



Submission



Review of the Animal Care and Protection Act 2001

Prepared by Coalition for the Protection of Greyhounds

May 2021

End greyhound suffering

Introduction

The Queensland Government is seeking community views on a review of the current legislative framework of the Animal Care and Protection Act 2001 (Qld) (the Act) which aims to improve the welfare of animals in Queensland.

This submission is made by the Coalition for the Protection of Greyhounds (CPG). CPG is specifically concerned with the following areas of the review:

1. the purposes of the Act in section 3; and
2. the prohibited events detailed in Part 3 of the Act.

3 Purposes of the Act

Question.

One of the purposes of the ACPA is to “...achieve a reasonable balance between the welfare needs of animals and the interests of people whose livelihood is dependent on the animals...”.

This purpose is still suitable with increased animal welfare expectations and consumer preferences.

- Strongly agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Strongly disagree

If you disagree, what do you think the purpose should be?

CPG Response

The current wording be amended to read:

3(b)(i) ensure the welfare needs of animals.

Justification – Duty of Care to animals

CPG strongly disagrees that section 3(b)(i) of the Act is appropriate. The current wording allows the euthanasia of greyhounds that have incurred treatable injuries during training, trialling and racing. However, euthanasing in those circumstances is in contravention of the duty of care required in accordance with section 17(3)(a)(iv) of the Act which states:

'a person breaches the duty only if the person does not take reasonable steps to—
(a) provide the animal's needs for the following in a way that is appropriate;
(iv) the treatment of disease or injury.'



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Clearly, the application of section 3(b)(i) of the Act has produced perverse outcomes in that the “reasonable balance” in this instance is entirely in favour of those using greyhounds for profit in a manner that disregards veterinary treatment options.

Evidence

CPG analysed thousands of official stewards’ reports including those produced by Racing Queensland to produce new research: “[Lethal tracks 2020 - track-related deaths and injuries](#)”. This report shows that 87.1% of the 202 greyhounds euthanased on Australian racetracks in 2020 suffered leg fractures. These types of injuries are not lethal and can be treated.

Justification - community expectations of animal welfare

CPG strongly disagrees that section 3(b)(i) of the Act is appropriate due to the massive shift in public opinion regarding animal welfare in the last twenty years ie there are “increased animal welfare expectations and consumer preferences”.

CPG asserts that the Act's purpose is no longer being served based on community expectations. Most obviously, the public is regularly outraged at the minor penalties incurred by those who inflict animal cruelty.

Backed by academic research, there also is growing awareness that animal abusers become abusers of their fellow humans¹.

Finally, while the evidence shows that most Australians do not support greyhound racing and consider it cruel, they are also concerned about the welfare of farm animals. CPG submits that the legislative framework governing animal care in Queensland must be amended to differentiate between animals used in the human food chain and animals used for entertainment and gambling.

There is a fundamental difference in the way the Australian public views these two groups of animals. The majority of Australians believe it is a priority to improve the welfare of farm animals. They also consider the treatment of racing greyhounds is inexcusable as most Australians have no interest in gambling on activities involving animal cruelty.

Evidence

There are many examples of the shift in public attitude outlined above, as well as global surveys which show Australia has slipped to a remarkably low position in the rankings when it comes to animal welfare.

¹ <https://www.humanesociety.org/resources/animal-cruelty-and-human-violence-faq#connection>



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These sources are annotated and listed below:

1. Australia's [poor global ranking](#) on animal welfare (at 44th out of 50 countries) is clear evidence that the ACPA (like most state-based animal welfare law in Australia) is falling way behind current public opinion in this country. The report is critical of Australia's overall regulatory approach and highlights our country's appalling greyhound racing industry.
 - On Australia's state-based laws and its failure to finalise a uniform national approach: *'...enforcement mechanisms in existence lack uniformity... The withdrawal of funding and government resources demonstrates that the welfare of animals used for draught and recreation is no longer a priority for the government. Existing regulations at state and territory level suggest that some improvement should be possible on a regional basis and representatives from state and territory governments are encouraged to continue with the work previously undertaken by the Animals used for Work, Recreation, Entertainment and Display Working Group'*
 - In 2015, Greyhounds Australasia admitted being responsible for the 'unnecessary deaths' of between 13,000 and 17,000 greyhounds a year, simply because the dogs are too slow to race². As reported on [ABC's 7.30 Report](#), cases of greyhounds being drugged with cocaine, caffeine and anabolic steroids to run faster have existed for years."
2. Given that greyhounds are bred, used and then culled by the racing industry, just like farm animals, public attitudes on how this group of animals are treated are also highly relevant. The Federal government commissioned a report by consultancy group FutureEye - '[Australia's Shifting Mindset on Farm Animal Welfare](#)' – which was based on the results of national surveys and focus groups across the country. It shows:
 - the public distrusts government agencies charged with regulating farm animal welfare,
 - the public believes the livestock industry is too secretive about on-farm activities,
 - these factors are driving growing outrage about farm animal welfare,
 - 76 per cent of Australians saying whistle-blowing by activists about farm animal welfare should be encouraged (with 20 per cent undecided and only four per cent disagreeing),
 - there was no difference in views between people in capital cities or regional towns.

² <http://greyhoundcoalition.com/wp-content/uploads/2021/02/greyhounds-australasia-crisis-to-recovery-program.pdf>



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3. The RSPCA is one of the organisations in this country best placed to assess where public opinion lies regarding animal welfare. They have [said publicly](#) that the increase in animal-based activism is part of a global trend and shows no sign of abating:
 - *"Government regulators and the livestock sector must show meaningful leadership. That means actually doing something to improve animal welfare and making information about what's being done publicly available. Australians want real animal welfare improvements."*
4. When it comes to greyhound racing, there is specific evidence of the lack of public support for the industry identified in [public opinion surveys and polls](#). It is obvious that Australian government animal welfare laws are totally out of step with today's public attitudes. Given this, the Queensland Racing Integrity Commission's negligible penalties for greyhound industry infractions are wholly unacceptable.

There is clear evidence that the public does not support greyhound racing, views it as a cruel sport and is concerned about how the dogs are treated. It is also clear that Queensland's 20-year-old animal welfare laws need considerable improvement. Further evidence of Australian public opinion on animal welfare is available [here](#).

Conclusion

CPG submits that the legislative framework governing animal care in Queensland must be amended to:

1. differentiate between animals used in the human food chain and animals used for entertainment and gambling,
2. clarify that duty of care provisions in the Act apply to any injuries incurred during racing or entertainment related use of animals, and
3. indicate there is no longer any social licence for greyhounds – which are used for entertainment – to be treated any differently to companion animals when it comes to their rehabilitation and re-homing after injury or being retired from racing.

CPG is willing to be a stakeholder and contribute to the development of these amendments.

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4 Prohibited events

Question.

The current prohibited event provisions are appropriate

- Strongly agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Strongly disagree

If you disagree, what would you change?

CPG Response

CPG strongly disagrees that the current prohibited event provisions are appropriate. CPG submits that the prohibited events provisions should be amended to include the following event:

- 'A greyhound race held on a track that is:
 - not a straight track,
 - that involves more than six greyhounds, and
 - has a lure less than two metres from the rail.'

Justification

CPG submits that greyhound racing events that do not meet the above three criteria are in contravention of section 3(c) of the Act, which specifies that the '*...purposes of the Act are to do the following – (c) protect animals from unjustifiable, unnecessary or unreasonable pain.*'

Evidence

The data presented in the CPG Report [Lethal Tracks 2020](#) show that 40 greyhounds died on Queensland racetracks in 2020 and there were 1389 injuries.

A 2016 report commissioned by Greyhound Racing NSW (GRNSW) and prepared by the University of Technology Sydney (UTS), "*Identifying Optimal Greyhound Track Design for Greyhound Safety and Welfare*"³ identified that track congestion causes about 80% of catastrophic and major injuries to racing greyhounds.

³ <https://www.grnsw.com.au/uploads/GRNSW%20Phase%20I%20Report%20FINAL%2020170605.pdf>



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The UTS study identified that race track congestion occurs for a variety of reasons, including lure position too close to the rail, race track shape, high concentration of greyhounds at the start of the race and combinations of these factors.

The UTS study analysed 33 races in which only six greyhounds started the race. The study found a statistically significant lower major and catastrophic injury rate in greyhound races with a maximum race field of six greyhounds compared with seven or eight greyhound race fields.

CPG analysis of six dog races compared with seven and eight dog races also showed that deaths and injuries will be significantly reduced by limiting the race field to six greyhounds. CPG Whitepaper: The Case for Six Dog Races is included at Attachment 1.

CPG research comparing death and injury rates between straight and oval racing tracks shows clearly that death and injury rates are significantly higher on oval tracks compared with straight tracks. CPG Whitepaper: The Case for Straight Tracks is included at Attachment 2.

The UTS report makes a number of interim recommendations about greyhound races to eliminate injuries resulting from track congestion:

- 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
- A.4 #01 GRNSW work collaboratively with GRV [Greyhound Racing Victoria] 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
- A.4 #10 Reduce the number of starts from 8 to 6

Conclusion

The evidence shows that injuries and deaths in racing greyhounds can be significantly reduced or eliminated by changing track design, lure position and number of racing greyhounds. Therefore, CPG submits that any injuries or deaths resulting from any races conducted on tracks that do not meet the criteria identified in the UTS study will inflict unjustifiable, unnecessary or unreasonable pain on greyhounds, which is inconsistent with section 3(c) of the Act.