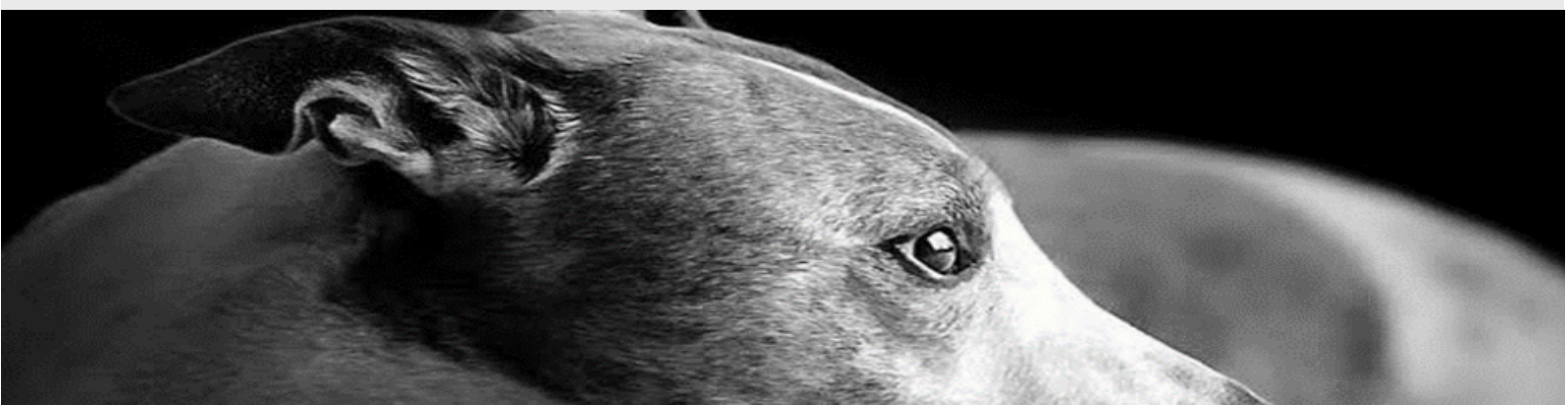




Current state of greyhound racing regulation: Tasmania



Tasmania: Conflicts of interest interfere with effective regulation

**Prepared by the Coalition for the Protection of Greyhounds
September 2023**

We acknowledge the Traditional Owners of Country across Australia. We pay our respects to Elders past, present and emerging and recognise the role Elders play in maintaining connection to Country, Culture and Community.

End greyhound suffering

About the Coalition for the Protection of Greyhounds

The Coalition for the Protection of Greyhounds (CPG) is a not-for-profit committed to ending greyhound suffering by exposing the cruelty and corruption of the greyhound racing industry and lobbying for law reform. We have members across Australia.

We call on Australia's state governments to:

End taxpayer funding. A national survey on attitudes towards dog racing revealed that 69% of Australians oppose the use of taxpayer funds to prop up the greyhound racing industry. State and territory governments must listen to their constituents and stop diverting funds from education, healthcare and employment programs to support this archaic and callous industry.

Stop unsustainable breeding. The greyhound racing industry breeds many more dogs than can be rehomed. Caps on breeding must be introduced to ensure that all dogs bred by the industry are able to live out their lives as pets at the end of their racing career.

Implement whole-of-life tracking. Greyhounds in the racing industry are vulnerable to unnecessary euthanasia, particularly those puppies who do not race and dogs who are rehomed by industry participants. A system must be implemented to monitor the welfare of each greyhound for their entire life.

Establish independent regulators in all jurisdictions. Most jurisdictions rely on self-regulation by the industry, which has been shown again and again to be corrupted by conflicts of interest. Governments benefiting from betting tax revenue must establish independent regulators that prioritise the welfare of greyhounds.

Stop building new tracks. Attempts by the industry to build 'safe' tracks have failed. The evidence shows that greyhounds continue to be injured and killed on all track designs currently in operation, including straight tracks. There is no such thing as a safe dog racing track.

Introduction

In 2015, horrific and cruel activities such as live baiting and mass killing were shown to be common practice in the greyhound racing industry. Since then, states and territories have generally attempted to establish some kind of regulation of the industry.

In the Australian Capital Territory, laws were introduced to ban greyhound racing. Some states, such as NSW and Queensland, have established independent regulatory authorities governed by legislation. South Australia and Tasmania have a model where a commercial entity has responsibilities for promoting the industry as well as overseeing regulatory requirements.

CPG monitors progress of these changes from the animal welfare perspective. CPG publishes track injury and death data, evidence-based white papers, and other papers documenting animal cruelty concerns and deficiencies in the way the industry is regulated.

In the *Current state of greyhound racing regulation* series of papers, CPG is conducting a state-by-state assessment of the respective regulatory frameworks. This includes their effectiveness in prioritising animal welfare and holding those who do not comply with requirements to account. In this paper, CPG examines the Tasmanian approach to regulating the greyhound racing industry.

Executive summary

CPG has undertaken an assessment of the effectiveness of the greyhound racing regulatory framework in Tasmania. At present, this consists of Tasracing, the commercial entity, and the Office of Racing Integrity (ORI - a government body), which is responsible for probity and integrity. Throughout this assessment we have focused on two key issues:

- 1) the application of sanctions and penalties in response to breaches of the rules, and
- 2) the priority given to the welfare of greyhounds racing on Tasmanian racetracks.

CPG has found that there is a significant lack of clarity surrounding the division of functions and powers between Tasracing and the ORI.

CPG has also found there is an alarming lack of information in relation to doping controls within the Tasmanian racing industry. There is no evidence published to suggest that samples are taken out-of-competition. With evidence only of samples being taken at race events, this creates an incredibly predictable doping control program that can be easily circumvented by those looking to gain an advantage through doping. Due to the lack of out-of-competition testing, it is certain that doping is more prevalent than is currently detected, indicating that greyhound racing in Tasmania is far from a level playing field.

In this paper, CPG has also identified a serious lack of regard for, or investment in, the welfare of greyhounds in the Tasmanian racing industry. There have been several government-initiated inquiries and reviews identifying problems and recommending clear practices and initiatives to improve welfare. However, the government has continued to ignore the evidence, while at the same time reassuring the racing industry that it will continue to enjoy government backing. The Tasmanian Government and the racing industry have failed to implement effective change in a manner that demonstrates a genuine focus on animal welfare over wagering revenue. This also jeopardises the future potential for greyhounds to be rehomed once the industry discards them.

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CPG makes the following 13 recommendations:

Recommendation 1

That the Tasmanian Government introduce legislation to clearly separate regulatory functions from those relating to racing operations, commercial interests or promotion of the industry. Regulatory functions must rest with a statutory authority accountable to the Tasmanian Government.

Recommendation 2

That the Tasmanian Government amend the *Racing (Tasracing Pty Ltd) Act 2009* to:

- remove from section 25 the current eligibility of persons actively involved in the three racing codes to be nominated to the Board of Directors, and
- add to section 25 the eligibility of at least three persons with expertise and experience in animal welfare to be nominated to the Board of Directors.

Recommendation 3

That the Tasmanian Government amend the racing legislation to mandate penalties for breaches of doping-related rules, with appropriate provision for the decision makers to consider specific circumstances. For repeat offenders a penalty higher than the minimum penalty must apply.

Recommendation 4

That the Tasmanian Government amend the racing legislation to:

- make the presence of a prohibited substance in a greyhound a strict liability offence, and
- allow for provisional suspension of those presenting a greyhound with a prohibited substance.

Recommendation 5

That ORI:

- develop and implement an intelligence-driven doping control program that is consistent with the approaches and strategies implemented by Sport Integrity Australia, and
- publish comprehensive information about the doping control activities undertaken.

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Recommendation 6

That the Tasmanian Government amend the racing legislation to mandate penalties for breaches of animal welfare-related rules (subject to Recommendation 9), with appropriate provision for the decision makers to consider specific circumstances. For repeat offenders a penalty higher than the minimum penalty must apply.

Recommendation 7

That kennelling requirements for greyhounds be brought into line with the Tasmanian Government Department of Natural Resources and Environment's *Animal Welfare Guidelines for Dogs*.

Recommendation 8

That the *Tasmanian Greyhound Animal Welfare Manual* be amended to mandate:

- insulated kennels that protect greyhounds from temperatures lower than 16°C or higher than 26°C, consistent with NSW Greyhound Welfare and Integrity Commission's (GWIC's) Greyhound Welfare Code of Practice),
- raised beds with bedding that is warm, soft, dry and large enough for a greyhound to lie on while completely stretched out, and
- mandates dental health checks, external and internal parasite control, and provision of vet care.

Recommendation 9

That the *Tasmanian Greyhound Rules of Racing incorporating Tasmanian Greyhound Local Rules of Racing and Greyhounds Australasia Rules* (Local Rules) be amended to require any person registered with Tasracing who, by omission or direct action causes the death of an animal, or causes an animal to be in such condition that euthanasia is the only option, to be:

- referred to a relevant body for investigation and possible prosecution under the *Animal Welfare Act 1993*,
- suspended from any further participation in greyhound racing while the investigation and prosecution is in progress, and
- banned from any involvement in greyhound racing for life if convicted under the *Animal Welfare Act 1993*.

Recommendation 10

That Local Rules be amended to specify that any person responsible for a greyhound, who cannot provide evidence of its whereabouts, receive an automatic disqualification from racing for a minimum of 12 months per greyhound.

Recommendation 11

That the Tasmanian Government amend the racing legislation to ensure all greyhounds that have been trained at a facility, where the use of live animals and/or animal bodies/parts is:

- suspected, be removed from further racing and given a behavioural assessment, and/or
- confirmed, undergo behavioural training to maximise their chances of transitioning to life as a pet.

Recommendation 12

That ORI continue to publish its quarterly breeding, race injury and retirement data, but that it improve the quality and transparency of these data so that it demonstrates a genuine commitment to welfare. This should include:

- calculating injuries based on the number of dogs rather than number of starters,
- collecting more comprehensive data on retirement to include greyhounds retired to programs other than the industry's Greyhound Adoption Program (GAP), and
- implementing a regulatory strategy for ensuring that those involved in the industry fulfil their obligation to socialise all greyhounds, to give them the best chance of becoming pets at the end of their racing career.

This strategy must include inspections of socialisation programs and an assessment of their effectiveness, as well as collecting feedback from GAP and volunteer based greyhound rescue organisations. This information must be published.

Recommendation 13

That ORI publish comprehensive information about how Tasracing performs as a regulator of the greyhound racing industry and how well they ensure the welfare of greyhounds that race in Tasmania. The information gaps identified in this report must be addressed.

Overview of the Tasmanian regulatory framework

Tasmania has two entities that are responsible for racing:

- Tasracing, the commercial operator, and
- Office of Racing Integrity (ORI), which sits within the Department of Natural Resources and Environment and is responsible for maintaining probity and integrity.

Both entities are responsible for the three codes of racing: thoroughbred racing, harness racing and greyhound racing.

Office of Racing Integrity (ORI)

The General Manager of ORI is appointed to the statutory role of Director of Racing, a position which under the *Racing Regulation Act 2004* holds a range of functions and powers.

These include researching and investigating racing integrity and related matters, advising and making policy recommendations to the Racing Minister, providing advice and recommendations to Tasracing on the Rules of Racing, and ensuring the Rules of Racing are properly enforced by stewards. The Director of Racing also has the power to hold inquiries and to determine (in consultation with Tasracing) the nature and level of drug testing to be undertaken for racing animals and race participants.¹

Tasracing

Established under the *Racing (Tasracing Pty Ltd) Act 2009*, Tasracing lists its responsibilities as:

- 1) the ongoing development of racing and breeding industries in Tasmania
- 2) the promotion of Tasmanian racing to local, national and international wagering markets
- 3) race club funding
- 4) provision of stakes
- 5) management of racing venues and tracks
- 6) management of race day operations.²

¹ <https://www.legislation.tas.gov.au/view/html/inforce/current/act-2004-062#HP2%40EN>

² <https://tasracingcorporate.com.au/about/what-we-do/>

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Tasracing is also responsible for publishing the Tasmanian Greyhound Rules of Racing, which incorporates the Tasmanian Greyhound Local Rules of Racing and Greyhounds Australasia Rules and is the core document governing greyhound racing in Tasmania.³

In effect, this means responsibility for the rules of greyhound racing in Tasmania relies on an entity that first and foremost holds a commercial interest in the continuation and promotion of greyhound racing. More concerningly still, it is Tasracing, the commercial entity, that holds responsibility for setting welfare standards for greyhounds. This includes key policies such as the

Greyhound Animal Welfare Manual, Breeders Education Package, Management & care for each stage in the lifecycle of a Greyhound, and Recommended Standards for the Care of Greyhounds.

Despite having both commercial and non-commercial entities involved in the governance of racing in Tasmania, the division of

responsibility between the two entities is alarmingly vague. This lack of clarity between the two entities was notably called out in 2022 by the Monteith Review, an independent inquiry initiated by the Tasmanian Government into racing regulations in Tasmania. The review noted *"a significant lack of confidence in the model of regulation of the industry, including concerns about the lack of clarity around the functions and powers of and between Tasracing and the Director of Racing (Director)/Office of Racing Integrity."*

"a significant lack of confidence in the model of regulation of the industry, including concerns about the lack of clarity around the functions and powers of and between Tasracing and the Director of Racing (Director)/Office of Racing Integrity."

Of particular concern to CPG is the fact that responsibility for stewards and their regulatory functions sits with Tasracing, which makes no mention at all of these functions in the six responsibilities listed on its website (see above). As this report will demonstrate, the Tasmanian model of combining commercial, financial and promotional responsibilities with regulatory functions generates unavoidable conflicts of interests, which result in poor regulatory strategies, actions and transparency.

At the time of this report, the governance framework across all three codes of Tasmania's racing industry is undergoing changes, largely in response to recommendations provided by the Monteith Review.

³

<https://nre.tas.gov.au/Documents/Tasmanian%20Greyhound%20Rules%20of%20Racing%2017-5-2023%20-%20with%20cover.pdf>

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Recommendation 1

That the Tasmanian Government introduce legislation to clearly separate regulatory functions from those relating to racing operations, commercial interests or promotion of the industry. Regulatory functions must rest with a statutory authority accountable to the Tasmanian Government.

CPG is also concerned that the *Racing (Tasracing Pty Ltd) Act 2009* specifies that board membership is limited to persons with expertise and experience in each of the three racing codes, and persons active in the racing codes. There is no representation from animal welfare groups.

Recommendation 2

That the Tasmanian Government amend the *Racing (Tasracing Pty Ltd) Act 2009* to:

- remove from section 25 the current eligibility of persons actively involved in the three racing codes to be nominated to the Board of Directors
- add to section 25 the eligibility of at least three persons with expertise and experience in animal welfare to be nominated to the Board of Directors.

The Tasmanian regulatory framework in practice

Doping: Greyhound racing is NOT a level playing field

Tasracing's doping controls are inadequate

The Tasmanian racing landscape is evidently in a state of flux as the Tasmanian Government reviews the racing regulatory framework. In the time since the release of the Monteith Review in June 2022, there has only been one Steward Inquiry Decision published in relation to greyhound racing rule violations.⁴ This is somewhat perplexing considering that during the 2021/21 financial year, eight decision reports were published, and in the 2020/2021 period, six were published.

The argument that this could be a result of a high level of compliance is negated by the fact that neither Tasracing nor ORI publish information about the number of kennel inspections, doping control samples and other regulatory activities. This points to a significant gap in oversight, jeopardising the welfare of racing greyhounds and the integrity of racing itself. That racing is able to continue when the responsible regulatory bodies are in such a state of dysfunction is no doubt putting the animals involved in the industry at an unacceptable level of risk and demonstrates a serious lack of controls in place to ensure racing in Tasmania is a level playing field.

Of the 20 steward reports published by ORI between July 2019 – June 2023, 15 related to doping offences, with one additional case relating to possession of a prohibited substance. This demonstrates that doping continues to be practiced in greyhound racing in Tasmania and existing measures are insufficient to deter these offences. It must be noted that in the absence of any information about how many doping control samples have been taken, it is not possible to assume that an effective doping control program is being implemented for Tasmanian greyhound racing.

Of the 15 doping offences, the following penalties were administered:

- in five cases, penalties were financial only, enabling offenders to continue to participate in racing despite presenting dogs with prohibited substances in their system at race meets,
- in six cases, offenders received suspensions or disqualifications ranging from 2-6 months,
- in the most serious doping incident, one offender received cumulative 12-month and 24-month suspensions for presenting one dog at a race with excess levels of testosterone present, and for injecting several greyhounds with a substance as part of his training practices in the days prior to an event,

⁴ <https://nre.tas.gov.au/racing/stewards-inquiries-decisions>

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- in only three cases were both fines and suspensions given for doping offences.

Unlike other jurisdictions, such as Victoria and NSW, there is no clear guidance surrounding the application of penalties and there seem to be no standard or minimum penalties to guide steward decisions. Instead, stewards often cite previous comparable Tasmanian or interstate decisions to support their determinations.⁵ This occurs in a general sense, without specific reference to comparable cases and appears to rely on a flawed system of generalisations across multiple jurisdictions that are by no means consistent with or collectively representative of best practice.

Recommendation 3

That the Tasmanian Government amend the racing legislation to mandate penalties for breaches of doping-related rules, with appropriate provision for the decision makers to consider specific circumstances. For repeat offenders a penalty higher than the minimum penalty must apply.

Inappropriate mitigating factors considered when reducing penalties

Some of the explanations considered by ORI when determining penalties have included inappropriate mitigating factors as follows.

- In several instances, stewards took into account the fact that a greyhound returning a positive test for a prohibited substance did not appear to have improved its race performance. This indicates that these decisions are entirely concerned with the perceived integrity of racing, not the welfare of greyhounds being given potentially dangerous substances intended to improve performance or mask injuries.⁶ Further, it also ignores the obvious possibility that races are being fixed.
- In a case of a greyhound testing positive to a Schedule 4 (prescription only) substance, without that substance having been prescribed by a vet, the trainer's well documented recording of that drug in a treatment book was taken into consideration. According to the decision report, the trainer did not possess "*any lawful instructions on how to administer the substance and at what dosage.*"⁷ Despite this, there is no evidence to suggest this incident was reported to the Australian Pesticides and Veterinary Medicines Authority, which is the Australian regulator of veterinary medicines and has enforcement powers.
- In the case of a greyhound testing positive for both codeine and morphine as a result of contamination from the trainer's own personal medication, no information was

⁵ See, for example: <https://nre.tas.gov.au/Documents/2023-05-10%20-%20Trent%20Anthony.pdf>

⁶ See, for example: <https://nre.tas.gov.au/Documents/2020-11-20%20-%20Rachael%20Moate.pdf>; <https://nre.tas.gov.au/Documents/2022-05-17%20-%20Graeme%20Moate.pdf>

⁷ <https://nre.tas.gov.au/Documents/2020-06-11%20-%20Michael%20Sutcliffe.pdf>

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provided as to whether the trainer did in fact have a personal prescription for either controlled substance.⁸

Given that greyhound racing exists only for wagering, it is surprising to see such a lax attitude by the regulator towards doping. No regulator detects 100% of offences committed, so the doping cases published by Tasracing are an underestimate of the real rate of doping in the industry. This is compounded by the fact that Tasracing provides no information about its doping control program (see below).

This is in stark contrast to human athletes, where a doping offence usually results in immediate suspension and (after completion of an investigation and hearing) sanctions of several years, which often are career limiting. Article 2 of the WADA World Anti-Doping Code⁹ (which is adopted in Australia) specifies very clearly that the presence of a banned substance is a strict liability offence:

“2.1.1 It is the Athletes’ personal duty to ensure that no Prohibited Substance enters their bodies. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, Fault, Negligence or knowing Use on the Athlete’s part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.”

This demonstrates the need for the Tasmanian Government to provide certainty to the decision makers about the seriousness with which it views doping in greyhound racing.

Recommendation 4

That the Tasmanian Government amend the racing legislation to:

- make the presence of a prohibited substance in a greyhound a strict liability offence, and
- allow for provisional suspension of those presenting a greyhound with a prohibited substance.

⁸ <https://nre.tas.gov.au/Documents/2022-05-25%20-%20Lynden%20Nichols.pdf>

⁹ https://www.wada-ama.org/sites/default/files/resources/files/2021_wada_code.pdf

Detected doping is an underestimate of the real doping rate

Neither ORI or Tasracing publish information about the number of out-of-competition samples taken. Moreover, all Steward Inquiry Decision reports about doping in the 2019-2023 period relate to positive samples taken at race meetings, either pre- or post-race. Data on the total number of swabs taken is not useful. While ORI publishes the number of swabs taken by stewards in their annual report, this number represents all three codes of racing. There is no clear breakdown of greyhound, thoroughbred or harness swabs taken and the figure even includes swabs taken from humans.¹⁰

This would suggest that there is a serious lack of oversight with regard to doping in Tasmania. As outlined in CPG's report into the current state of greyhound racing regulation in South Australia,¹¹ out-of-competition controls and intelligence-driven doping control strategies are crucial to the integrity of racing. A lack of such oversight is out of step with best practice doping controls identified by the World Anti-Doping Agency (and implemented in Australia by Sport Integrity Australia) decades ago.

Relying on in-competition testing gives those trainers seeking to gain an unfair competitive advantage a date around which to arrange their doping programs. This means that the number of positive samples detected by ORI are certainly an underestimate of the actual doping rate. Trainers with the knowledge and experience to understand how long substances remain detectable will be able to avoid detection. It is therefore inevitable that greyhound racing in Tasmania is not a level playing field and that greyhounds are being exposed to a range of performance enhancing and injury-masking substances that will impact their potential to reach their expected lifespan.

This, together with the utter lack of transparency about how many samples are taken and when they are taken, suggest that those betting on Tasmanian greyhound races might be betting on fixed races.

Recommendation 5

That ORI:

- develop and implement an intelligence-driven doping control program that is consistent with the approaches and strategies implemented by Sport Integrity Australia, and
- publish comprehensive information about the doping control activities undertaken.

¹⁰ <https://nre.tas.gov.au/Documents/NRE%20Tas%20Annual%20Report.PDF>

¹¹ <https://greyhoundcoalition.com/racing-regulation/>

Animal welfare concerns

CPG's assessment of the Tasmanian racing industry has revealed an alarming disregard for the welfare of greyhounds and a serious lack of oversight in ensuring compliance with inadequate welfare standards and expectations.

Case study: repeat offender celebrated by industry

Despite a track record of integrity and welfare issues, the industry continues to celebrate a trainer who has racked up an extensive collection of steward penalties, repeatedly been fined for doping offences and has received fines for presenting greyhounds at race meets with serious injuries or illnesses.¹²

In an incident during February 2022, the trainer received a \$1500 fine, half of which was suspended for 12 months, for administering an unprescribed schedule 4 medicine¹³. No suspension was issued and the trainer's extensive duration in the industry and "acknowledgement of his error" were taken into consideration as mitigating factors. Most alarming about this incident, however, was the negligence of the trainer, the dire circumstances experienced by the greyhound involved and that these circumstances did not appear to be subject to penalty or further interrogation.

According to the Steward Decision Report, the greyhound broke down during trials and fractured his right front foreleg.¹⁴ Although the trainer took the greyhound to a vet that evening, the trainer decided to leave the clinic. A witness to what happened at the clinic claimed the way the greyhound was treated by the trainer caused significant and unnecessary pain.¹⁵ However, the Steward Decision Report makes no mention of this, nor is there any indication that the witness (who was prepared to make a statement) was approached for their version of events. CCTV footage of what occurred at the clinic was available, but the report made no mention of this, or if it was used.

The greyhound was euthanised the following morning. An investigation that does not collect and assess all available evidence cannot be considered to be in any way adequate and therefore serious doubts remain about the quality of the decision made in relation to this case.

That same month, the trainer again received a Leading Trainer award (for the seventh year in a row) at the annual awards dinner hosted by Tasracing and Launceston Greyhound Racing Club. Notably, the trainer did not receive a disqualification, indicating that in this case continuity of racing was prioritised despite the trainer's track record and the suffering experienced by the greyhound. This trainer was recently disqualified for life for using animal parts to train greyhounds (see below).

¹² <https://tasmmps.greens.org.au/parliament/anthony-bullock-greyhound-training>

¹³ Schedule 4 substances require a prescription from a veterinarian or medical practitioner

¹⁴ <https://nre.tas.gov.au/Documents/2022-04-20%20-%20Anthony%20Bullock%20-%20TAH%20BERNARD.pdf>

¹⁵ <https://tasmmps.greens.org.au/media-release/greens-back-calls-new-racing>

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Recommendation 6

That the Tasmanian Government amend the racing legislation to mandate penalties for breaches of animal welfare-related rules (subject to Recommendation 9), with appropriate provision for the decision makers to consider specific circumstances. For repeat offenders a penalty higher than the minimum penalty must apply.

Tasracing welfare standards treat greyhounds as second class dogs

Despite having responsibility for the Rules of Racing and several documents relevant to welfare standards, Tasracing evidently does not prioritise welfare. This is unsurprising given its role as the corporate entity responsible for, and profiting from, racing. This has resulted in the acceptable welfare standards for greyhounds being substantially lower than that expected for any other breed of dog in Tasmania.

In addition to the Rules of Racing, Tasracing is also responsible for publishing the *Recommended Standards for The Care of Greyhounds*, the *Greyhound Animal Welfare Manual*, and the *Management and Care for each stage in the lifecycle of a Greyhound*.

The *Recommended Standards for The Care of Greyhounds* outlines the recommended (not mandatory) minimum standards for the kennelling and housing of greyhounds. However, when comparing these guidelines with the Tasmanian Government Department of Natural Resources and Environment's *Animal Welfare Guidelines for Dogs*, there are notable discrepancies between minimum recommended welfare standards.

For example, in the Standards, the minimum kennel area for a greyhound is 3m², with a minimum width of 1m and minimum height of 1.5m, with an additional 1.5m² for any additional greyhounds.¹⁶ This is inconsistent with the Tasmanian Government standards and guidelines which state for a dog >60cm in height (according to GAP greyhounds range from 60-70cm in height), minimum floor area should be 3.5m², a minimum of 1.2m in width and 1.8m in height, with an additional 1.7m² for each additional dog.¹⁷

The Tasmanian Government standards, which are approved under the *Animal Welfare Act 1993*, also stipulate that a weaned dog "must have the opportunity to exercise for a total of at least 60 minutes each day".¹⁸ The only exception to this is if there is written evidence from a veterinary surgeon that the dog should not undertake such exercise, or if the person with care or charge of the dog can demonstrate the dog has an injury or illness. There is no indication that this minimum should be different based on breed. However, according to the

¹⁶ https://tasracingcorporate.com.au/wp-content/uploads/2013/01/12907777_45recommendedstandardsfor1.pdf

¹⁷ <https://nre.tas.gov.au/biosecurity-tasmania/animal-biosecurity/animal-welfare/legislation-standards-guidelines/animal-welfare-standards-guidelines/animal-welfare-guidelines/dogs>

¹⁸ <https://nre.tas.gov.au/biosecurity-tasmania/animal-biosecurity/animal-welfare/legislation-standards-guidelines/animal-welfare-standards-guidelines/animal-welfare-guidelines/dogs>

Conflicts of interest interfere with effective regulation

Tasracing standards, the minimum exercise allowance for greyhounds is 10 minutes twice a day,¹⁹ substantially less than that outlined by the Government guidelines.

In Tasracing's Greyhound Animal Welfare Manual, several attempts to justify this lesser treatment are offered. In one startling contradiction, the Frequently Asked Questions section of the document answers the following questions:²⁰

- **"Why should greyhounds be confined for long periods?"**

Greyhounds are relaxed animals that demonstrate this behaviour no matter how they are confined. Whether in kennels, yards or runs they mainly eat and rest.

Regular exercise is required but not for long periods.

Their temperament differs markedly to 'working' dogs like kelpies or border collies.

- **How many greyhounds are injured during racing?**

Like all sports involving elite athletes, greyhounds suffer from a range of injuries."

That such a lack of logic is published by the Tasmanian Government in the 21st century is a disservice to the Tasmanian public. Human athletes are not killed when they break a leg, but this is what happens to greyhounds. And anyone who has lived with a pet greyhound knows that they do laze about for long periods, but they certainly are active for a lot more than 10 minutes twice daily when allowed to express natural behaviours.

Recommendation 7

That kennelling requirements for greyhounds be brought into line with the Tasmanian Government Department of Natural Resources and Environment's *Animal Welfare Guidelines for Dogs*.

¹⁹

https://tasracingcorporate.com.au/wp-content/uploads/2013/01/12907777_45recommendedstandardsfor1.pdf

²⁰

<https://tasracingcorporate.com.au/wp-content/uploads/2013/01/Greyhound-Animal-Welfare-Manual-30-April-20151.pdf>

ORI and Tasracing whitewash of animals kept in unacceptable conditions

Recent media reports have revealed the abysmal conditions to which some industry participants subject greyhounds in their care. The reports provided details of the conditions, including video footage and images, showing greyhounds kept in small tin sheds and concrete kennels with nothing but shredded newspaper for bedding; others were left to lie in kennels on mounds of dirt or on bare concrete.

Noting the Tasmanian winter reaches temperatures below zero, the video footage and reports show dogs that were not provided with blankets and coats to protect them from the harsh elements. Images from one property showed greyhounds kept near a horse carcass and several dead pademelons. At another property, greyhounds were kept in kennels which were in close proximity to an abattoir.²¹

ABC NEWS

Top greyhound trainer Anthony Bullock facing ban over 'lure' allegation, as animal welfare concerns dismissed by integrity watchdog

By state political reporter Adam Langenberg

Posted Fri 15 Sep 2023 at 3:46pm, updated Fri 15 Sep 2023 at 7:04pm



A greyhound lies on shredded paper at the property of Tasmanian trainer Anthony Bullock. (Animal Liberation Tasmania)

"a couple of the stewards reckon we have the best kennels in the state"

²¹ <https://www.abc.net.au/news/2023-08-03/greyhound-trainer-anthony-bullock-under-investigation/102684048>

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Dogs can be seen barking at the drone in the footage. Image / ALT

The owner of one of the exposed properties has claimed "*a couple of the stewards reckon we have the best kennels in the state*",²² which, if substantiated, is a damning assessment of the state of kennelling conditions in Tasmania. These substandard conditions also speak volumes of the poor conditions the regulator and the Tasmanian Government are willing to tolerate to enable the industry to continue with minimal regard for the dogs in their care.

The investigation report on this property glosses over a number of significant animal welfare concerns as follows.²³

1. The kennels are not insulated. As insulation of kennels is a recommendation in the *Tasmanian Greyhound Animal Welfare Manual*, and not a requirement, this was noted only "*to develop an intelligence picture*" (page 6). Given Tasmania has cold winters, kennels and buildings, within which greyhounds are housed, must be insulated.
2. In relation to the absence of dry bedding, the stewards made a notation that "*This was assessed by the stewards, who considered that the absence of dry bedding was less likely to be as a result of negligence by the trainer, rather than the removal of material by the occupying animals.*" This is not surprising, given that the video footage shows the bedding to consist of shredded paper. CPG is of the strong view that this is inappropriate bedding material and that the *Tasmanian Greyhound Animal Welfare Manual* be amended to mandate standards at least equivalent to those in the GWIC Animal Welfare Code of Conduct.²⁴

²² <https://www.abc.net.au/news/2023-08-11/tas-greyhound-trainer-responds-after-release-of-activist-footage/102714168>

²³ <https://nre.tas.gov.au/Documents/Investigation%20Report%20Anthony%20BULLOCK.pdf>

²⁴ https://www.gwic.nsw.gov.au/_data/assets/pdf_file/0011/893225/Code_of_Practice_A4_24pp_FNL.pdf

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3. Veterinary inspection of the greyhounds revealed the presence of fleas, intestinal parasites and poor dental hygiene (page 7). Blood samples were taken only from four of five dogs with mild dehydration, which confirmed dehydration and, in two of the dogs, anaemia. Despite this, the report concluded that the "*standard of animal welfare of the dogs and horses were generally acceptable.*"

Recommendation 8

That the *Tasmanian Greyhound Animal Welfare Manual* be amended to mandate:

- insulated kennels that protect greyhounds from temperatures lower than 16°C or higher than 26°C, consistent with GWIC's Greyhound Welfare Code of Practice,
- raised beds with bedding that is warm, soft, dry and large enough for a greyhound to lie on while completely stretched out, and
- mandate dental health checks, external and internal parasite control, as well as provision of vet care.

4. The report notes that animal carcasses, or parts therefore, including horses and native animals, were present on the property. It also notes that the trainer slaughters animals at the premises, presumably to feed the greyhounds. ORI and RSPCA Tasmania agreed that this matter should be investigated by stewards "*to determine if any of the circumstances warrant the issue of a charge under the Rules of Racing.*" CPG has serious concerns about the welfare of these animals and questions this agreement. The *Animal Welfare Act 1993* includes more serious consequences for animal cruelty, including imprisonment.

CPG is concerned that, by pursuing the lowest level regulatory scheme (i.e. racing rules instead of State law), this person is being protected from consequences that other Tasmanians would face if they were found to have animal carcasses and body parts scattered over their property.

Recommendation 9

That the *Tasmanian Greyhound Rules of Racing incorporating Tasmanian Greyhound Local Rules of Racing and Greyhounds Australasia Rules* (Local Rules) be amended to require any person registered with Tasracing who, by omission or direct action causes the death of an animal, or causes an animal to be in such condition that euthanasia is the only option, to be:

- referred to a relevant body for investigation and possible prosecution under the *Animal Welfare Act 1993*,
- suspended from any further participation in greyhound racing while the investigation and prosecution is in progress, and

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- banned from any involvement in greyhound racing for life if convicted under the *Animal Welfare Act 1993*.

This case raises questions about Tasracing's inspection programme. As detailed below in Table 6, there is no data published about the number of kennelling inspections, nor is there any evidence to suggest there are inspections to monitor whelping conditions or socialisation processes. In the absence of such information, Tasmanians cannot be assured that Tasracing takes animal welfare compliance activities as seriously as it does its responsibilities to promote the racing industry and attract sponsorship revenue.

This reinforces Recommendation 1 in this paper - that the Tasmanian Government must establish a regulatory framework which completely separates the entity responsible for regulating the industry from any responsibilities relating to the industry's commercial operations and financial wellbeing.

'Disappeared' greyhounds

Under the welfare section of the Tasmanian Rules of Racing, it is stipulated that notice must be lodged with the Controlling Body (ORI) within a specified timeframe when greyhounds leave their registered kennel address. These requirements are an important provision for allowing the tracking of greyhounds in the industry. However, in practice, consequences for failing to notify that a greyhound has left an owner's care appear to be so lenient they are unlikely to have any meaningful impact on encouraging industry participants to fulfil their responsibilities with regard to whole-of-life tracking.

For example, it was discovered during one kennel inspection by stewards that an industry participant had failed to notify about six greyhounds that had left his care and custody. It is unclear from the Steward Inquiry Decision precisely how much time had passed since the greyhounds had left the participant's care. However, the participant received only a reprimand for the breach and for failing to produce a treatment logbook. The decision report provides no information about the location or welfare of the transferred greyhounds.²⁵

The inability of the industry to rehome greyhounds at the end of their racing career is a well-known problem resulting from overbreeding.²⁶ This leads to greyhounds being neglected²⁷ and 'disappeared'. This is compounded when industry regulators fail to properly investigate the fate of greyhounds that have 'disappeared', as in this example. In the absence of serious consequences, CPG expects more greyhounds to 'disappear' in Tasmania.

²⁵ <https://nre.tas.gov.au/Documents/2020-06-04%20-%20Richard%20Hall.pdf>

²⁶ <https://greyhoundcoalition.com/exposing-the-issues/a-gaping-hole-in-the-industry/>

²⁷ <https://greyhoundcoalition.com/exposing-the-issues/industry-neglect-of-greyhounds/>

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Recommendation 10

That Local Rules be amended to specify that any person responsible for a greyhound, who cannot provide evidence of its whereabouts, receive an automatic disqualification from racing for a minimum of 12 months per greyhound.

Using animal parts for training greyhounds

The trainer mentioned above has been banned for life for breaching Greyhounds Australasia Rule 159(3), related to the alleged possession of an animal part reasonably likely to be capable of being used as a lure.²⁸ This is a serious offence and CPG is pleased that a life ban was issued.

CPG is of the view that any dogs trained by this person must not race, because continued racing will exacerbate any behavioural issues. In Tasmania there is currently nothing to prevent these dogs from being transferred to another industry participant, and to continue racing. CPG is of the strong view that dogs trained by chasing animal parts creates behavioural issues that will interfere with their chances of being rehomed at the end of their racing career.

Therefore any greyhounds that are known to have been trained at facilities where the use of animal parts is suspected, should immediately be suspended from any further racing and given a behavioural assessment. If the use of animal parts is confirmed, they must undergo behavioural training to increase their chances of finding a home as a pet.

Recommendation 11

That the Tasmanian Government amend the racing legislation to ensure all greyhounds that have been trained at a facility, where the use of live animals and/or animal bodies/parts is:

- suspected, be removed from further racing and given a behavioural assessment, and/or
- confirmed, undergo behavioural training to maximise their chances of transitioning to life as a pet.

²⁸ <https://www.abc.net.au/news/2023-10-25/tas-greyhound-trainer-anthony-bullock-given-lifetime-ban/103018570>

Transparency

While the annual reports published by Tasracing and ORI provide some insights into welfare across the industry, much of the relevant data is either insufficiently reported or irregularly reported. In the case of Tasracing, their annual reports focus primarily on the performance of the industry, as is to be expected of a corporate entity. Meanwhile, ORI's annual report offers only two pages of data on the combined three codes of racing it regulates. ORI has, however, recently commenced publishing quarterly reports on greyhound breeding, race injury and retirement, which is a welcome development.

Much of the information on breeding services and the number of industry participants was last provided by a Tasracing commissioned report by the consultancy IER.²⁹ This report, published in 2021 and intended to showcase the positive value of the racing industry, provided some additional insights on the number of industry participants, breeders, owners and trainers based on 2019 data. Tasracing has commissioned IER to undertake another report for the 2021/22 period, but despite an expected release in late 2022, the report is not yet available. It should also be noted that IER reports are not based on independently audited data, which raises serious conflict of interest concerns.³⁰

Greyhound welfare information

The following tables provide a breakdown of information currently made available by ORI and Tasracing.

Table 1. Published injury rate

Tasracing injury summary report ³¹	Number of starters	Number of injuries	Published injury rate
2020-21	12,127	369	3.04%
2021-22	11,887	294	2.47%
2022-23	11,828	303	2.56%

The published data shows an injury rate between 2% to just over 3% during the past three years. However, using the number of starters to report the injury rate is grossly misleading from a welfare perspective, as it does not provide any insight into the actual number of dogs injured. Each greyhound will race multiple times during the year, so using the number of starters means each individual dog is counted many times. This dramatically

²⁹ <https://tasracingcorporate.com.au/wp-content/uploads/2021/10/TASRACING-FINAL-2021-LR.pdf>

³⁰ <https://greyhoundcoalition.com/industry-economic-misinformation/>

³¹ <https://tasracingcorporate.com.au/greyhound-injury-summary-report/>

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underestimates the injury rate and conceals how many dogs are left injured by the industry.

Using data collected from published Steward Decision Reports for 2022/23,³² CPG has been able to calculate the number of individual greyhounds reported to have raced in Tasmania in that period, finding 767 individual dogs. Using these data, we have been able to calculate an injury rate using the number of individual dogs raced. Using this method, the actual injury rate for 2022-23 was 39.5%.

Table 2. Actual injury rate

Annual report	Number of individual greyhounds	Number of injuries	Actual injury rate
2022-23	767	303	39.5%

Unfortunately, due to insufficient data available for 2021/22 and 2020/21, CPG has not been able to repeat this calculation for those years.

The 2022/23 data presents a bleak picture of the reality of injuries in the industry and has serious implications for the welfare, rehoming, quality of life and lifespan of about 40% of the racing greyhounds that are physically injured by the industry each year. Further, the consequences of this are often passed on to rehoming groups who, already stretched thin, are left to care for these dogs. This includes having to fund medical treatment, rehabilitation and extensive care prior to being deemed suitable for rehoming. Worse still, those greyhounds with permanent injuries will be at a disadvantage when it comes to rehoming.

The following tables show information made available about greyhound breeding and welfare in Tasmania.

Table 3. Breeding and rehoming information

Welfare information	Published (Y/N)	Notes
Number of breeding services provided	N	A Tasracing commissioned report by IER published in 2021 provided the number of breeders based on 2019 data, but not number of breeding services.

³² <https://nre.tas.gov.au/racing/greyhound-racing/stewards-reports-greyhound/2022-2023>

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Welfare information	Published (Y/N)	Notes
Number of surgical artificial inseminations	N	No information to suggest this information is collected
Number of dogs bred	Y	Tasracing annual report, noting that this is self-reported data provided to the national OzChase system, and data has not been independently verified.
Number of dogs sent to GAP	Y	ORI quarterly breeding, race injury and retirement reports
Number of dogs rehomed	Y	Tasracing annual report

Table 4. Injuries and deaths information

Welfare Information	Published (Y/N)	Notes
Number of injuries on track	Y	ORI steward reports and quarterly injury reports provide racing-related injuries, no distinction between on track vs. trial. Tasracing Annual Report also provides on-track injury data.
Number of injuries at trials	Y	As above.
Injury data broken down to injury categories?	Y	ORI steward reports and quarterly injury reports; Tasracing Annual Report.
Reviews of track injuries completed	N	No indication to suggest reviews are conducted
Number of dogs euthanised/died due to illness	Y	ORI quarterly injury reports, based on information reported by owners to the OzChase national system

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Welfare Information	Published (Y/N)	Notes
Number of dogs euthanised by GAP	Y	ORI quarterly breeding, race injury and retirement quarterly reports. Tasracing Annual Reports provide the number of dogs euthanised in their 'greyhound retirement data' section, but it is unclear if this is when in the care of GAP.
Number of dogs euthanised/died on track	Y	ORI quarterly breeding, race injury and retirement reports
Number of euthanasia/deaths at trial	Y	ORI quarterly breeding, race injury and retirement reports
Number of dogs that died of natural causes	Y	ORI quarterly breeding, race injury and retirement reports
Reviews of greyhound deaths	N	No information to suggest reviews of greyhound deaths are conducted.

Tables 3 and 4 indicate that while some data are made available on breeding, injuries, deaths and rehoming of racing greyhounds in Tasmania, there remains room for improvement. While the introduction of ORI's quarterly breeding, race injury and retirement reports are a welcome initiative, these reports would demonstrate a stronger commitment to welfare if they published the injury rate based on number of individual dogs rather than starters.³³

Additionally, efforts should be made to collect data on greyhounds retired to adoption programs other than GAP, in order to provide a fuller picture of retirement outcomes. This should include information about how the Tasracing kennel inspection program evaluates greyhound socialisation programs implemented by breeders and trainers.

³³ <https://greyhoundcoalition.com/media-resource/the-starts-concept-fudging-the-stats/>

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Recommendation 12

That ORI continue to publish its quarterly breeding, race injury and retirement data, but that it improve the quality and transparency of this data so that it demonstrates a genuine commitment to welfare. This should include:

- calculating injuries based on number of dogs rather than number of starters,
- collecting more comprehensive data on retirement to include greyhounds retired to programs other than the industry's GAP, and
- implementing a regulatory strategy to ensure that those involved in the industry fulfil their obligation to socialise all greyhounds in order to give them the best chance of becoming pets at the end of their racing career.

This strategy must include inspections of socialisation programs and an assessment of their effectiveness, as well as collecting feedback from GAP and volunteer based greyhound rescue organisations. This information must be published.

Regulatory information

Table. 5. Licensing and training information

Welfare Information	Published (Y/N)	Notes
Greyhound welfare committee minutes/advice available	N	No information to suggest such a body exists.
Pre-licensing animal welfare competency assessment	N	No information exists to suggest such assessments occur. Licensing applications require only that the applicant "submit an acknowledgement" that they have the financial resources to maintain welfare.
Ongoing mandatory welfare training for industry participants	N	No information to suggest mandatory training exists.

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Table 6. Tracking, controls and regulatory information

Welfare Information	Published (Y/N)	Notes
Whole of life tracking	N	Tasmanian Government yet to implement recommendation from 2016 Joint Select Committee Report into Greyhound Racing, which called for the establishment of a whole-of-life tracking database.
Number of trainers	Partial	Data provided in IER 2021 report based on 2019 data. No up-to-date information available.
Number of breeders	Partial	Data provided in IER 2021 report based on 2019 data. No up-to-date information available.
Number of owners	Partial	Data provided in IER 2021 report based on 2019 data. No up-to-date information available.
Doping control sample numbers	N	ORI annual report provides collective data for all three codes of racing
Out of competition sample numbers	N	No information available
Number of positive samples	N	ORI annual report provides collective data for all three codes of racing
Number of inspections	N	No information available
Number of unannounced inspections	N	No information available
Number of intelligence driven inspections	N	No information available
Number of new property inspections	N	No information available

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Welfare Information	Published (Y/N)	Notes
Number of whelping related inspections	N	No information to suggest this occurs
Inspection of greyhound socialisation processes	N	No information to suggest this occurs

Tables 5 and 6 indicate a serious lack of oversight across licensing and training expectations as well as accountability. The absence of a welfare body and the evident lack of publicly available reports into welfare-related incidents put greyhounds in Tasmania at unacceptable risk of harm and mistreatment. This can subsequently jeopardise their rehoming potential at the end of their time in racing due to behavioural issues and potential lifelong injuries. More transparency regarding the number of inspections is essential to demonstrate to the public that welfare is taken seriously.

The lack of regularly updated information on breeders, trainers and owners means it is essentially impossible to ensure there is sufficient welfare oversight within the industry. Accurate and transparent records of this information are critical to ensuring greyhound welfare.

Recommendation 13

That ORI publish comprehensive information about how Tasracing performs as a regulator of the greyhound racing industry and how well they ensure the welfare of greyhounds that race in Tasmania. The information gaps identified in this report must be addressed.

Conclusions

Based on the evidence presented by CPG in this report, it must be concluded that the greyhound racing regulatory framework in Tasmania is ineffective and compromised by Tasracing's conflicting responsibilities.

It is clear that those betting on greyhound racing in Tasmanian can have no confidence that they are betting on a level playing field. The absence of any out-of-competition testing data, and the recent lack of inquiries into breaches of the Rules of Racing, both demonstrate that integrity and fairness have fallen by the wayside.

There can be no confidence that greyhound racing in Tasmania plays by the rules until out-of-competition and intelligence-driven doping control programs are conducted, that data is published, and industry participants breaching the rules are adequately held to account.

Furthermore, evidence canvassed in this report demonstrates there is a deeply ingrained disregard for the welfare of greyhounds in the Tasmanian racing industry. This disregard appears to be shared by the racing regulatory bodies, the Tasmanian Government and industry participants themselves. Sub-standard and non-binding kennelling requirements, a failure to implement whole-of-life tracking, and a lack of consideration for the welfare of greyhounds (when deciding on penalties for breaching the Rules of Racing), point to an industry entirely committed to profit at the expense of welfare and integrity.

CPG's view is that the Tasmanian greyhound racing industry has failed to deliver the reforms that are necessary to prioritise the welfare of greyhounds over wagering profits - therefore this industry must be phased out. If this is not supported by the Tasmanian Government, then it must establish an independent statutory authority with strong regulatory powers and the ability to apply sanctions with significant deterrent effect. To avoid the current conflicts of interest, this authority can have no responsibilities for the commercial viability or marketing of the industry.