**

All greyhounds must be subject to routine inspections to ensure that the dog is still alive and that it is being kept in accordance with the five domains of animal welfare.

Currently, the GWIC has the authority to inspect all greyhounds on the Greyhound Racing Register and NSW Companion Animals Register if the greyhounds are registered to a registered industry participant. If the CPG recommendation for the establishment of NSW Government funded greyhound sanctuaries is approved, greyhounds on the NSW Companion Animals Register owned by individuals who are operating a registered greyhound sanctuary

and are receiving NSW Government funding to operate the sanctuary must be routinely inspected. The authority for this is the POCTAA Clause 24 subclause G which states

***“Powers of inspectors in relation to land used for certain commercial purposes***

*(1) This section applies to the following land:*

- (a) land used for the purpose of a sale-yard or an animal trade,*
- (b) land in or on which an animal is being used, or kept for use, in connection with any other trade, or any business or profession (including a place used by a veterinary practitioner for the purpose of carrying on his or her profession),*
- (c) land in or on which a greyhound that is registered or required to be registered under the Greyhound Racing Act 2017 is being kept, trialled, trained or raced.*

*(2) For the purposes of ensuring that the provisions of this Act or the regulations are not being contravened, an inspector may, in relation to land to which this section applies, do any or all of the following:*

- (a) inspect and examine the land, any animal that is in or on the land and any accommodation or shelter that is provided in or on the land for any animal,”*

Current legislation and regulation prevent proactive inspections of greyhounds on the NSW Companion Animals Register other than those owned by greyhound racing participants. This situation does not provide the best welfare practices for rehomed greyhounds. Legislation and regulation must be amended to allow for routine proactive inspection of all greyhounds.

**Investigation and prosecution**

If in the course of an inspection it is suspected that there has been a breach of the POCTAA, the inspector must notify an investigation and prosecution authority. The authority to investigate and prosecute breaches of the POCTAA currently resides with the NSW Police, GWIC and private charities, these being the Royal Society for the Prevention of Cruelty to Animals NSW (RSPCA NSW) and the Animal Welfare League NSW (AWL NSW).

**Rehoming providers**

There must be sufficient capacity for rehoming providers to ensure that all greyhounds suitable for rehoming can be processed. Currently, private rehoming providers are either funded by GRNSW in the case of GAP or by private donation in the case of all other rehoming providers. The CPG has developed a proposal for private rehoming organisations to be funded by the NSW Government using monies collected by the NSW Betting Tax Act 2001. This proposal is attached to this submission.

**Permanent rehoming**

There are currently insufficient permanent rehoming places to guarantee that every greyhound suitable for rehoming can find a home. The number of greyhounds requiring to be rehomed in FY19/20 can be estimated using the methodology shown in attachment 1.

The percentage of greyhounds who are deemed unsuitable for racing is 40% of those whelped in FY17/18. The total whelpings for FY17/18 were 3,975. 40% of 3,975 is 1,590. The number of greyhounds retiring from racing in FY19/20 are those whelped in FY 15/16 less 40%. The total number of whelpings in FY15/16 was 4,415. Eliminating the 40% that never

went on to race gives a figure of 2,649. Assuming that 100 of these were killed on the track annually during their two-year racing career, this leaves 2,449 ex-racers to be rehomed. Thus, the total number of greyhounds requiring rehoming in FY19/20 is 1,590 non-racers plus the 2,449 surviving ex-racers, a total of 4,039.

The GRNSW 2018 Annual Report stated “In October 2018, GRNSW finalised its Strategic Plan 2018-2021, which included as a key measure rehoming 1,000 greyhounds per year within the next 3 years through GAP and 1,500 through other rehoming providers. Pursuant to its Operating Licence, GRNSW is required to report against this target as part of its 2018/19 Annual Report.”<sup>10</sup> Even if the GRNSW target of 2,500 greyhounds is achieved what about the remaining 1,539. What is to happen to them?

The CPG has developed a proposal for the establishment of greyhound sanctuaries in order to maximise rehoming places. This proposal is attached to this submission.

## **RESPONSIBILITY**

The ability to prevent cruelty and promote welfare for all greyhounds as outlined above depends on having the appropriate legislative and regulatory powers to enable the carrying out of the actions listed below. It also depends on having sufficient financial resources to carry out these tasks. The required tasks are:

- Track and monitor the ownership and location of greyhounds that are either on the Greyhound Racing Register or the NSW Companion Animals Register.
- Conduct welfare inspections to ensure the dog is alive and is being cared for in accordance with the five domains of animal welfare.
- Investigate and prosecute breaches of the POCTAA.

## **LEGISLATIVE AND REGULATORY POWERS**

### **TRACK AND MONITOR ALL GREYHOUNDS**

The ability to track and monitor all greyhounds requires unimpeded access to the Greyhound Racing Register and the NSW Companion Animals Register as well as having the technical skills and staff to carry out this function.

#### **Greyhound Racing Register**

The Greyhound Racing Regulation Clause 20 states:

*“Commission may share information in registers*

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<sup>10</sup> GRNSW Annual Report 2018 page 10

- (1) The Commission may share information contained in a register kept by the Commission under this Division with the following—*
- (a) GRNSW,*
  - (b) the RSPCA NSW,*
  - (c) the Animal Welfare League NSW,*
  - (d) a council within the meaning of the Local Government Act 1993,*
  - (e) the NSW Police Force, the Australian Federal Police or the police force of another State or a Territory,*
  - (f) a body that, under the law of the Commonwealth, another State or a Territory, or of New Zealand, is responsible for the control or management of greyhound racing or the racing of other animals, in that jurisdiction,*
  - (g) the Department of Planning, Industry and Environment.*
- (2) A person or other body referred to in subclause (1) may request access to information contained in a register kept by the Commission under this Division. ”*

### **NSW Companion Animals Register**

GWIC, RSPCA NSW, AWL NSW and NSW Police have access to the NSW Companion Animals Register.

### **Technical skills and staff**

RSPCA NSW and AWL NSW have indicated that they could develop the technical capability to track and monitor all greyhounds on the NSW Companion Animals Register. What they do not have is sufficient financial resources to undertake this task. If they are given additional financial resources from the NSW Government from monies raised by the NSW Betting Tax, these charities have stated they would be willing to undertake this task.

GWIC is currently restricted to tracking and monitoring only greyhounds, on both the Greyhound Racing Register and the NSW Companion Animals Register, owned by industry participants. Legislation and regulation must be changed to allow GWIC to track and monitor all greyhounds within NSW.

## **CONDUCT WELFARE INSPECTIONS**

### **GWIC**

GWIC is constrained to inspecting only those greyhounds owned by industry participants, on both the Greyhound Racing Register and the NSW Companion Animals Register. These inspections can be both proactive and reactive.

### **RSPCA NSW and AWL NSW**

Currently RSPCA NSW and AWL NSW can conduct inspections of all greyhounds but these inspections are limited to reactive inspections where there is a suspected breach of the POCTAA or a welfare concern. If the CPG greyhound sanctuaries proposal is approved, RSPCA NSW and AWL NSW could conduct proactive inspections of NSW Government funded greyhound sanctuaries under the authority of Clause 24G of the POCTAA. However,

those greyhounds registered to private individuals who are not registered industry participants or registered sanctuary operators would not receive proactive welfare inspections. This could result in poor welfare outcomes for some greyhounds.

In order to meet the requirements for proactive routine inspections for all greyhounds the regulations constraining GWIC, RSPCA NSW and AWL NSW must be amended to permit inspection of greyhounds throughout their entire natural life.

## **INVESTIGATE AND PROSECUTE BREACHES OF THE POCTAA**

The Greyhound Industry Reform Panel recommendation 49 states “The integrity commission should have primary responsibility for investigating and prosecuting greyhound related offences recognising the RSPCA NSW, AWL NSW and NSW Police will have complimentary roles which collectively improve the overall reach and capacity for enforcement.” The Government accepted this recommendation. Currently, the Greyhound Racing Regulation limits GWIC to investigating and prosecuting breaches of the POCTAA in relation to greyhounds owned by registered greyhound racing industry participants be they on the Greyhound Racing Register or the NSW Companion Animals Register. To meet the intent of The Greyhound Industry Reform Panel recommendation 49, the current restriction on GWIC must be removed.

RSPCA NSW, the AWL NSW and NSW Police have sufficient legislative and regulatory powers to enable them to achieve the objects of the POCTAA.

The POCTAA allows approved charitable organisations to conduct inspections.

## **AN ADDITIONAL OPTION**

An alternative to either GWIC or the charitable organisations, or both, having responsibility to enforce the POCTAA is to create an Independent Commission of Animal Welfare. The Commission would be responsible for all animals. In respect to greyhounds, this entity would perform the tasks of conducting whole of life tracking, monitoring and inspecting and, where necessary, would conduct investigations and prosecutions when it assesses that a breach of the POCTAA has occurred. Such a commission would require new legislation and regulation for its establishment and operation and be directly funded by the Government. Funds expended protecting greyhounds must be raised by the Betting Tax Act 2001.

## **FINANCIAL RESOURCES**

As a principle, the CPG believes that all costs associated with the investigation and prosecution of State laws, including cruelty to animals, must be the responsibility of the NSW Government regardless of whether the investigation and prosecution is conducted by a Government instrumentality or a private charity.

## **GWIC**

GWIC was constituted by the Greyhound Racing Act 2017 as a body corporate. The GWIC is, for the purposes of any Act, a NSW Government agency and as such is funded by the NSW Government.

However, the Greyhound Racing Act 2017, Part 3 Division 2, Clause 24 details the functions of GRNSW with Clause 24 Sub clause 1f stating “to fund the costs of the Commission.” The CPG understands that in practice this is not occurring. GWIC is required to negotiate with GRNSW on the amount that GWIC is to receive from GRNSW. This is not in accordance with the Act and places limitations on the operations of GWIC. The GWIC must be allowed to operate without any such constraints and GRNSW must pay for the costs of the GWIC operations.

## **Charitable organisations**

If RSPCA NSW or AWL NSW are to have any responsibility for achieving the objectives of the POCTAA for greyhounds they will be required to track, monitor and proactively inspect all greyhounds on the NSW Companion Animals Register and where necessary investigate and prosecute. To undertake these tasks they will need extra funding specifically tied to these tasks. These tasks must be fully funded by the NSW Government.

RSPCA NSW and AWL NSW depend upon charitable donations for the majority of their income. This income is fully expended carrying out their current tasks. The tasks identified above are a significant workload over and above currently funded activities. To achieve these tasks the charities would be required to employ additional staff (both administrative and inspectorate), purchase and operate additional vehicles, undertake additional vet care and be able to house additional surrendered and seized greyhounds. If it is decided that the charitable organisations are the appropriate organisations to undertake these tasks for greyhounds on the NSW Companion Animals Register, they would require additional funding.

RSPCA NSW and AWL NSW have limited resources. RSPCA NSW has 32 inspectors state wide, 17 in Sydney and 15 in the regions. RSPCA NSW undertakes a number of welfare related tasks for thousands of animals. In 2019 they investigated 15,673 cruelty cases, initiated 77 prosecutions, rescued 368 animals and rehomed 13,034 animals. In FY17/18 RSPCA NSW’s operating costs were \$54m. The government subsidy was \$1m.

In 2018 AWL NSW investigated 1,944 complaints, issued 59 notices of direction and 29 penalty notices, rescued 411 animals and rehomed 2,107 animals. Their total operating costs were \$7.5m. The AWL NSW receives less than \$100k per annum from the NSW Government.

Both organisations are highly dependent upon the work of volunteers. They rely upon the generosity of members of the public for funding. Greyhound racing is pursued by its participants for financial gain. It is ethically and morally wrong to expect donors to the charities to cover the costs of the racing industry’s welfare failures.

RSPCA NSW and AWL NSW carry out an important welfare service for all animals. That should not be compromised by the greyhound racing industry's failure to maintain proper welfare standards and safeguard the welfare needs of greyhounds throughout their lifecycle.

### **Financial Responsibility**

The costs of maintaining whole of life welfare of greyhounds must be the responsibility of the greyhound racing industry. It is not equitable that these costs be borne by the taxpayers of NSW or donors to private charities. In accordance with the principles of Extended Producer Responsibility, it is the financial responsibility of the greyhound racing industry.

Greyhound racing is primarily funded by the gambling industry. The GRNSW 2018 Annual report shows a total income of \$67m. The largest contributor to this income was TAB distributions which provided \$35.5m. The additional income was derived from Race Field Information Users fees of \$24m, Tax Parity receipts of \$5m and a variety of minor sources. The greyhound racing industry's biggest prize for a single race (\$1m) was funded by Ladbrokes. Without the gambling industry there would be no greyhound racing industry, therefore it is only just that the gambling industry should meet the costs of the whole of life welfare of greyhounds.

### **Betting Tax Act 2001**

NSW Legislation to tax the gambling industry to provide for whole of life welfare for greyhounds already exists as the Betting Tax Act 2001. Part 2 of the Act details the amounts to be paid by the gambling industry. These amounts have varied over time.

Part 4 Division 6 of the Act details Appropriations as follows:

#### ***13.M Appropriation and payment of revenue to industry***

*(1) The Treasurer is, in respect of a financial year in which point of consumption tax was collected, to pay an amount equal to 2% of taxable net NSW wagering revenue generated during that financial year to the following bodies:*

- (a) Racing New South Wales,*
- (b) Harness Racing New South Wales,*
- (c) Greyhound Racing New South Wales.*

#### ***13N Appropriation and payment of revenue to Responsible Gambling Fund***

*(1) The Treasurer is, for the period from 1 January 2019 to 30 June 2019, to pay \$2,500,000 to the Responsible Gambling Fund established under section 115 of the Casino Control Act 1992.*

#### ***13O Special appropriation to Greyhound Welfare and Integrity Commission***

- (1) The Treasurer is, for the period from 1 January 2019 to 30 June 2019, to pay \$2,000,000 to the Greyhound Welfare and Integrity Commission.*
- (2) That amount is to be paid from the Consolidated Fund, which is appropriated accordingly.*

*(3) This section does not prevent any other appropriation or payment to the Greyhound Welfare and Integrity Commission.*

Based on the use of the Act to vary the amount raised from the gambling industry and the precedent set in Clause 130 to use part of that money to fund greyhound welfare, it is possible for the NSW Government to raise additional monies from the gambling industry and to appropriate that money to an organisation or organisations to undertake greyhound whole of life welfare tasks. This additional appropriation is fundamental to ensuring the whole of life welfare of greyhounds and the CPG strongly recommends that this legislation be amended to allow for such an appropriation.

### **DEATH OR SERIOUS DISABLEMENT ON THE TRACK**

The Special Commission of Inquiry stated “Greyhounds run with considerable speed. When racing they can reach speeds of up to 65km per hour. During their racing careers they race regularly. Often they race every four of five days. There is always a risk of injury, including catastrophic injury, which will require the animal to be put down. Greyhounds can also sustain injuries of a lesser nature that will mark the end of their racing career. Often, in these circumstances, the greyhound will also be put down.”<sup>11</sup>

“Injuries to racing greyhounds are a further contribution to wastage. The injuries are often serious and they are frequent. It has been suggested by some welfare organisations that this makes greyhound racing **inherently cruel**.”<sup>12</sup>

The Special Commission of Inquiry reported that “over the course of a year, there would be approximately 2,342 injuries of varying degrees of seriousness; 361 major injuries; and 136 catastrophic injuries resulting in the greyhound’s death or its euthanasia on track’ as a result of racing.”<sup>13</sup>

#### **Greyhound Racing Regulations 2019**

The Greyhound Racing Regulations tasks GWIC with reporting on “**injuries to greyhounds participating in greyhound races**”. This task recognises that greyhound racing is dangerous and will result in injuries to participating greyhounds.

As required by the Regulation, GWIC has reported the on-track deaths and injuries for FY18/19. The deaths and injuries are classified by severity and examples of injuries. The classification system is as follows:

<b>Injury category</b>	<b>Incapacitation period (days)</b>	<b>Example of injury</b>
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<sup>11</sup> Ibid 15.1

<sup>12</sup> Ibid 15.4

<sup>13</sup> Ibid 1.69



Minor I	0	No stand down needed: torn nail or minor abrasion or spike.
Minor II	1-10	Minor cuts, abrasions, pad injuries, Grade 1 muscle injuries requiring treatment.
Medium	14-21	Moderate cuts and pad/toe injuries, joint sprains, ligament or tendon injuries, Grade 2 muscle injuries.
Major I	28-42	Fractured toes, severe split pads, dislocated joints, simple fractures, Grade 3 muscle injuries.
Major II	43-90	Long bone fractures; severe spinal, pelvic or skull injuries; major fracture dislocations, Achilles tendon ruptures.
Catastrophic		Euthanased or sudden death.

#### **Number of Injuries 1 July 2018 to 30 June 2019**

GWIC reported the number of greyhounds injured or killed in the 12 month period from 1 July 2018 to 30 June 2019 is as follows:

Minor I	240
Minor II	1059
Medium	784
Major I	392
Major II	126
Catastrophic	95

Total injured greyhounds 2,696

Injuries per 100 greyhounds raced

Jul – Sep	16.1%
Oct – Dec	17.6%
Jan – Mar	17.8%
Apr – Jun	18%.

### **The causes of on-track deaths and injuries**

The Special Commission of Inquiry found that the causes of on-track deaths and injuries were a combination of track design, starting box, field position and number of runners.<sup>14</sup> Track design included straight or turning tracks and track surface. The Special Commission reviewed a University of Technology Sydney (UTS) proposal to research track design. The Greyhound Industry Reform Panel recommended that “Research already commissioned by GRNSW on track design and safety by the UTS should be completed and funded by the commercial entity.”<sup>15</sup> And that “GRNSW should develop minimum track design and safety standards that support the safest provision of racing which could include:

- a. requiring more straight track racing
- b specifying the surface to be used at particular tracks
- c. reduced field sizes for some or all levels of racing on particular tracks
- d. requiring bigger one-turn tracks or tracks with bigger radius turns
- e. specifying race and lure design
- f. requirements for start positions, catching pens and finish on racing
- g. preferential draws for some or all levels of racing on particular tracks.”<sup>16</sup>

The Government accepted both of these recommendations.

### **UNIVERSITY OF TECHNOLOGY SYDNEY (UTS) REPORT**

UTS commenced their track design study in April 2016. The study involved a literature review, investigations into the reasons for deaths and injuries, track investigations, track modelling and simulation, recommendations and future work. UTS provided their report to GRNSW in June 2017.

The UTS report found that the number of deaths and injuries on-track can be significantly reduced if there are changes made to track design, race field size and track equipment.

UTS made a number of recommendations to reduce the incidence of death and injury during racing.

#### **Interim Recommendations**

“A.1 Clearly the best option is to use only straight tracks.

A.2 The use of straight tracks would eliminate all injuries associated with greyhounds needing to negotiate their way safely around the bend.

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<sup>14</sup> Ibid Chapter 15

<sup>15</sup> Recommendations of the Greyhound Industry Reform Panel recommendation 103.

<sup>16</sup> Ibid recommendation 104

A.3 Notwithstanding, oval tracks exist and while they exist they need to be designed so they are optimised to reduce the injury rates and the severity of these injuries to an absolute minimum

A.4 This Report contains 11 Interim Recommendations, namely:

- #01 GRNSW work collaboratively with GRV on a third generation lure design with a reach that is greater than 2.0 m by incorporating a travelling counter balance into the design.
- #02 In the longer term the Australian greyhound racing industry modify the lure design so that the lure travels along the centre-line of the track.
- #03 Australian greyhound industry conduct a feasibility study into the viability of a centrally located lure system.
- #04 For the Wentworth Park 520 m start install a pseudo shute-like start.
- #05 Progressively remove bend starts and discontinue the associated race distances.
- #06 Conduct a trial using a ‘movable’ box start located at the beginning of a straight.
- #07 Increase the height of the starting box grilles to at least 400 mm.
- #08 Conduct one or more trials with a delayed starting box opening.
- #09 Upgrade lure drives and add a braking system.
- #10 Reduce the number of starts from 8 to 6.
- #11 Optimise the track surface.

A.5 Chapter 6 of this Report contains discussion of the above Interim Recommendations.

## **Chapter 6**

6.5 As a general rule the interventions that are known to reduce injuries, or are known to have a high probability of reducing injuries, should be deployed at all tracks (both within NSW and other jurisdictions). This is important as different equipment and/or procedures have the potential to send confusing messages to the greyhounds. It is important that no matter which track the greyhounds race upon the experience is consistent so the injury preventing behaviour is reinforced over time.

6.6 The McHugh Report made it abundantly clear that GRNSW must instigate injury prevention measures in a timely manner. To delay the rollout of known or highly probable interventions for evidence gathering purposes will expose more greyhounds to unnecessary risk and potential Catastrophic and Major injuries. To delay goes against the clear intent of the McHugh Report.”

## **Recommendations and Future Work**

### **Straight track**

6.12 Clearly using a straight track would eliminate all injuries that are directly associated with bends.

6.13 Bends are problematic for a number of reasons, including but not limited to: the centrifugal force causes the leading greyhound to slow down as it enters the bend and this slowing down results in increased congestion for the closely trailing greyhounds as they are also going through a transient phase in motion and this correction in travel cascades down through the pack; high concentrations of greyhounds such as occurs with races that have more greyhounds; elevated centrifugal forces; instability from changes in heading; only single paw in contact in full gallop; the lack of adequate camber to counteract necessity to lean into the bend; constant changes in the acceleration vectors applied to the greyhounds; and combinations of these reasons.

6.14 The greyhounds are running at the limit state of track and their bodies i.e. the system. Any aberration in their travel such as interference has the potential to result in a catastrophic failure of the system and if this occurs it will result in an injury.

6.15 It is strongly recommended that GRNSW and the Australian Greyhound Industry reconsider their aversion to straight tracks and consider developing purpose-built straight tracks.

6.16 This may require the purchase of land specifically for the purpose of developing one or more 'green-fields' straight TAB tracks.

6.17 It may also require running more races over shorter distances.

6.18 The low number of spectators attending race meets does not warrant or justify the continued usage of oval-shaped tracks.

6.19 Technology now exists to allow excellent live coverage from the boxes to the finish and nationwide broadcast in digital high definition quality.

### **Reduce track congestion**

6.20 All the evidence reviewed to date confirms that the main cause of the Catastrophic and Major injuries is congestion i.e. traffic jam. Approximately 80% of all Catastrophic and Major injuries were caused by congestion and incidents such as checking, collision, galloping etc.

6.21 Congestion occurs for a variety of different reasons, including: lure position too close to the inside rail; greyhounds' short line of sight; inappropriate starting box positioning; lack of transition at the turn; poor track shape; high concentration of greyhounds at the start; and combinations of these factors.

6.22 Clearly using straight tracks would eliminate all injuries that are directly associated with the bend such as elevated centrifugal forces and the associated change in the acceleration vectors applied to the greyhounds.

6.23 The interventions recommended by UTS for the aforementioned injuries will now be discussed.

### **Install extended lure at all tracks**

6.24 The evidence collected over the 12 months from 1 Jan 2016 to 31 Dec 2016 confirmed that the majority of Catastrophic and Major injuries are caused by congestion (approximately 80%).

6.25 Observation, modelling and simulations have confirmed that positioning the lure away from the inner rail and more importantly towards the middle of the track significantly reduces congestion.

6.26 It was concluded that the installation of an extended lure system will reduce the probability of greyhound aggregation and that moving the lure travel position to the centre of the track must be a primary injury reduction intervention.

6.27 The extended lure (coupled with delayed box opening) expands the sight line of the greyhounds particularly at the start but also while the greyhounds negotiate their way around the bend.

6.28 Extending the lure provides more space between the rail and the lure which in turn will reduce the probability of rail collisions.

6.29 At and around the bend the majority of the greyhounds can obtain better lure eye contact. Better eye contact leads to better following but also is less likely to draw them toward the inner rail both on the straight and also on the bend.

6.34 Notwithstanding the installation of the hoop arm lure system UTS recommends (Interim Recommendation #01) that GRNSW plan for the installation of an extended lure system along the lines of the lure breaking system deployed by GRV when and if funding permits this intervention on a track by track basis. That GRNSW work collaboratively with GRV and other jurisdictions on a third generation design where the reach of the lure is increased to a distance greater than 2.0 m by incorporating a travelling counter balance into the design.

6.35 UTS recommends (Interim Recommendation #02) that in the longer term the Australian greyhound racing industry work towards modifying the lure system design so that the lure is centrally located.

### **Reposition starting boxes to expand the line of sight and provide more track area for dispersion**

6.38 The injury location evidence confirmed for the starting boxes that starts onto the turn are where the majority of incidents occur shortly after the start and for those starting onto a

straight the majority of incidents occur at the first turn. The injury location evidence thus confirmed that less than optimum starting box positioning is correlated with and most probably causally linked to injury clusters.

6.39 As a case in point the Wentworth Park 520 m and 720 m starts provide sufficient evidence to warrant the initiation of a verification of evidence trial.

6.40 Although both race distances start onto a straight section of the track, the 720 m start had a lower injury rate than the 520 m start. The injury data suggest the box-positioning and the track configuration immediately after the start influence the injury rate.

6.41 UTS suggests a verification of evidence trial be conducted by mirroring the Wentworth Park 720 m box configuration for the 520 m start which effectively creates a pseudo shute-like start when there is no land to install a true shute start.

6.42 This trial will also provide valuable evidence regarding congestion reduction.

6.43 Even if this verification of evidence trial does not show a statistically significant drop in injuries it will provide evidence that can be incorporated into the design of the 'optimal track' configuration.

6.44 If this trial confirms that there is less interference at Wentworth Park for the 520 m 'new' start as the greyhounds enter the first turn then UTS recommends (Interim recommendation #04) where this configuration occurs on other tracks they be modified accordingly.

6.45 UTS recommends (Interim recommendation #05) that starting boxes currently located immediately before the turn, or that are on the turn, be progressively removed and that these race distances be discontinued as and when the opportunity to do so without major disruption presents itself.

6.46 UTS also recommends (Interim recommendation #06) a trial be conducted using a 'movable' box start that can be lowered onto the track at the start of a straight such as is done at Healesville.

### **Increasing height of grille on all starting boxes**

6.47 Evidence by observation confirmed that the greyhounds adopt an unnatural posture immediately prior to the gates opening.

6.48 Prior to box opening when the greyhounds hear the distinct whirr of the lure it is common for greyhounds to lower their heads in an attempt to observe the approach of the lure.

6.49 The current GRNSW 300 mm grille configuration on the box gates induces the greyhounds to adopt an unnatural posture immediately prior to the gates opening.

6.50 The injury location data confirmed injuries are occurring at the start that are non-congestion related.

6.51 It is hypothesised that the awkward pre-start crouching position of the greyhounds is a contributing factor in a family of non-congestion related of injuries.

6.52 This intervention would expand greyhounds' line of sight from the start and assist with the dispersion of the greyhounds and thus assist with a reduction in the congestion shortly after the start.

6.53 UTS recommends (Interim recommendation #07) the height of the grille is increased on all the box gates to at least the height of the GRV 400 mm grille or even the height of the Florida boxes.

### **Delaying the opening of starting boxes**

6.54 UTS recommends (Interim Recommendation #08) that a delayed starting box opening trial be conducted at a track that has an upgraded lure and braking system.

6.55 This intervention will require a coordinated implementation at all tracks both within NSW and other jurisdictions around Australia, as industry uniformity is paramount.

6.56 As a proof of concept it is proposed that the effects of this intervention are measured indirectly by conducting trials in which box opening is effectively delayed using the current trip position but increasing the speed of the lure at box opening from 50 km/h to 70 km/h. The perception from the greyhounds' perspective will be that they first observe the lure some 40% further along the rail than they do now.

6.57 Alternatively, or in addition, a second trip switch is installed at a set of boxes that is known to have congested starts and a trial be conducted.

6.58 If this trial confirms that there is less interference at the start and when entering the first turn a decision should be made at a national level to install a common second 'delayed' trip switch to every set of boxes in Australia and to separate maiden greyhounds into races where they are only ever exposed to a delayed start. Over time as the pre-delayed box opening cohort of greyhounds retire the industry will only run races with delayed opening boxes.

### **Upgrade lure drive and braking system**

6.59 UTS recommends (Interim recommendation #9) upgrading the entire lure

system mainly the drive and braking system.

6.60 Not being able to control a lure is considered a safety hazard.

6.61 The current lure system installed throughout NSW is considered a hazard as both humans and greyhounds are potentially at risk of serious injury or death because the lure driver is unable to stop the lure in a timely manner. The lure has inertia and currently the lure driver must rely upon internal friction within the system to bring it to a stop.

### **Reducing the number of starts per race from 8 to 6**

6.62 One of the main reasons for congestion and traffic jam zones is an excessive number of greyhounds per race.

6.63 Other jurisdictions such as the UK and Ireland are examples where 6 start greyhound races are conducted.

6.64 As a direct intervention for reducing congestion and traffic jam zones UTS strongly recommends (Interim recommendation #10) trialling reducing the number of starts per race from 8 to 6.

6.65 It is suggested that boxes 3 and 6 are not used as a supplementary congestion lowering intervention.

6.66 If the results from this intervention trial confirm less interference at start and the first turn, this intervention should be progressively deployed nationally at all tracks.

### **Optimising the track surface**

6.67 The evidence reviewed to date confirms that optimising the track surface, particularly at non-TAB tracks, will lower the probability of injuries and reduce the severity of injuries.

6.68 UTS recommends (Interim recommendation #11) investigating and implementing track preparation techniques and/or track materials that optimise the track surface.

6.69 The literature suggests that a considerable proportion of musculoskeletal injuries in racing greyhounds is causally linked to a hard track surface.

6.70 Hard surface correlates with higher speed and greyhounds that travel at a greater speed are more likely to sustain more severe injuries should they fall. They are more prone to sustain musculoskeletal injuries.

6.71 With a soft surface the greyhounds are more likely suffer toe injuries and also have sand flung into the eyes by following greyhounds



## **GRNSW RESPONSE TO THE UTS REPORT**

GRNSW provided a response to interim recommendations of the UTS track design study. Extracts from this response are shown in the following paragraphs.

### **Use only straight tracks**

Supported in principle. To commence the transition to safer tracks, GRNSW will conduct a competitive expression of interest (EOI) process to identify a straight track where greyhound racing could occur. It is envisaged that greyhound racing conducted on this straight track would:

- provide an additional pathway to racing particularly for those greyhounds suited to straight track racing;
- facilitate eight greyhounds per race and possibly ten if deemed safe.

UTS would then provide information around the performance of the track and based on this experience, consideration could be given to incorporating straight tracks into the Centres of Excellence model in the medium to long-term.

### **Reduce track congestion**

The GRNSW response does not specifically address this issue.

### **Install extended lure at all tracks**

Supported. In 2016, evidence was provided by Greyhound Racing Victoria (GRV) and UTS suggesting a change to a longer, hoop arm lure reduces interference and subsequent injuries. Following a trial of a 1.6m hoop arm lure, GRV made a decision to deploy its hoop arm lure system at all greyhound racing clubs throughout the state.

In July 2016, GRNSW installed a hoop arm lure at the Richmond Race Club and is now also progressively rolling out this system to remaining GRNSW tracks (JG18/2016 refers). It is noted that GRNSW's 1.2m quasi-extended lure falls short of UTS's 2 metre recommendation and GRV's 1.6m lure and this, in part, is due to the varying lure infrastructure at NSW tracks which makes it currently impractical to accommodate a longer lure.

Notwithstanding the installation of the hoop arm lure, GRNSW will work collaboratively with GRV on a lure design with a reach that is greater than 2 metres or that reaches the centre of the track (as 2 metres may not be the required figure depending on the width of the track itself).

## **Reposition starting boxes to expand the line of sight and provide more track area for dispersion**

Recommendations 6.38 to 6.44. Supported. GRNSW will progress this in collaboration with the Wentworth Park Greyhound Breeders and Trainers Association (GBOTA).

Recommendation 6.45. Supported in principle. Progressively remove bend start and discontinue the associated race distances.

Recommendation 6.46. Supported. It is understood that GRV is implementing a movable box start at its new Horsham track. Depending on the results, and success of GRV's movable box prototype, GRNSW will investigate the installation of a similar system at Bulli.

## **Increasing height of grille on all starting boxes**

Supported in principle. GRNSW will investigate this matter and confirm the exact height of the Florida Grille.

To investigate whether the pre-start crouching position has an impact on injuries during starts, GRNSW will install CCTV cameras within boxes to monitor the pre-race position of greyhounds. GRNSW will also request that GRV do the same to compare the starting position of greyhounds using the different grill heights.

## **Delaying the opening of starting boxes**

Supported. GRV is in the early stages of exploring delayed box openings and believe it can be done without moving the trip starts and via manipulation of the lure speed and associated driving approach. GRNSW will work closely with GRV to determine a plan to trial delayed box openings.

## **Upgrade lure drive and braking system**

Supported. GRV are exploring this piece of work and have estimated an appropriate cost of \$30k to upgrade their lures. GRNSW will work closely with GRV to explore the upgrade of lure drives and braking system noting that GRNSW and GRV operate different lures.

## **Optimising the track surface**

Supported. GRNSW has worked extensively on improving track safety since the appointment of its first Track Maintenance Manager in September 2014 and has driven improvements in surface preparation and maintenance through the introduction of standardised equipment,

processes and reporting frameworks. GRNSW will continue to invest in this important area and has recently appointed two additional Track Maintenance Coordinators which will substantially increase industry oversight in track surface preparation and maintenance.

### **Reducing the number of starts per race from 8 to 6**

GRNSW is currently trialling 6 dog racing at non-TAB races in Lismore. If this trial is successful GRNSW will progressively roll-out 6 dog racing to all non-TAB tracks. Extensive financial modelling and consultation with wagering operators and other external stakeholders will need to occur before rolling-out 6 dog racing to TAB tracks as there will be a reduction in wagering revenue.

## **CPG COMMENT ON GRNSW RESPONSE**

### **Straight tracks**

The main finding of UTS is that “the best option is to use only straight tracks. The use of straight tracks would eliminate all injuries associated with greyhounds needing to negotiate their way safely around the bend”. The GRNSW response is to support this in principle only. GRNSW then states that straight tracks would “provide an additional pathway to racing particularly for those greyhounds suited to straight track racing” and it would “facilitate eight greyhounds per race and possibly ten if deemed safe.”

GRNSW have missed the point entirely. The UTS recommendation was not to use straight tracks as an addition to oval tracks but to replace oval tracks. GRNSW shows where its real interests lie in that straight tracks could enable more dogs per race thus increasing profit.

Various newspaper articles in July, August and September 2019 report that GRNSW is going to introduce straight tracks. The 2 August 2019 edition of the Greyhound Recorder reported that a statement by the CEO of GRNSW on straight tracks was “imminent”. On 19 September 2019 GRNSW advised the CPG that no such statement had been issued.

### **Race field size**

The UTS found that a reduction in race field sizes from 8 to 6 would reduce congestion and traffic jam zones thus reducing the number of deaths and injuries. This is something that GRNSW could have introduced immediately. Contrary to GRNSW’s response to the UTS Report, racing at Lismore on 17 September 2019 had 8 starters. The comment by GRNSW that 6 dog race fields would result in loss of revenue shows exactly the attitude of GRNSW towards animal welfare versus profit.

Continuing to race on tracks which have been identified to GRNSW by the UTS as dangerous and to continue to race 8 greyhounds per race contravenes the objects of the POCTAA which is to prevent an animal being **unnecessarily or unjustifiably killed, wounded, mutilated, maimed, abused, tormented, tortured, terrified or infuriated**.

## RECOMMENDATIONS

It is recommended that the Select Committee on Animal Cruelty Laws in NSW:

- supports the amending of the GWIC Rehoming Policy to limit euthanasia to those greyhounds suffering from an intractable condition or injury that causes significant pain or discomfort or a marked reduction in quality of life, such that it is inhumane or would otherwise compromise the welfare of the greyhound
- supports changes to legislation and regulation to allow government instrumentalities and private animal welfare charities to track, monitor and conduct routine proactive welfare inspections of all greyhounds throughout their entire natural lives
- supports changes to legislation and regulation to allow government instrumentalities and private animal welfare charities to investigate and prosecute, where necessary, offences against the POCTAA for all greyhounds throughout their entire natural lives.
- supports changes to the Betting Tax Act 2001 to provide all the financial resources necessary to fund government instrumentalities and private animal welfare charities to track monitor, conduct routine proactive welfare inspections, investigate and prosecute, where necessary, offences against the POCTAA for all greyhounds throughout their entire natural lives.
- supports the CPG proposal for greyhound sanctuaries.
- supports changes to the Betting Tax Act 2001 to provide all the financial resources necessary to fund greyhound sanctuaries
- supports the CPG proposal for NSW Government funding, using funds raised by the Betting Tax Act 2001, for private greyhound rehoming organisations
- determines which is the most appropriate organisation or organisations to undertake the whole of life tracking, monitoring, conduct of routine proactive welfare inspections, investigation and prosecution, where necessary, of offences against the POCTAA for all greyhounds throughout their entire natural lives
- supports the recommendations of the UTS report on greyhound tracks
- supports a suspension of racing at those tracks which do not meet the standards detailed in the UTS report until those tracks have been upgraded to these standards
- supports the limiting of greyhound racing fields to 6 dogs

- requires GRNSW to provide details of the measures undertaken to date to implement the recommendations of the UTS report.

**NOTE: Organisations consulted in the process of preparing this submission -**

- Royal Society for the Prevention of Cruelty to Animals NSW
- Animal Welfare League NSW
- Greyhound Welfare Integrity Commission.

Eleonora Gullone PhD

*President and founder*

*Coalition for the Protection of Greyhounds Incorporated*

Dennis Anderson

*Vice president*

**Attachments**

1. Disappeared greyhounds
2. Greyhound sanctuaries
3. Funding for greyhound rescues