



Submission to the Parliamentary Committee Inquiry

Greyhound Welfare and Integrity Commission

Prepared by Coalition for the Protection of Greyhounds (CPG)

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End greyhound suffering

Document Control

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1. Executive Summary

The NSW Government has called for submissions to the inquiry into the Greyhound Welfare Integrity Commission (GWIC). This submission, from the Coalition for the Protection of Greyhounds (CPG), makes recommendations to ensure the effectiveness of GWIC to improve greyhound welfare and limit greyhound suffering. The NSW Government must retain and expand the functions of GWIC.

The recommendations and the reasons underpinning them are discussed in relation to each Term of Reference (TOR).

TOR (a)

The greyhound rehoming policy must be amended to prohibit the euthanasia of healthy greyhounds.

TOR (b)

The maximum penalties allowed for the administering of prohibited substances must be awarded.

TOR (c)

No comment.

TOR (d)

Greyhound Racing NSW (GRNSW) must not be permitted to directly influence GWIC regarding policies and procedures.

TOR (e)

The funding model for GWIC must be changed so that GWIC is totally funded by the NSW Government with the Government recouping the full cost of this funding from GRNSW and the gambling industry via taxation.

TOR (f)

Ensure the best possible welfare for greyhounds by:

1. Implementing whole of life tracking for all greyhounds.
2. Ensuring that all healthy greyhounds live out the full term of their natural lives in either private homes or sanctuaries.
3. Ensure that maximum penalties are awarded for administering of prohibited substances.
4. Reducing breeding.
5. Making tracks safer.

TOR (g)

Persons witnessing greyhound cruelty must be compelled to report it.

2. Retention of the Greyhound Welfare and Integrity Commission

The continued existence of GWIC is vital to ensuring the welfare of greyhounds. Both the Special Commission of Inquiry into the Greyhound Racing Industry in NSW and the Greyhound Industry Reform Panel (the Panel) considered that having welfare and integrity responsibilities vested in the commercial GRNSW creates a conflict of interest. The separation of the commercial and regulatory functions minimises the potential for conflicts of interest.

Recommendation 1 of the Panel was that *'the commercial and regulatory functions for the industry should be separated and vested in two different entities.'* **The Government accepted this recommendation.**

Recommendation 15 of the Panel stated *'A Greyhound Welfare and Integrity Commission (the integrity commission) should be established as an independent statutory corporation in legislation. The integrity commission should represent the State.'* **The Government accepted this recommendation.**

Any attempt to return any or all GWIC responsibilities to the commercial entity would result in a reduction in greyhound welfare and would be detrimental to the integrity of the industry. This submission recommends moving additional functions and responsibilities from GRNSW to GWIC to ensure successful welfare outcomes for greyhounds.

3. Terms of Reference

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

3.1.1. Greyhound Rehoming Policy

Greyhound Industry Reform Panel. The Panel made specific recommendations regarding retention and rehoming of greyhounds no longer required for racing.

Recommendation 80 stated *'Owners of greyhounds that have been assessed as rehomable must prioritise the welfare of the greyhound and apply all reasonable endeavours to rehome the greyhound or personally retain the greyhound'*. **The Government accepted this recommendation.** The Government has failed to deliver on this recommendation by approving a rehoming policy which allows the euthanasia of greyhounds on grounds other than suitability for rehoming.

Recommendation 83 stated *'All rehoming programs administered or funded by the commercial entity must track the outcomes of rehomed greyhounds as part of auditing requirements and make this information available to the integrity commission when requested.'* **The NSW Government accepted this recommendation.** There is no information of this kind in GRNSW's annual report or on the GWIC website. Publicly available data suggests the Government's rehoming policy has too many loopholes which allows the NSW racing industry to overbreed and then discard slow or under-performing dogs.

CPG is concerned that the current rehoming policy permits the euthanasia of healthy greyhounds. The rehoming policy states that an owner of a greyhound not required for racing or breeding has the following options:

1. retain the greyhound themselves,
2. rehome the greyhound to another person,
3. rehome the greyhound through GAP or a private rehoming organisation,
4. place the greyhound with an animal welfare organisation (RSPCA or AWL) or local government pound, or
5. euthanase the greyhound.

Euthanasia. The rehoming policy permits the euthanasia of healthy greyhounds. GWIC is legally entitled to track only those greyhounds who have been retained by an owner or trainer as in sub paragraph 1 above. Greyhounds rehomed privately by an owner or trainer to another person could be euthanased following their rehoming and GWIC is not required to be notified. Similarly, greyhounds 'dumped' in pounds could be euthanased if they are not adopted within a given timeframe. It can be assumed that of the number shown in the GWIC reports as 'accepted by another animal rescue or adoption agency' a percentage of them will have been euthanased.

CPG has analysed the fate of NSW greyhounds who are no longer required by the racing industry over the last three financial years. This analysis, shown at Attachments 1 and 2, reveals that thousands of greyhounds cannot be accounted for. As a point of interest, the Minister responsible for greyhound racing and GWIC have disputed these figures, however they have never published any figures to show the fate of these unaccounted-for greyhounds. If they have proof that CPG's figures are wrong, that proof should be placed on the public record. The proof must include every greyhound's racing name, microchip number, ear tattoo number and whereabouts.

The 'Disappeared'. The following infographic shows the possible fate of greyhounds in NSW.



Disappeared greyhounds NSW FY19/20



3,659 GREYHOUNDS DUE TO RETIRE IN FY19/20⁺

A dog may be retired because it is not suitable for racing, is injured, or reaches the end of its racing life. Greyhounds start racing at about 18 months old and are generally retired by two to five years of age.

1,231 RETIRED GREYHOUNDS TRACKED BY GWIC IN FY19/20

520 KEPT BY OWNER
OR TRAINER*

224 GIVEN TO A
THIRD PARTY*

487 REHOMED BY GAP OR
PRIVATE REHOMER*

2,428 GREYHOUNDS ARE UNACCOUNTED FOR

POSSIBLE OUTCOMES FOR UNTRACKED GREYHOUNDS



Killed illegally
Discarded by the industry or owner on retirement and subsequently killed.



Drained of blood
Killed after being drained of blood at veterinary surgeries. Greyhounds are universal donors.



Dissected
Used as training tools at universities and medical schools.



Vivisected
Experimented on by researchers and then discarded.

⁺ Estimate by CPG – see case study: <http://greyhoundcoalition.com/the-disappeared-greyhounds/>

^{*} Estimate by the Greyhound Welfare and Integrity Commission (GWIC). They are unable to obtain proof of life due to lack of resources.

More information and sources: <http://greyhoundcoalition.com/media-resources/>

Coalition for the Protection of Greyhounds
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GAP Assessment. Many greyhounds fail the GAP rehoming assessment. Advice from private rehoming is that the GAP assessment does not ensure that the maximum number of greyhounds are assessed as suitable for rehoming. GWIC must set the behavioural assessment standards used by GAP to assess a greyhound's suitability to be rehomed in a private home.

Rehoming. The biggest issues with rehoming are breeding numbers and finding sufficient homes. The figures clearly show that there are insufficient homes for all the greyhounds bred. The answer to this problem is to reduce breeding and establish greyhound sanctuaries. These issues will be discussed in TOR (f) which covers welfare.

TOR (a) Recommendation. The Greyhound Rehoming Policy must be amended to prohibit the euthanasia of healthy greyhounds.

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

Section 59 of the Greyhound Racing Act 2017 details disciplinary action that may be taken against or in respect of a relevant person as follows:

59 Disciplinary action that may be taken

(1) Any of the following actions may be taken by the Commission—

(a) suspending or cancelling of any of the following—

(i) the person's registration,

(ii) the registration of a greyhound,

(iii) the registration of a greyhound trial track,

(b) imposing a condition on the person's registration or on the registration of a greyhound or greyhound trial track,

(c) imposing a fine on the person not exceeding 200 penalty units,

(d) disqualifying or warning off the person,

(e) disqualifying or warning off any specified greyhound,

(f) prohibiting the person from participating in greyhound racing in any specified capacity,

(g) prohibiting a specified greyhound from competing in any greyhound race or trial,

(h) such other action as may be specified in the greyhound racing rules.

Note: a penalty unit is currently \$110, thus the maximum fine for an individual is \$22,000.

The GWIC list of final disciplinary decisions for the offence of 'Detection prohibited substance' for 2020 shows that the maximum penalty was never awarded. CPG considers that the penalties awarded were too lenient.

The administering of prohibited substances can have serious long-term detrimental effects on a greyhound. For this reason, CPG believes that this offence should result in the award of the maximum penalty allowable.

TOR (b) Recommendation. The maximum penalties allowed for the administering of prohibited substances must be awarded.

3.3. TOR (c) the options for appeal by industry participants who breach legal requirements as set out by the Commission.

No comment.

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

GWIC is the industry regulator responsible for ensuring that GRNSW and industry participants act in accordance with the legislation, regulations, policies, and procedures governing the greyhound racing industry. The relationship between GWIC, GRNSW and industry participants must be the same as the relationship between NSW Police and the public. NSW Police do not consult the public on legislation, regulations, policies, and procedures.

This consultation occurs at the political level where the public's representatives vote on legislation in parliament. Regulations, policies and procedures are then developed by NSW Police and other government agencies to support the legislation. Any attempt by GRNSW and industry participants to directly influence regulations, policies and procedures is totally inappropriate. GRNSW must not be permitted to directly influence GWIC regarding policies and procedures.

TOR (d) Recommendation. GRNSW must not be permitted to directly influence GWIC regarding policies and procedures.

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

It is not appropriate for a commercial entity to provide funds directly to a government entity where the role of the government entity is to regulate the activities of the commercial entity. This is a conflict of interest. Government regulators must be funded by the government from consolidated revenue.

Recent media coverage has suggested GRNSW's financial situation will make its funding of GWIC problematic. GWIC should be funded by the NSW Government which in turn recoups those funds from the industry via Point of Consumption taxes on the gambling industry as legislated in the Betting Tax Act 2001 and by tax on profits made by GRNSW. The industry should not be directly involved with GWIC's annual funding.

TOR (e) Recommendation. The funding model for GWIC must be changed so that GWIC is totally funded by the government with the government recouping the full cost of this funding from Greyhound Racing NSW and the gambling industry via taxation.

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

The welfare of greyhounds is specifically legislated in the Greyhound Racing Act 2017 as follows:

Division 2 Objectives and functions of Commission

Section 11 Principal objectives of Commission

The principal objectives of the Commission are as follows—

(a) to promote and protect the welfare of greyhounds.

12 Functions of Commission

The Commission has the following functions—

(a) to control, supervise and regulate (subject to this Act) greyhound racing in the State,

(b) to initiate, develop and implement policies relating to the welfare of greyhounds,

(c) to undertake research and investigation into any aspect of the breeding of greyhounds and of greyhound racing generally,

(d) to consult with animal welfare bodies in developing changes to legislation relating to the welfare of greyhounds,

3.6.1. Constraints on GWIC

GWIC was established by the Greyhound Racing Act 2017 with a principal objective of “promoting and protecting” greyhound welfare. However, the Act places constraints on GWIC’s ability to meet this objective. The ability of GWIC to ensure the welfare of greyhounds is also constrained by the Greyhound Welfare Code of Practice. Without amendments to the Act and the Code, greyhound welfare will remain well below the standard of animal welfare that is acceptable in the 21st century.

The most significant examples of these constraints are GWIC’s lack of authority to:

- Monitor, track and inspect greyhounds owned by persons who are not registered industry participants.
- Approve or reject the design of racetracks and to close tracks which do not meet the minimum safety standards as identified by the University of Technology Sydney.
- Set the maximum number of greyhounds permitted in a race.
- Set maximum breeding numbers.

Additional constraints are discussed below.

3.6.2. Welfare Requirements

CPG believes that greyhound welfare depends upon:

1. Whole of Life Tracking.
2. Funding for private rescues and sanctuaries.
3. Increasing penalties.
4. Reducing breeding.
5. Making tracks safer.

Whole of Life Tracking

Section 11(a) of the Greyhound Racing Act states one of the principal objectives of GWIC is to **promote and protect the welfare of greyhounds**. Unfortunately, this has been interpreted to apply to only those greyhounds owned by registered industry participants. CPG is concerned that this restriction does not provide the best welfare outcome for those greyhounds that are rehomed privately by the owner or trainer to a non-industry participant. GWIC statistics show there have been 224 greyhounds privately rehomed by an owner or trainer to a non-industry participant between July 2019 and June 2020. GWIC is completely unaware of the welfare circumstances of these greyhounds. GWIC must be empowered to track all greyhounds irrespective of ownership.

The tracking of all greyhounds ensures that registered industry participants, or those to whom they directly transfer their dogs, cannot euthanase these greyhounds once they are transferred from the Greyhound Register to the NSW Pet Registry. In a manner consistent with World Organisation for Animal Health standards and guidelines, all greyhounds must undergo at least annual traceability and welfare checks. This will ensure that greyhounds are accounted for throughout their lives.

Annual Traceability and Welfare Checks A method to track the welfare of all greyhounds irrespective of ownership is for every greyhound to undergo an annual traceability and welfare check by a registered vet with a report provided to GWIC. Any concerns identified in the report would be followed up by a GWIC inspection. The cost of the check and the report would be funded by the government. These checks would also provide GWIC with 'proof of life' for greyhounds.

GWIC Inspections. An impediment to the effectiveness of GWIC to ensure greyhound welfare is the inspector to greyhounds ratio. In the GWIC Update: True Facts About GWIC dated 15 April 2020 the number of registered greyhounds is reported as 26,852, broken down as follows:

- Actively racing 6,505
- Whelped but not yet racing 6,970
- Retired to industry participants 13,377.

Based on these figures, the total number of actively racing greyhounds and those whelped but not yet racing is 13,475. The total number of greyhounds retired to industry participants is 13,377. Therefore, under the current Greyhound Racing Act, GWIC is responsible for the welfare of 26,852 greyhounds. GWIC currently has 11 inspectors. This is one inspector per 2,441 greyhounds. This has resulted in inspections being reactive rather than proactive. A solution to this issue is to increase the number of inspectors and adopt an annual traceability and welfare check policy.

Funding for Private Rescues and Sanctuaries.

GRNSW has identified that greyhound welfare also depends on greyhound rescue organisations and sanctuaries for those greyhounds that are not adopted by the public. 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 the Greyhound Adoption Program (GAP) and 1,500 through other rehoming providers."*

To achieve this GRNSW funds GAP and has announced that they are purchasing a property to be used as a greyhound sanctuary. CPG believes that private rehoming providers and private sanctuaries must be funded by the Government and has made separate submissions to the Government on these requirements.

Interstate Greyhound Exports. GWIC recently claimed in a news.com.au article that *"New South Wales is a well-known exporter of young greyhounds to other states and jurisdictions in Australia."* To substantiate this claim and to assist with tracking accuracy, each quarter GWIC must publish the number of NSW greyhounds exported interstate.

Increasing Penalties. This is covered in TOR (b).

Reducing Breeding

Excessive breeding is one of the primary causes of euthanasia of young, healthy greyhounds. GWIC must set maximum breeding targets for greyhounds in NSW. See Attachment 3. Breeding Targets.

Making Tracks Safer

To ensure that GWIC can effectively carry out its welfare responsibilities as defined in the Greyhound Racing Act 2017 it must be given the power to make tracks safer. This must be done in accordance with the recommendations of the Study conducted by the University of Technology, Sydney.

GWIC must have the power to:

1. Set minimum standards of design and construction for racecourses and greyhound training facilities. See Attachment 4. The Case for Straight Tracks.
2. Licence racecourses and training facilities.
3. Withdraw the licence for racecourses and training facilities which do not meet the standards.
4. Set the maximum race field size. See Attachment 5. The Case for Six Dog Races.

Expenditure. Details of any public money expended by GRNSW to make tracks safer must be reported by GWIC.

TOR (f) Recommendations. Ensure the best possible welfare for greyhounds by:

1. Implementing whole of life tracking for all greyhounds.
2. Ensuring that all healthy greyhounds live out the full term of their natural lives in either private homes or sanctuaries.
3. Ensuring that maximum penalties are awarded for administering of prohibited substances.
4. Reducing breeding.
5. Making tracks safer.

3.7. TOR (g) any other related matter.

3.7.1. Reporting Cruelty

Employees, owners and operators, associates and others connected to greyhound facilities who suspect or are witness to cruelty or neglect in that enterprise should be compelled to report it.

Attachments

- 1.** Disappeared Greyhounds FY 17/18 and 18/19
- 2.** Disappeared Greyhounds FY 19/20
- 3.** Breeding Targets
- 4.** The Case for Straight Tracks
- 5.** The Case for Six Dog Races