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Submission: Greyhound Racing Act 2017 Review

This submission has been prepared by the NSW Submissions Working Group within the Animal Justice Party (AJP). The working group makes this submission on behalf of the AJP with the approval and the endorsement of the Board of Directors. The AJP was established in 2009 in response to growing public concern over the abuse, harm and mistreatment of non-human animals across Australia and to promote and protect the interests and capabilities of animals by providing a dedicated voice for them in Australia's political system, whether they are domestic, farmed or wild. The AJP seeks to restore the balance between humans, animals, and nature, acknowledge the interconnectedness and interdependence of all species, and respect the wellbeing of animals and the environment alongside that of humans and human societies. The AJP advocates for all animals and the natural environment through our political and democratic institutions of government. Above all, the AJP seeks to foster consideration, respect, kindness and compassion for all species as core values in the way in which governments design and deliver initiatives and the manner in which they function. The following submission is underpinned by these fundamental beliefs. The AJP has a policy position on Greyhound Racing and this submission puts forward commentary in line with this policy position.

Greyhound racing and gambling are intimately connected. This inevitably leads to overbreeding and the killing of healthy dogs. The industry has also demonstrated a level of mendacity and cruelty that indicates it is beyond any form of regulation. It is the AJP's continued policy position that like dog fighting and bear baiting, the greyhound racing industry should be phased out, as it has been in the ACT and many other countries and jurisdictions.

The fact that it specifically states the review “does not include consideration of a greyhound racing ban” only adds to the narrative that the greyhound racing industry does not meet community expectations and does not have a high level of public trust.

In the meantime, the AJP welcomes the opportunity to comment on the Greyhound Racing Act Review and your consideration of this submission.

The purpose of this review is to see if there have been significant changes in the greyhound racing industry since the Greyhound Racing Act was introduced in 2017. While there have been some minor improvements, a lack of meaningful change and reform in the industry has allowed cruelty, injuries, deaths and lack of integrity to continue. The Act is failing in its stated aim to achieve “high levels of animal welfare”.

Thousands of healthy dogs are killed or unaccounted for in the industry as a result of overbreeding and insufficient tracking.. In addition, tracks pose a high level of risk to the greyhounds, causing significant injuries on a regular basis¹.

The recent NSW Greyhound Welfare and Integrity Commission’s (GWIC) draft NSW Greyhound Welfare Code of Practice was also particularly disappointing with the vast majority of submissions being ignored and the now adopted Code not adequate for the welfare of greyhounds.

This submission will respond to the Terms of Reference by addressing:

1. Integrity of the industry,
2. Greyhound welfare,
3. Expansion of definitions, and
4. Greyhound rescue funding

Integrity of the industry

While the establishment of the Greyhound Welfare Integrity Commission (GWIC) is a positive step, the body responsible for enforcement of animal welfare standards is funded by the industry itself. The GWIC must be funded by the Government, not the industry itself. Under the act, the GWIC is a NSW government agency, yet in the last financial year \$8.4 of its \$16 million budget came from GRNSW, a commercial body². It is a glaring conflict of interest that GRNSW funds the majority of the GWIC’s work. As a government agency, the GWIC should be funded by the government, paid for by taxes on gambling profits, and should not be funded by a commercial body like GRNSW receiving most of its funding from Tabcorp. The industry should not be directly

1

<https://www.news.com.au/technology/science/animals/anger-over-australias-disappeared-greyhounds/news-story/2cc5946b00ffdc2fdbfbaacfece2a437>

² https://www.gwic.nsw.gov.au/__data/assets/pdf_file/0020/316631/Table_GWIC-Funding-Sources.pdf

involved with the regulator's annual funding and it is essential that the GWIC continues as a separate entity to GRNSW to eliminate any conflict of interest.

Regulatory powers of the GWIC also need to be extended. The GWIC needs to be empowered to undertake additional tasks to ensure integrity in the monitoring of animal welfare and certain functions need to be removed from GRNSW.

Millions of Australian taxpayer dollars are invested in the racing industry to artificially inflate prize money, pay breeding incentives, prop up financially failing clubs, and build unwanted racetracks - all for gambling. There is a toxic relationship between the state governments and the gambling industry. Between 2017 – 2020 the NSW Government allocated \$53 million towards tracks and infrastructure, \$11M on the establishment of the GWIC and \$1M on the Million Dollar Chase Prize Money³. The NSW Government does not have a social licence to be spending taxpayer dollars to prop up this gambling industry and the inherent social problems it creates.

Recommendations:

1. For integrity, it is essential that the GWIC continues as a separate entity to Greyhound Racing NSW (GRNSW) to eliminate any potential conflict of interest.
2. The GWIC should be retained and improved to oversee and enforce animal welfare and integrity standards for the industry
3. Additional functions and responsibilities should be transferred from GRNSW to GWIC to increase successful welfare outcomes for greyhounds.

Greyhound Welfare

The greyhound racing industry exploits greyhounds for gambling and personal profit, with inherent cruelty causing injuries, deaths and animal welfare issues. Overbreeding of dogs, inadequate quality of housing for dogs, dogs not tracked for life and/or disappearing⁴, killing of thousands of healthy dogs, dangerous tracks, dangerous races, continuing injuries and deaths from racing, and a Code of Practice (COP) not adequate for the welfare of greyhounds are all key factors.

In 2017 the NSW Government committed to ensuring “high standards of welfare” in the greyhound racing industry, yet three years later, thousands of greyhounds still disappear each

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<https://www.westernadvocate.com.au/story/5359135/renewed-focus-on-greyhound-industry-as-welfare-com-mission-opens/>

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<https://coalitionprotectgreyhounds.wordpress.com/2020/03/17/for-the-record-the-nsw-governments-failure-to-protect-retired-greyhounds/>

year. The Act is not only failing in its stated aim, but also not meeting community expectations. Overbreeding of dogs and the fact that dogs are only tracked whilst in the industry and not for life, means that thousands of healthy dogs are killed or just disappear. Deaths of thousands of healthy greyhounds deemed as wastage and dogs just disappearing is totally unacceptable. The industry must be transparent, and all dogs bred into the industry must be tracked for their whole of life. It is essential that the killing of young and healthy dogs must stop and that the euthanasia of healthy greyhounds be banned.

In the past 12 years, over 97,783 greyhounds have been whelped in NSW. Based on an average life expectancy, 90,974 of these greyhounds should still be alive today, yet there are only 13,000 greyhounds currently registered with GWIC. The Act does not protect all NSW greyhounds bred and used in the industry. Welfare protection and lifetime tracking must be guaranteed for all greyhounds bred in the industry in NSW.

It is not possible for the GWIC to be checking every greyhound in the industry to ensure welfare standards are met. Over 13,000 greyhounds are currently registered with GWIC, which only has eight inspectors to monitor them. There must be more GWIC inspectors for any guarantee of effective animal welfare outcomes, and by widening the definition of 'greyhound' in the Act this will cover all greyhounds regardless of status or ownership.

The GWIC also needs to be authorised to inspect greyhounds retired to non-industry participants by broadening the definition of 'greyhound' in the Act. The industry must take responsibility for all greyhounds bred by the industry.

Tracks and races are still dangerous, and dogs are being killed or suffering significant injuries on a regular basis. The NSW stewards' reports confirm that between 1 January - 30 June 2020, over 1,379 greyhounds were injured and 25 greyhounds killed on NSW tracks. Before they even reached the track an additional 1,314 were noted as injured or ill and two greyhounds died. Research shows that these numbers could be reduced by only racing six dogs in a race and changing the racetrack design. Reducing the number of dogs in a race to six could be done easily and quickly, and if the industry were genuine about wanting to reduce injuries and deaths on track they would be acting on this. Action must be taken to reduce race fields to six greyhounds to reduce deaths and injuries during racing.

The NSW Government committed to providing \$30 million for conditional capital grants to improve animal welfare outcomes, including upgrading track facilities, yet to date, this has not been achieved. There is a correlation between congestion on racing tracks and injury rates. This was outlined in the University of Sydney investigation into 'Optimal greyhound track design for animal safety and welfare, Phase Report Jan 2016 to 31 Dec 2016'. Yet racing still occurs on oval tracks and six-dog racing hasn't been introduced.

Some functions such as developing safety standards for licensed racecourses need to be removed from GNSW and transferred to GWIC. The NSW Government must expand the powers of the GWIC to enable it to set minimum safety standards for licensed racecourses and greyhound

training facilities and to licence and inspect racecourses and training facilities. The GWIC also needs to track and inspect every greyhound owned by a registered industry participant and every greyhound re-homed privately by a registered industry participant, at *least* annually, to check on their welfare. Maximum breeding targets need to be set by GWIC for greyhounds in NSW.

The recent NSW Greyhound Welfare and Integrity Commission's (GWIC) draft NSW Greyhound Welfare Code of Practice was also particularly disappointing with the vast majority of submissions being ignored and the now adopted Code not adequate for the welfare of greyhounds. The adopted Code (which comes into effect 1 January 2021) includes bare minimum standards for both racing greyhounds and those retained for breeding. It is inadequate and does not reflect public opinion, nor does it ensure the "welfare for greyhounds".

In the draft code, owners and trainers were allowed 10 years to comply with barely adequate accommodation requirements for dogs. This was seen by many as an unacceptably long time for participants to conform to standards. Yet when the adopted Code was released a further five years was added allowing owners and trainers 15 years to comply with regulations, which also contravenes similar canine accommodation requirements. The Code also allows for training, trialling, and racing in temperatures up to 38 degrees. This is despite evidence confirming the risks associated with heat stress and the inability of greyhounds to regulate their body temperature⁵. The maximum temperature greyhounds can be raced in must be reduced.

GRNSW's Greyhound Adoption Program (GAP) rejects greyhounds without giving them time to adjust, and two rejections also permit euthanasia. Not-for-profit volunteer organisations have for years managed to responsibly rehome and rehabilitate thousands of greyhounds rejected from the greyhound racing industry. If these selfless hard-working volunteers can do it, as well as the necessary fundraising to pay for the considerable expenses incurred, then the industry that creates these dogs that need socialisation and rehabilitation most certainly can also manage it. All greyhounds bred into this industry deserve the chance to live a life outside of the industry where they are not exploited and can live out their retirement years in peace. This is the very least that the industry can offer them and that the government should be ensuring this happens. The GWIC needs to set standards for the behavioural assessment processes of GAP.

It is inappropriate to initiate a target to justify the euthanasia of greyhounds. Euthanasia is the practice of intentionally ending a life to relieve pain and suffering, when the majority of these dogs are young and healthy. Annually, thousands of healthy greyhounds are killed instead of being re-homed⁶. This killing will continue and will likely increase because of the lax and reduced guidelines about preparing greyhounds for rehoming. It will also increase pressure on non-industry rescue and re-homing organisations and groups. There must be a ban on euthanasia

5

https://www.researchgate.net/publication/304600022_Influence_of_the_Environment_on_Body_Temperature_of_Racing_Greyhounds

⁶ <https://kb.rspca.org.au/knowledge-base/what-are-the-animal-welfare-issues-with-greyhound-racing/>

of healthy greyhounds and an annual “proof of life” check for each greyhound whelped in NSW⁷, to enable all greyhounds to be tracked during the course of their life including dogs held by non-industry participants. Euthanasia must only take place by an independent vet who has certified that the dog is either suffering, in constant pain, has a terminal illness or where their quality of life is impaired.

Compliance and enforcement powers need to be strengthened. All penalties for doping, cruelty and other infractions need to be increased to set a deterrent to reflect the community concern about continued lack of welfare in the greyhound racing industry. The NSW Government also needs to fund, on an annual basis, approved animal welfare organisations under the Prevention of Cruelty to Animals Act (POCTAA) for investigation and prosecution of matters concerning greyhounds. These include the RSPCA NSW and the Animal Welfare League NSW.

The NSW government cannot claim there has been any impact on the export of greyhounds due to the enactment of the act as this is a federal issue.

Recommendations:

4. All dogs bred into the industry should be tracked for their whole of life.
5. Young and/or healthy dogs no longer required within the industry should not be killed; they should be rehomed.
6. Reduce race fields to six greyhounds to reduce deaths and injuries during racing
7. Expand the powers of the GWIC to enable it to set minimum safety standards for licensed racecourses and greyhound training facilities and to licence and inspect racecourses and training facilities.
8. The GWIC should track and inspect every greyhound owned by a registered industry participant and every greyhound re-homed privately by a registered industry participant, at *least* annually, to check on their welfare.
9. Maximum breeding targets need to be set by GWIC for greyhounds in NSW.
10. The risks associated with heat stress at high ambient temperatures should be acknowledged; the maximum ambient temperature greyhounds can be raced in should be reduced.
11. The GWIC needs to set standards for the behavioural assessment processes of the Greyhound Adoption Program (GAP).
12. There must be a ban on euthanasia of healthy greyhounds and an annual “proof of life” check for each greyhound whelped in NSW, to enable all greyhounds to be tracked during the course of their life including dogs held by non-industry participants.
13. Euthanasia must only take place by an independent vet who has certified that the dog is either suffering, in constant pain, has a terminal illness or where their quality of life is impaired.

7

<https://coalitionprotectgreyhounds.wordpress.com/2019/08/20/greyhound-sanctuaries-combining-animal-welfare-and-regional-job-creation/>

14. All penalties for doping, cruelty and other infractions need to be increased to set a deterrent to reflect the community concern about continued lack of welfare in the greyhound racing industry.
15. The NSW Government should fund, on an annual basis, approved animal welfare organisations under the Prevention of Cruelty to Animals Act (POCTAA) for investigation and prosecution of matters concerning greyhounds.

Expansion of definitions

The Greyhound Racing Act needs to be expanded to Greyhound Welfare and Racing Industry Integrity Act to reflect a genuine concern for the welfare of the greyhounds that the industry profit from.

The definition of a greyhound needs to be changed to ensure that GWIC can monitor and inspect all greyhounds bred by the industry, regardless of ownership. The Act currently defines a greyhound as ‘a greyhound that is owned or kept in connection with greyhound racing’ but it should be a dog registered as a greyhound on the Greyhound Register in the first 17 weeks of life. This would capture all the greyhounds bred for the industry and would be able to truly capture their whole of life journey.

Define the term ‘in the public interest’ so that it is clear on what basis a minister could properly exercise this ministerial discretion and in relation to inquiries.

Expand the persons described as registered “industry participants” to ensure inclusion of all service providers to make it consistent with the Greyhound Racing Regulations 2019 (NSW).

Recommendations:

16. The Greyhound Racing Act should be expanded to Greyhound Welfare and Racing Industry Integrity Act to reflect a genuine concern for the welfare of the greyhounds.
17. The definition of ‘greyhound’ in the Act should be broadened so that GWIC can authorise to inspect all greyhounds bred by the industry, regardless of ownership, including those that are retired to non-industry participants.

Greyhound Rescue Funding

Too many young, healthy greyhounds are still being killed instead of being rehomed. It is not at all appropriate to have a target for unnecessary euthanasia of greyhounds. There should be no killing of healthy dogs in or from this industry.

For decades, volunteer not-for-profit groups have been mopping up after this industry and rehoming greyhounds discarded from the industry. This comes at great expense not only in time and energy with care, socialisation and rehabilitation needed, but also with extensive vet bills. These organisations are dependent on fundraising to cover these expenses. This is not acceptable, and the government needs to fund these organisations and aid their valuable work. This would go a long way towards recognising their effort and showing appreciation for the exceptional devotion they have in regards to rehabilitating the broken bodies left behind by this industry. It is imperative that the NSW government fund private greyhound rescue and re-homing organisations and greyhound sanctuaries

Recommendation:

18. the NSW government should fund private greyhound rescue and re-homing organisations and greyhound sanctuaries

Conclusion

The AJP advocates for an end to the industry, but until then we advocate for our recommendations in this report against the terms of reference in this consultation.

The AJP consents to this submission being published and appreciates this opportunity to improve welfare for the thousands of greyhounds trapped within this industry.

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