

SELECT COMMITTEE ON THE

GREYHOUND RACING AND INTEGRITY COMMISSION

AN ANIMAL LIBERATION SUBMISSION



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We acknowledge the
Traditional Owners of
country throughout
Australia and recognise
their continuing
connection to land, waters
and culture.

We acknowledge that this
document was written on
land stolen from and
never ceded by the
Gadigal People.

We pay our respects to
their Elders past, present
and emerging.





*We don't have a duty to **speak** for the animals;
we have an obligation to be **heard** for the animals.*

Matt Ball (2006)

DOCUMENT DETAILS

Animal Liberation 2020. *Select Committee on the Greyhound Welfare and Integrity Commission*. A submission by Animal Liberation. Prepared by Lisa J. Ryan.

ABOUT ANIMAL LIBERATION

Animal Liberation has worked to permanently improve the lives of all animals for over four decades. We are proud to be Australia's longest serving animal rights organisation. During this time, we have accumulated considerable experience and knowledge relating to issues of animal welfare and animal protection in this country. We have witnessed the growing popular sentiment towards the welfare of animals, combined with a diminishing level of public confidence in current attempts, legislative or otherwise, to protect animals from egregious, undue, or unnecessary harm. Our mission is to permanently improve the lives of all animals through education, action, and outreach.

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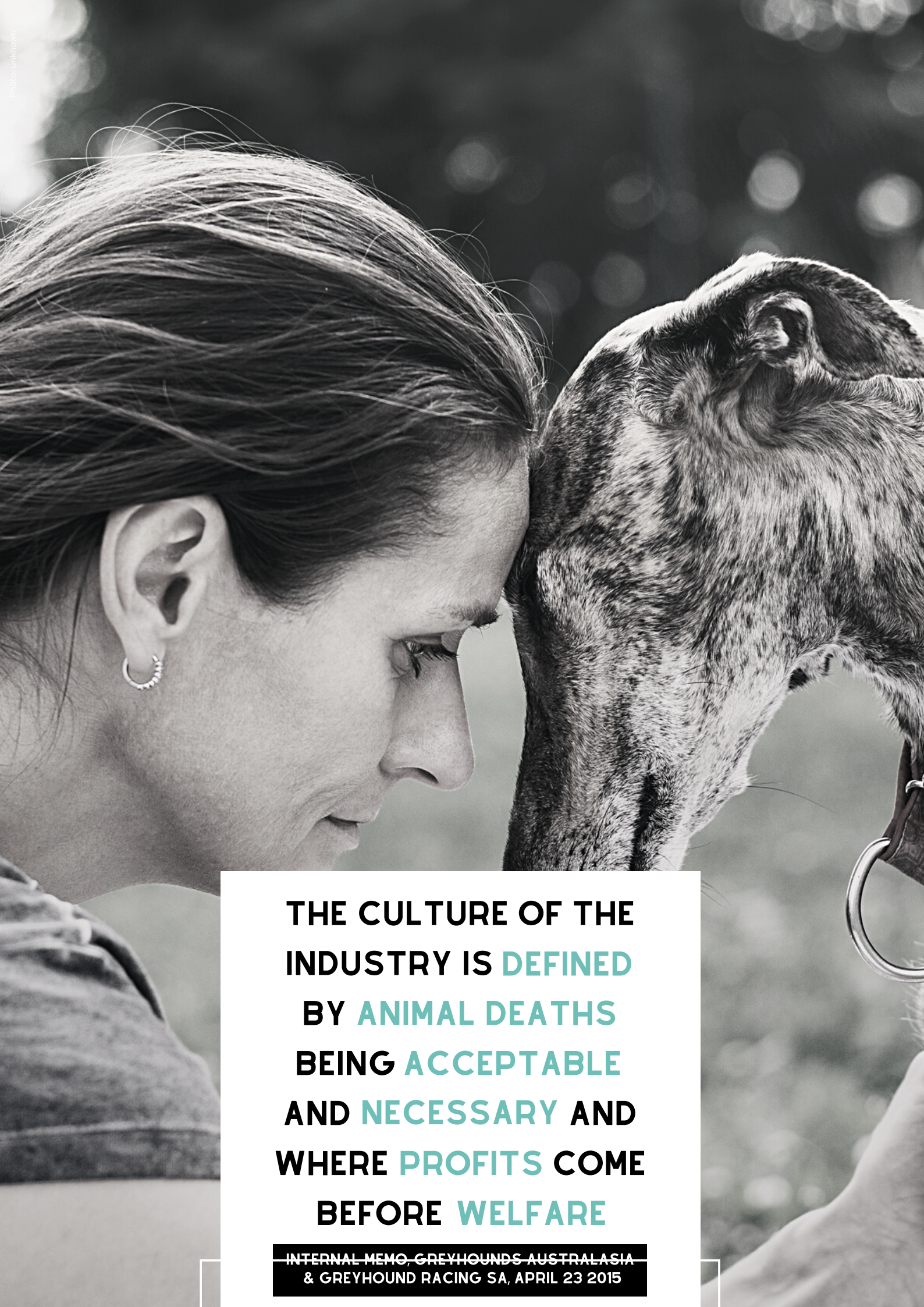
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**THE CULTURE OF THE
INDUSTRY IS DEFINED
BY ANIMAL DEATHS
BEING ACCEPTABLE
AND NECESSARY AND
WHERE PROFITS COME
BEFORE WELFARE**

**INTERNAL MEMO, GREYHOUNDS AUSTRALASIA
& GREYHOUND RACING SA, APRIL 23 2015**



4 DECEMBER 2020

SELECT COMMITTEE ON THE GREYHOUND WELFARE AND
INTEGRITY COMMISSION (GWIC)
GWIC@parliament.nsw.gov.au

We present this submission on behalf of Animal Liberation.

Animal Liberation is a non-profit animal rights organisation, operating in the field of animal justice for over four (4) decades. During this time, we have accumulated considerable experience and knowledge relating to issues of animal welfare and protection across the country.

We are proud to be Australia's longest serving animal rights organisation and proud to work for this organisation and our ethos of interspecies equality.

Our mission is to permanently improve the lives of all animals through education, action and outreach.

We thank the Select Committee Members for their objective and informed consideration of the following submission.

Lisa J. Ryan
Regional campaign co-ordinator

Alex Vince
Campaign director



DISCLOSURE & ACKNOWLEDGMENT

We note and acknowledge the Resolution of the Legislative Council Minutes No. 58 - Wednesday 23 September 2020, including the corresponding establishment of a Select Committee to inquire into and report on the Greyhound Welfare and Integrity Commission as the independent regulator of the greyhound industry in New South Wales. Animal Liberation consents to the publication of Animal Liberation's submission in full, on the Select Committee's website.

ACKNOWLEDGEMENT

Animal Liberation acknowledges the collaborative efforts of other like-minded organisations and individuals, and the significant contributions made in particular by the Coalition for the Protection of Greyhounds and numerous greyhound rescue and re-homing groups and advocates, working together towards meaningful reforms, progressive Government policy direction and legislation to protect the welfare of all greyhounds in the greyhound racing industry.

We also wish to acknowledge the efforts and dedication afforded to greyhounds in the greyhound racing industry, and the pursuit of justice over many years by the late Dr John Kaye, MLC and his beliefs about, "changing what people expect from government, and what they expect from the possibilities of working together for the common good and the collective outcome."



FOREWORD & PREAMBLE

Following the damning findings, report and recommendations handed down by the Special Commission of Inquiry into the NSW Greyhound Racing Industry, and the recommendations put forward by the Greyhound Industry Reform Panel, GWIC was established as part of the NSW State Government's reforms, and included the introduction of the *Greyhound Racing Act 2017* (the Act).

To minimise the inherent conflict of interest relating to welfare and integrity matters under the industry's commercial entity (GRNSW), the Greyhound Welfare and Integrity Commission (GWIC) was established and included the important **separation of the commercial and regulatory functions, including the welfare of greyhounds**.

The NSW State Government, through GRNSW and GWIC, has also recently undertaken public consultation in response to the NSW Greyhound Welfare Code of Practice 2017 (CoP), and a Statutory Review of the *Greyhound Racing Act 2017*.

In line with the Resolution of the Legislative Council Minutes No. 58 dated 23 September 2020, the NSW State Government has now established a Legislative Council Select Committee to inquire into and report on GWIC as the **independent regulator of the greyhound racing industry in NSW**. The Select Committee has invited **public feedback from individuals and organisations** in response to the Committee's Terms of Reference (TOR).

Animal Liberation's submission provides considered and informed responses to the Select Committee's TOR, additional commentary where we believe it is relevant to this Inquiry into GWIC, and recommendations to the Committee on a broad range of deliberations necessary on these important matters. We have endeavoured to include objective and reflective responses and commentary covering contemporary community views and expectations founded on critical and evidenced-based thinking.



FOREWORD & PREAMBLE

We have reviewed the turbulent and frequently abhorrent history of greyhound racing in NSW with a view to balance this history with due consideration of the NSW Government's endeavours and actions to introduce meaningful reforms. We have also reflected on how these Government and Industry reforms have, or have not, translated into improved greyhound animal welfare and heightened integrity within the NSW greyhound racing industry.

Where warranted, our submission includes relevant recommendations for the Committee's consideration where we believe further improvements can be achieved or facilitated. Animal Liberation holds the view that greyhound racing will be permanently outlawed in NSW in the not too distant future and that this development will be a matter of when, rather than if, as is continuing to occur around the world.

Having considered the history of greyhound racing in NSW, decades of reforms and current and persistent greyhound racing animal welfare and integrity concerns, our conclusive view is that while GWIC is far from what we consider to be a highly effective independent regulatory body, it is vital that GWIC continue to operate as the independent regulator, in line with NSW Government public commitments and undertakings. It is also our view that GWIC should be granted increased powers and resources, that the current funding model must be amended to allow the full and secure Government funding of GWIC with the Government recouping this funding from GRNSW and the gambling industry through taxation.

Animal Liberation would also like to submit, as Appendix 1, an online petition ([Petition: Speak Up for NSW Greyhounds](#)) which has been signed by over 440 people in response to the Select Committee's Inquiry and TOR. Appendix 1 outlines the concerns endorsed by these petition signatories.



EXECUTIVE SUMMARY

ONE GRNSW's stated role and purpose of commercial viability and industry participant support is in direct conflict with greyhound welfare. GWIC has a key responsibility for protecting and improving the welfare of greyhounds. The current subservient relationship between GWIC, GRNSW and the NSW Government, including the inherent issues and uncertainty with the current funding model and lack of secure resources, continues to result in ongoing issues which limit GWIC's capacity and ability to fulfil its statutory roles, including the welfare of greyhounds and the integrity of the greyhound racing industry in NSW.

TWO The establishment of an independent regulator was recommended by the McHugh Inquiry and the Lemma Review. Both the Inquiry and the Review found that without an independent regulator there is a conflict of interest in which GRNSW effectively regulates itself. However, GWIC has not been sufficiently resourced and does not enjoy the ministerial support required to be an effective regulator. This is not a negative reflection on the efforts of GWIC to police the greyhound racing industry, but rather an evidenced-based and objective observation regarding the current funding model and lack of government support to enable it to fulfil its role in accordance with public expectations and Government undertakings and commitments.

THREE To protect and improve the welfare of greyhounds in the greyhound racing industry, it is vital that GWIC continues with an increased level of independence, powers and resources, and is supported by a new, fully funded and adequate Government funding model.

FOUR A return to the previous welfare and integrity arrangements and responsibilities under GRNSW rather than GWIC would result in a reduction in greyhound welfare and would be detrimental to the integrity of the industry. Any return to the previous arrangements would also seriously undermine and diminish Government's previous public undertakings and commitments.

**I WAS OBSTRUCTED FROM THE START
WITH GREYHOUND RACING.
THEY SIMPLY DID NOT WANT OVERSIGHT.**

DAVID LANDA, FORMER AUDITOR GENERAL OF GREYHOUND RACING NSW





BACKGROUND & HISTORY

The Greyhound Racing Industry has never been, and will never be, a safe environment for greyhounds. The Industry was founded on, and is still reliant on, the use and exploitation of greyhounds who are frequently forced to race at excessive speeds for gambling and entertainment purposes. The inherent, systemic and industry-wide issues which exist in NSW, and across Australia, are likewise evident around the world. Similar levels of animal cruelty and exploitation suffered by these intelligent, social and affectionate dogs exist in any similar activity elsewhere in the world.

- 1.1 The history of greyhound racing in NSW provides a sobering reminder of a deeply entrenched culture and issues involving animal cruelty, gambling, secrecy, and government's refusal to comprehensively address these issues. This, coupled with the increasingly obvious and persistent lack of sustainability means that the greyhound racing industry has lost its social licence and no longer enjoys the support of the broad community. **To fully appreciate the significance of GWIC, its origins, stated purpose and objectives, it is necessary to reflect on, and fully consider, the turbulent history of greyhound racing in NSW, across Australia and indeed, in a global context. This first section will outline these, alongside changing societal and public expectations involving animal welfare and the commercial exploitation of non-human animals.**

- 1.2 Available historical records confirm that greyhound racing in NSW dates back to the 1860's. In 1927, the Greyhound Coursing Association was established with 'tin hare' races held at Epping Racecourse, later known as Harold Park. Changes to the *Gaming and Betting Act* in 1928 which prevented betting after sunset and stopped any new greyhound racers licences being issued effectively stalled the growth of the industry in NSW until 1931. However, then-Labor Premier Jack Lang reversed the previous greyhound racing ban and again legalised greyhound racing in NSW. The NSW Greyhound Breeders, Owners and Trainers Association (GBOTA) was subsequently established in 1939 and saw an expansion of greyhound racing tracks across NSW.

- 1.3 Alarming, **it wasn't until 1979 that live hare coursing and other activities, including live baiting, were outlawed in NSW under the *Prevention of Cruelty to Animals Act (POCTA)*.**
- 1.4 New legislation known as the *Greyhound Racing Act 2009* was then introduced and included provisions for Greyhound Racing NSW (GRNSW) to be made responsible for both the regulatory affairs and the commercial management and oversight of the NSW industry. Prior to 2009, when these were transferred from GHRRA to GRNSW by the NSW Government, the greyhound racing industry regulatory functions had been managed by the Greyhound and Harness Racing Regulatory Authority (GHRRA). In 2012, the industry representative board of GRNSW was replaced by an independent board who oversaw four (4) core business units including: (1) integrity, (2) operations, (3) wagering media and content and (4) education and welfare.
- 1.5 Persistent controversies continued to plague and engulf the self-regulated NSW greyhound racing industry. In 2013, a NSW parliamentary Inquiry was established to examine greyhound racing in NSW. At the time, media reported allegations prompted the inquiry into greyhound industry and it was established to "scrutinise allegations of industry mismanagement, inappropriate distribution of TAB funds and widespread mistreatment of dogs in the state's \$50 million-a-year greyhound racing industry".
- 1.6 The previous year, Fairfax Media had "exposed allegations of race-fixing, drug use, money laundering and alleged criminal activity" in the greyhound racing industry, despite reforms which had been "aimed at cleaning up the sport". Similarly, media reported that stakeholders had "raised concerns that the industry had returned to its murky past because of poor transparency and independent oversight". In 2000, "past corrupt practices were the subject of an inquiry [led] by the Independent Commission Against Corruption". The latter resulted in six offenders being charged and the jailing of Rodney Potter, the former chief steward (O'Brien 2013).
- 1.7 Then GRNSW CEO Brent Hogan confirmed in 2013 that an estimated **3,000 greyhounds were euthanased each year in NSW alone**. Further media revelations confirmed the practice of industry discarded greyhounds being drained of their blood and then killed by veterinary practitioners. In 2015, the Australian Veterinary Association (AVA) called for all greyhounds bred for racing to be registered with an independent authority to track racing greyhounds from birth to death.

- 1.8 The catalyst for significant and wide sweeping government scrutiny and change in NSW occurred following the airing of the ABC Four Corners program 'Making a Killing' in February 2015. Subsequent distressing media coverage detailed **the widespread practice of live-baiting in the training of racing greyhounds** and other abhorrent inherent industry animal welfare issues, including the discovery of mass greyhound graves. CEO Brent Hogan and the entire GRNSW board were told to resign or face being dismissed by then NSW Racing Minister Troy Grant subsequent to the Four Corners investigation and findings.
- 1.9 The NSW Mike Baird Liberal National Party Government then established the Special Commission of Inquiry into NSW greyhound racing, chaired by former High Court Judge, Michael McHugh. Key findings in the report included: **high greyhound death rates, an under-reporting of greyhound deaths and injuries, and an estimated 48,891 un-competitive greyhounds euthanased during the preceding twelve years.** The report also concluded that **up to twenty percent of trainers engaged in illegal live-baiting practices, and that for the industry to remain viable, between 2,000 to 4,000 greyhounds would continue to be euthanased each year.**
- 1.10 In a leaked internal memo, the Australian greyhound racing body, Greyhounds Australasia (GA) admitted that **"this industry is responsible for the unnecessary deaths of anywhere between 13,000 and 17,000 healthy greyhounds a year"**.
- 1.11 GRNSW commissioned an allegedly independent inquiry, announced only a few hours prior to the ABC's 7:30 Report's 2015 exposé, aptly named the 'Death Trade' exposé into greyhound live exports. It was chaired by barrister Adrian Anderson into matters relating to the alleged unauthorised export of greyhounds. This inquiry led to **the charging of 179 NSW industry participants for complicity in the export of greyhounds without passports** between 2013 and 2015. However, **almost all of those participants had their charges dropped** after they co-operated with the inquiry. In spite of the over-whelming public interest, GRNSW have not publicly disclosed any report or the details of the hearings involving this Inquiry.
- 1.12 Following the release of the damning findings and recommendations compiled and published by the McHugh-chaired Special Commission of Inquiry in July 2016, **Premier Baird announced that greyhound racing in NSW would be banned** effective 1 July 2017. The *Greyhound Racing Prohibition Bill 2016* then passed through the NSW Legislative Assembly and Legislative Council in August 2016.

- 1.13 It should be noted that at the above time, **the decision to ban greyhound racing in NSW was made based on the widespread animal welfare concerns** as evidenced and documented in the McHugh Inquiry's report. It should be further noted that **many of these same animal welfare concerns continue to persist in 2020.**
- 1.14 Following significant lobbying and backlash from the NSW greyhound racing industry, in October 2016 some sections of the media, and from within the NSW Liberal National Party Government itself, and other members of Parliament, notably the Labor Opposition and the Shooters, Fishers and Farmers party, NSW Premier Baird subsequently announced government **plans to repeal the NSW greyhound racing ban.**
- 1.15 The NSW Greyhound Industry Reform Panel then released 122 recommendations. 121 of these were subsequently adopted and incorporated into new legislation known as the *Greyhound Racing Act 2017*. **As part of these recommendations, GWIC was created as the independent regulator of the NSW greyhound racing Industry with a core focus of greyhound animal welfare and integrity.**
- 1.16 The NSW State Government, through GRNSW and GWIC, has recently undertaken public consultation in response the NSW Greyhound Welfare Code of Practice (CoP) and a Statutory Review of the *Greyhound Racing Act 2017*.
- 1.17 The review of the then-draft Welfare Code appeared to be more focussed on "being seen to do the right thing, or fulfil previous public and Government undertakings and commitments" in a way that "**will have little impact on participants**", and accordingly, **will provide no real or meaningful animal welfare reforms or advancement in animal welfare practices and standards or outcomes.** In short, the draft Code merely presented as peripheral window dressing and the Minister's endorsement of the CoP has rightfully received wide-spread condemnation by animal welfare advocates and activists.
- 1.17 Columnist and author Peter FitzSimmons wrote a scathing piece titled 'Gone to the dogs: Why greyhound racing's new code is a complete crock' questioning, "Yeah, yeah, yeah. Minister? I have a question. Here, up the back. FitzSimmons from the Herald. Minister, if your government is serious

1.18 about looking after the animals in this brute of a sport, why have you given greyhound owners and trainers 16 years to meet your new kennelling standards? I quote your release: "All greyhound housing areas will need to be compliant from 1 January 2036".

1.19 As the Statutory Review of the *Greyhound Racing Act 2017* is still ongoing, it is difficult to comment. However, Animal Liberation reaffirms its strong level of concern and disappointment at the Government's and industry's refusal to make the GRNSW Operating Licence, one of the review's TOR, publicly available. This only further reinforces cynicism about the industry's lack of transparency.

**INHERENT CONFLICTS**

2.1 Australia is one of only remaining eight (8) countries in the world with a commercial greyhound racing industry. The greyhound racing industry is financially supported by (1) a gambling industry that is the largest per capita in the world and (2) Australia's main political parties. In Australia, it is estimated **AUD\$4B is gambled on greyhound racing**, and **the greyhound racing industry generates an estimated AUD\$90M each year** for the State Government in tax in NSW alone.

2.2 The NSW greyhound racing Industry has been **frequently plagued with accusations of inherent conflicts of interest and wrongdoing** steeped in serious allegations of industry mismanagement, inappropriate distribution of TAB funds, widespread mistreatment of dogs, race-fixing, drug use, money laundering and alleged criminal activity.

2.3 The Greyhound Racing Industry and those who participate and profit from **the exploitation of greyhounds through racing and breeding for racing** continue to commodify sentient beings as commercial objects, and the individual greyhounds continue to pay the ultimate price. Their "welfare"



INHERENT CONFLICTS

- 2.4 is sacrificed. Greyhounds continue to suffer and die or are deliberately killed under the misleading guise of "euthanasia". **The greyhound Industry has still not accepted its culpability, responsibility and accountability to the level expected by the public.**
- 2.5 Animal Liberation finds it abhorrent that in 2020, the greyhound racing industry and the NSW Government continues to view and treat greyhounds (companion animals) as economic commodities with a diminished value and less legal welfare, rights and protections afforded to them than their companion canine brothers and sisters. Along with the broad public, Animal Liberation was alarmed that during the national health emergency resulting from the COVID-19 pandemic, **the NSW State Government and industry considered greyhound racing and gambling to be an "essential service"**.
- 2.6 GRNSW's stated role and purpose of **commercial viability and industry participant support is in direct conflict to greyhound welfare**, whereas GWIC has a key responsibility, as an independent regulator, to protect and improve the welfare of greyhounds and the integrity of the industry.
- 2.7 The establishment of an independent regulator was recommended by both the McHugh Inquiry and the Lemma Review. Both the inquiry and the review found that **without an independent regulator there is a conflict of interest where GRNSW is regulating itself**. GWIC has not, however, been sufficiently resourced and does not enjoy the ministerial support required to be an effective regulator.
- 2.8 To protect and improve the welfare of greyhounds in the greyhound racing industry, it is vital that GWIC continues with an enhanced level of independence, powers and resources and is supported by a Government controlled and secured funding model. **A return to the previous welfare and integrity arrangements and responsibilities under GRNSW rather than GWIC would result in a reduction in greyhound welfare and would be detrimental to the integrity of the industry.**
- 2.9 A review of various reports compiled and published by GRNSW and GWIC, including and in particular, the Injury Report, the Race Injury Review Panel Report and the Retirement and End of Life Report, confirms the ongoing



INHERENT CONFLICTS

- 2.9 and persistent entrenched issues associated with the continued racing and breeding of greyhounds in NSW.
- 2.10 The low level of trust and confidence in the NSW State Government and the NSW greyhound racing industry has arisen because of the evidenced performance and response to serious and ongoing issues surrounding the “welfare of greyhounds” and the industry’s own demonstration of “integrity”. This lack of trust and confidence has continued to gain momentum and strengthen in lieu of previous inquiry’s into greyhound racing and the general lack of pro-active measures, initiatives and improvement in the animal welfare and integrity spheres. In short, **the public no longer has confidence in government’s and the industry’s level of objectivity, determinations or undertakings in relation to the NSW greyhound racing industry**, including related inquiry’s or reviews.
- 2.11 The Guardian Australia media outlet summarised concerns raised by animal welfare advocates and activists in response to the current Select Committee Inquiry into GWIC in an article published on 16 October 2020 (*‘NSW government accused of undermining greyhound racing regulator’*). The article noted the “industry was reinstated with promises of greater oversight, but **observers warn funding cuts and a political inquiry threaten the new watchdog**” (Knaus 2020).
- 2.12 The article maintains that the industry returned with “promises of greater regulation and oversight, including by the integrity commission, but that has not stopped allegations that **ex-racing greyhounds are continuing to disappear in suspicious circumstances**” (Knaus 2020).
- 2.13 Valid concerns about the lack of stable and independent financial support to GWIC have also been raised, including Commission figures which show its “total grants and contributions were cut by almost \$1m in 2018-19, down to \$15.4m from \$16.39m”. The funding made available to GWIC is “only marginally higher than that spent by the industry body Greyhound Racing NSW on integrity and welfare work enforcement before the live baiting scandal (\$13.89m)”. Meanwhile, direct government contributions are described as “transitional” and are being further reduced, thereby “forcing a greater reliance on industry funding”. Ultimately, over half of the commission’s funding is currently sourced from Greyhound Racing NSW (Knaus 2020).



INHERENT CONFLICTS

- 2.14 We concur with the concerns expressed by Dennis Anderson, the national president of the Coalition for the Protection of Greyhounds, when referring to GWIC funding: **“the organisation that’s supposed to be policing Greyhounds NSW has to go to Greyhounds NSW to get its funding”**.
- 2.15 More recently, GWIC has established an inaugural GWIC Advisory Council made up of eight new greyhound racing participants. It is intended to allow industry participants to provide greater input into its work. Kevin Anderson, NSW Minister for Racing, has endorsed GWIC’s Industry Participants Advisory Council (GWIC IPAC), suggesting it will open a new two-way communication channel between the regulatory body and the industry.
- 2.16 Minister Anderson has again ignored other important key stakeholders and importantly, the importance of regulatory independence. This has, in our opinion, opened the door further to allow GRNSW and industry participants to inappropriately influence GWIC, the independent GRNSW regulator, with the formation of policy direction, procedures, practices and initiatives.



INTRODUCTION

Animal Liberation is grateful for the opportunity to respond to and provide commentary to the NSW State Government's Select Committee established to inquire into and report on the GWIC.

RSPCA Australia is Australia's leading animal welfare agency and has summarised the primary animal welfare issues associated with greyhound racing as follows:

- 3.1** *Around 40% of the 11,000 greyhounds bred in Australia each year are surplus to requirements;*
- 3.2** *The average lifespan of a racing greyhound is 1.5 years, the average lifespan of a non-racing greyhound is 10-12 years;*
- 3.3** *An estimated 750 greyhounds are injured on Australian greyhound racing tracks each month;*
- 3.4** *State governments invest millions of dollars to prop up the greyhound racing industry due to the revenue generated by gambling;*
- 3.5** *Greyhounds are drugged with a range of banned substances including EPO, amphetamines, methamphetamines, caffeine, anabolic steroids, Viagra and cocaine. These can have serious psychological and physical effects.*
- 3.6** *Greyhounds are exported to countries that have poor or no animal welfare protections and are also vulnerable to entering the dog meat trade.*



INTRODUCTION

- 3.7 Based on available greyhound racing stewards' reports for the period 1 January 2020 to the end of October 2020, **167 greyhounds across Australia, including 42 in NSW, have been killed**. The cause of death is often listed as "**track related deaths**". For the same period, **8,088 greyhounds across Australia, including 2,291 in NSW, have been injured** with the cause being listed as "**track related injuries**".
- 3.8 The ongoing racing and trialing of greyhounds all over Australia and across NSW continues to result in **totally unacceptable levels of injuries subsequent fatalities and direct deaths**. These occur either on track, subsequently due to the severity or nature of the injury, or because they are not performing and are no longer considered "viable" (profitable).
- 3.9 The greyhound racing industry continues to attract a strong level of public interest, notably concerning animal welfare issues, and its relationship with the gambling industry. Our responses to the Committee's TOR together with general commentary and recommendations are outlined below (see Section 4).
- 3.10 Following the **Special Commission of Inquiry** into the NSW Greyhound Racing Industry, and the **Greyhound Industry Reform Panel**, the NSW State Government accepted 121 of the 122 of the Panel's recommendations. The include Recommendation No's 1 and 15, as follows:
- Recommendation 1:** 'the commercial and regulatory functions for the industry should be separated and vested in two different entities.'
- Recommendation 15:** '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'.
- 3.11 We support the NSW State Government's intentions and actions to reform the greyhound racing industry in NSW through the establishment of the *Greyhound Racing Act 2017* and GWIC. We acknowledge **the separation of the commercial and regulatory functions, including the welfare of greyhounds, was an important step in support of these reforms, including minimising any conflict of interest**.



INTRODUCTION

- 3.12 Animal Liberation holds the strong view that in line with previous Government undertakings and commitments, and to uphold greyhound “welfare” and the “integrity” of the greyhound racing industry, it is essential that this separation continues.
- 3.13 To protect and improve **the welfare of greyhounds** in the greyhound racing industry, and **the integrity of the industry**, Animal Liberation contends that it is vital that GWIC continues to operate with an enhanced level of independence, powers and resources, and is supported by a new independent and secured Government funding model. **It is Animal Liberation’s strong view that a return to the previous “welfare” and “integrity” arrangements and responsibilities under GRNSW rather than GWIC would result in a substantial and diminished reduction in greyhound welfare and would be further detrimental to the integrity of the greyhound racing industry.**
- 3.14 **Recommendation:** The clear separation of the greyhound racing industry’s commercial and regulatory functions should continue under GWIC as the independent regulator of the greyhound racing industry in NSW.
- 3.15 **Recommendation:** GWIC should be expanded with an increased level of independence, powers and resources, including a greater level of Ministerial support and a new, independent and secure Government funding model.
- 3.16 **Recommendation:** The July 2017 Government issued five-year Operating Licence granted to GRNSW should be publicly accessible with the Licence being subject to an independent annual review requiring GRNSW to provide an annual response in their Annual Reports to their meeting of the applicable Licence Terms and Conditions.



TERMS OF REFERENCE

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

- 4.1 The NSW State Government must **urgently prioritise the implementation of adopted recommendations** put forward by the Greyhound Industry Reform Panel, including specific recommendations (**No's 80 and 83**) about the retention and re-homing of greyhounds no longer required for racing. The Government's **failure to act has resulted in ongoing serious negative animal welfare outcomes** and the death (euthanasia) of untold numbers of NSW greyhounds, in spite of the industry's Rebate Scheme. Government's lack of action has contributed to an **ongoing lack of transparency** in the NSW greyhound racing Industry.
- 4.2 **The current re-homing policy enables the killing of healthy greyhounds** and a lack of transparent tracking and reporting of greyhounds has resulted in a high level of greyhounds which are unaccounted for. It is not sufficient for the Minister to merely dispute the numbers of "disappeared" greyhounds put forward by the Coalition for the Protection of Greyhounds. The Minister must publicly provide evidence his claims.
- 4.3 Current greyhound racing Industry policies and procedures covering greyhound breeding, re-homing assessment testing, euthanasia and tracking are **completely inadequate and in conflict with Government's stated animal welfare undertakings and commitments**.

Recommendation: The Greyhound Re-homing Policy must be immediately updated and amended to prohibit the euthanasia and killing of all healthy greyhounds.



TERMS OF REFERENCE

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

- 4.4 Section 59 of the *Greyhound Racing Act 2017* outlines the disciplinary action that may be taken by GWIC against, or in respect of, a relevant person under (1)(a) to (1)(h). A penalty unit is currently set at \$110, with the maximum fine for an individual being \$22,000.
- 4.5 Industry participants who breach GWIC legal requirements which risk, impact and compromise the welfare or well-being of greyhounds or any other-than-human animals, and any corresponding disciplinary action, **must adequately reflect the seriousness of such breaches and public expectations in this regard**. Breaches including administering prohibited substances to greyhounds which can result in compromised and long-term detrimental effects on greyhounds should attract **the maximum penalty** allowed.
- 4.6 Thus far the 2020 list of GWIC's final disciplinary decisions for the offence of 'Detection prohibited substance' confirms that **the maximum penalty has never been imposed**. The related inadequate and lenient penalties imposed by GWIC in response to these serious breaches **do not meet contemporary public expectations or government's undertakings** regarding animal welfare and animal cruelty.

Recommendation: All breaches involving any suspected or known risk or impact to the welfare or well-being (physical or mental) of greyhounds or other non-human animals including, 'Detection prohibited substance', must impose the maximum allowable penalties.

Recommendation: All breaches involving any suspected or known risk or impact to the welfare or well-being (physical or mental) of greyhounds or other non-human animals must be referred in writing to RSPCA NSW, AWL NSW or NSW Police for investigation.

Recommendation: Mandatory reporting must be introduced for all breaches involving any suspected or known risk or impact to the welfare or well-being (physical or mental) of greyhounds or other non-human animals.



TERMS OF REFERENCE

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

4.7 No comment.

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.

4.8 The relationship between GWIC, GRNSW and industry participants, as well as organisations like Greyhounds Australasia (GA), must include **ongoing co-operation and transparent dialogue** and an **ongoing clearly defined separation of the commercial and regulatory functions**, including the welfare of greyhounds.

4.9 GWIC is responsible for ensuring that GRNSW and industry participants act in accordance with the legislation, regulations, policies, and procedures governing the greyhound racing industry. To undertake its role, GWIC must not be placed in a subservient position where it is reliant on GRNSW for its funding and financial stability. **Any attempt by GRNSW, industry participants or Government to directly influence regulations, policies and procedures is totally inappropriate and must be strongly discouraged and avoided.**

4.10 GWIC requires ongoing independent and fully transparent government funding separate from GRNSW and the gambling industry to enable GWIC to undertake and fulfil its statutory role to the standard expected by the public and the undertakings and commitments given by government.

Recommendation: GRNSW must not be permitted to directly influence GWIC regarding policies and procedures.

Recommendation: GWIC must continue to operate as the independent regulator of greyhound racing in NSW, with the clearly defined separation of commercial and regulatory functions including the welfare of greyhounds, to minimise any conflict of interest.



TERMS OF REFERENCE

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

- 4.11 The Government previously accepted the following Recommendations emanating from the **Greyhound Industry Reform Panel**.

Recommendation 1: 'the commercial and regulatory functions for the industry should be separated and vested in two different entities.'

Recommendation 15: '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'.

- 4.12 In lieu of the above, it can therefore be argued that **it is inappropriate and a conflict of interest for a commercial entity to provide funds directly to a government entity** where the role of the government entity is required to regulate the activities of the commercial entity. The industry should not be directly involved with the regulator's annual funding and Government regulators should be funded by the Government from consolidated revenue.

- 4.13 Recent media reports have implied GRNSW's financial situation will make its funding of GWIC problematic. Further, such funding leads to legitimate questions about probity and GWIC's unhindered independence as a regulator. To uphold the stated and intended role and purpose of GWIC, GWIC should be adequately funded by the NSW Government. Government, in turn, can recoup these funds from GRNSW via Point of Consumption taxes on the gambling industry, legislated in the *Betting Tax Act 2001*, and through a tax on profits made by GRNSW.

Recommendation: That the funding model for GWIC be amended to ensure GWIC is totally and adequately funded and resourced by Government to ensure GWIC can effectively and comprehensively fulfil its role, with Government recouping the full cost of this funding from GRNSW and the gambling industry via taxation.



TERMS OF REFERENCE

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.

- 4.14 The welfare of greyhounds in the NSW racing industry is legislated under Division 2, Section 11 of the *Greyhound Racing Act 2017* and specifically, Clauses (a) to (d) under 'Functions of the Commission'.
- 4.15 **GRNSW is conflicted in its stated role and purpose between commercial viability, industry participant support and greyhound welfare.** GWIC has a key responsibility for protecting and improving the welfare of greyhounds. However, its subservient relationship with GRNSW and Government, including the inherent issues and uncertainty with the current funding model, limited powers and lack of secure resources, results in ongoing issues which significantly limit GWIC's capacity and ability to fulfil its statutory role including the welfare of greyhounds and the integrity of the Industry.
- 4.16 GWIC's ability to undertake its greyhound welfare obligations is also hampered by constraints in the *Greyhound Racing Act 2017* and the Greyhound Welfare Code of Practice. Without necessary amendments to the Act and the Code, in addition to increased powers and resources including a new Government funding model, GWIC's actions and conduct will not enable it to protect and improve the welfare of greyhounds in an effective and meaningful way in accord with public expectations and Government undertakings and commitments.
- 4.17 The Greyhound Industry Reform Panel made 122 recommendations, all of which, with one exception, were accepted by the Government. These recommendations led to a new *Greyhound Racing Act*, new Greyhound Racing Regulations, new Greyhound Racing Policy and the establishment of the Greyhound Welfare and Integrity Commission (GWIC).
- 4.17 Recommendation 73 of the Greyhound Industry Reform Panel report, which was accepted by the NSW Government, states: "A new greyhound racing register should be established and managed by the integrity commission to capture the identity and whereabouts of all greyhounds throughout their lifecycle". This mechanism is central to reforming the industry as it prevents the killing of thousands of greyhounds each year. GWIC has conceded this "tracking" is not consistent. Current legislative restrictions in fact prevent GWIC from tracking "retired" greyhounds.



TERMS OF REFERENCE

- 4.18 Animal Liberation concurs with the recommendations put forward by the Coalition for the Protection of Greyhounds, as follows:
- A. Implementing whole of life tracking for all greyhounds.
 - B. Ensuring that all healthy greyhounds live out the full term of their natural lives in either private homes or sanctuaries.
 - C. Ensuring that maximum penalties are awarded for administering of prohibited substances.
 - D. Reducing breeding;
 - E. Making tracks safer.

Recommendation: That the Select Committee examine and consider the study conducted by the University of Technology Sydney.

Recommendation: GWIC must be given the power to make tracks safer including: Setting minimum standards for the design and construction for race tracks and greyhound training facilities; Licencing race tracks and training facilities; Withdrawal of licences for race tracks and training facilities which do not meet the standards; Setting maximum race field sizes; and annual reporting by GWIC of any public money expended by GRNSW to make new or existing tracks safer.

TOR (g): any other related matter.

Related inquiries

- 4.19 Given the statutory “welfare” and “integrity” role and purpose of GWIC, and strong public perceptions about the industry and GRNSW, including the use of public money and funding from the gambling industry, Animal Liberation would also encourage the Select Committee to **closely examine public feedback** received in response to the NSW Greyhound Welfare Code of Practice and the Statutory Review of the *Greyhound Racing Act 2017*



TERMS OF REFERENCE

- 4.19 including, the July 2017 Government issued five year Operating Licence granted to GRNSW.
- 4.20 We would further encourage the Select Committee to review the proceedings including hearings, findings, penalties and any report emanating from the GRNSW commissioned independent Inquiry chaired by barrister Adrian Anderson into matters relating to the alleged unauthorised export of greyhounds.

NSW Greyhound Welfare Code of Practice

- 4.21 The NSW Greyhound Welfare Code of Practice (effective 1 January 2021) **allows greyhounds to receive less welfare protections than other members of the canine family. Indeed, it is in serious conflict with other relevant animal welfare and animal protection legislation.** The standards in the Code will have little impact on industry participants and there is no incentive or encouragement for participants in the greyhound industry to apply higher standards of animal welfare, or to aspire to or attain, best practice animal welfare standards.
- 4.22 Under Part 3 of the “Welfare” Code, **the Code does not reflect or include reference to relevant clauses in other applicable legislation.** This includes the NSW Animal Welfare Code of Practice No 5 - Dogs and cats in animal boarding establishments and the Companion Animals Breeding Standards. **No other housing or accommodation of companion animals permits legal/approved licensed housing without adherence to legislation** (inadequate as it is), including veterinary practices, boarding kennels, council pounds, shelters or commercial breeding facilities. **It is entirely inappropriate that the commercial greyhound racing industry is exempt from other applicable animal welfare legislation.**
- 4.23 Under the “Welfare” Code, greyhounds are still forced to race at high speed in temperatures of up to 38 degrees celsius. They are killed as “wastage” following injury, illness or failed adoption assessment with minimal oversight by the industry.
- 4.23 Government has a clear role and responsibility in legislative reform, policy direction and the upholding of laws, either directly or through regulators such as GWIC and its principal objectives (“to promote and protect the welfare of greyhounds”) by regulating the activities which fall under GRNSW. This is particularly relevant with animal welfare and protection laws. **Government does not partly fund RSPCA NSW as a regulator and**



TERMS OF REFERENCE

- 4.23 **equally fund a puppy factory, and it should not fund GRNSW** (the focus of regulation), **or the gambling industry either.**

Public money and conflict of interest

- 4.24 Government cannot uphold GWIC and its statutory role while simultaneously investing public money into GRNSW and indirectly, the gambling industry, through ventures like the Million Dollar Chase or patching up dangerous race tracks. Such actions on the part of Government are viewed as **a perceived and real conflict of interest and all such funding to GRNSW as the commercial entity, and the gambling industry, must cease.**
- 4.25 Peter Lagogiane, the trainer of the winning greyhound in this year's 2020 Million Dollar Chase towards which the government gave \$500,000 of public money, was hailed as a "great ambassador" for the industry. This same trainer has history of exporting a greyhound to Dubai without a greyhound passport, racing dogs with prohibited substances, and having his kennels shut in 2014 after three dogs died. The Government has therefore "rewarded" this trainer with the use of public money through a share in the winning profits – a trainer who has a history of serious animal welfare breaches.

Greyhound track and training facility safety

- 4.26 GRNSW continues to ignore the evidenced findings and recommendations from the research study conducted by the University of Technology Sydney, which concluded that **the unacceptable level of greyhound racing injuries and deaths can be reduced by track design and congestion with straight tracks and 6 dog races.**

Overseas and interstate greyhound exports

- 4.27 The GRNSW commissioned an allegedly independent inquiry, chaired by barrister Adrian Anderson, into matters relating to the alleged unauthorised export of greyhounds. This inquiry led to **the charging of 179 NSW industry participants for complicity in the export of greyhounds without passports** between 2013 and 2015. However, **almost**



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- 4.27 **all of those participants had their charges dropped** after they co-operated with the inquiry. Despite over-whelming public interest, **GRNSW have not publicly disclosed any report or the details of the hearings involving this Inquiry.**
- 4.28 The following statistics depict exported Australian greyhounds between 2015 to 2019.
- 2015-16: **776**
 - 2016-17: **299**
 - 2017-18: **292**
 - 2018-19: **36**
- 4.29 As far as we know, **99% of the estimated 20,000 greyhounds who ran in the Canidrome during its 54 years of operation were Australian greyhounds.** Tragically, as we understand it, **only five Australian greyhounds returned** and **other exported Australian greyhounds have all been abandoned by the Australian federal and NSW state governments and GRNSW**, with GWIC lacking the powers to investigate any matter prior to 2018. This lack of action is a shocking indictment and testimony to governments and GRNSW's complete lack of concern for welfare of greyhounds.
- 4.30 The *Greyhound Racing Act 2017* does not specifically deal with the regulation of greyhound exports. Instead, these are regulated under the Rules of Racing. It is acknowledged that under the current Statutory Review of the Act, the review will examine and report on any impact on the export of greyhounds since the Act's commencement. This, however, ignores the fate and "welfare" of hundreds of Australian greyhounds which have been exported.
- 4.31 While amendments to export rules by Greyhounds Australasia in December 2017 were welcome, **these amendments provide no relief for the hundreds of Australian greyhounds exported prior to this period in time.**
- 4.32 GWIC commenced operations on 1 July 2018. Prior to 1 July 2018, exportation records were not available from the Commonwealth Department of Agriculture. Since 1 July 2018, these records are now available to GWIC and allegedly identify every greyhound which has left the country since 1 July 2018. While we welcome GWIC's access to these export records, this does not alleviate the fate or "welfare" of Australian



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- 4.32 greyhounds exported prior to 1 July 2018. GWIC has no legislative authority in this regard. GRNSW was the governing authority in regards to these matters prior to 1 July 2018.
- 4.33 We are also concerned with “interstate” movement of NSW-born greyhounds, noting that in a recent media articles, GWIC has claimed that “New South Wales is a well-known exporter of young greyhounds to other states and jurisdictions in Australia”. Our concerns relate to the important tracking and tracing of all NSW greyhounds and corresponding reporting to determine the “welfare” of these NSW greyhounds, and the “integrity” of the NSW greyhound racing industry in general.

Recommendation: That the Select Committee examine public feedback received in response to the NSW Greyhound Welfare Code of Practice and the Statutory Review of the Greyhound Racing Act 2017 including, the July 2017 Government issued five year Operating Licence granted to GRNSW.

Recommendation: That the Select Committee examine the proceedings including hearings, findings, penalties and report from the GRNSW commissioned independent Inquiry chaired by barrister Adrian Anderson into matters relating to the alleged unauthorised export of greyhounds.

Recommendation: That Government cease all public funding of GRNSW activities to minimise any perceived or real conflict of interest.

**THE PHYSICAL
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GREYHOUND RACING
NSW REPORT 2015





OTHER

The world only goes forward because of those who oppose it

Goethe

- 5.1 Published on 28 November 2020, 'Social License and Animal Welfare: Developments from the Past Decade in Australia' describes how "Social license to operate" (SLO) is the process by which a community **grants or withholds permission to an industry** to conduct its business (Hampton et al. 2020).
- 5.2 "Social license to operate" (SLO) refers to the implicit process by which a community gives an industry approval to conduct its current business activities and how "animal welfare has become a mainstream societal concern in Australia, and effective management of the community's expectations will be essential for the maintenance of SLO for many animal use industries" including greyhound racing (Hampton et al. 2020).
- 5.3 The paper concludes that factors that may have contributed to the loss of SLO in Australian industries fall under several overarching themes including, "interaction with animal welfare science, engagement with stakeholders, transparency of animal welfare reporting, reliance on public relations, and the role of media" (Hampton et al. 2020).
- 5.4 It is important that we examine and consider several of these themes and how they apply to the greyhound racing Industry in NSW to clearly demonstrate the critical importance of GWIC and the urgent need to enhance its powers, independence and financial security. We have included the following relevant extracts from the paper.

Interaction with science

- 5.5 *“The role of animal welfare science in animal controversies is pivotal. In the subject areas outlined above, **there has been intense public discourse on animal welfare issues but variable contributions of published science.** In the case of dairy farming, there has been long-running engagement with science, however **relatively little has occurred in the case of greyhound racing.** Any commentary on SLO should clarify what is involved in the evaluation of an animal’s welfare and articulate the challenges associated with making reliable judgements. However, reaching scientific consensus on animal welfare issues is rarely straightforward and disparate opinions on the animal welfare implications of contentious practices have arisen through dissimilarities in values (e.g., the relative importance of animal health vs. natural behaviour). There are other challenges for science in the current age, with the unprecedented pace at which many of these crises have developed making meaningful application of animal welfare science problematic before contentious practices have been banned or voluntarily discontinued. **Nonetheless, the general absence of proactive animal welfare studies may have contributed to perceptions that industries such as kangaroo harvesting have not prioritized animal welfare**” (Hampton et al. 2020).*
- 5.6 When we consider the greyhound racing industry and the interaction with animal welfare science, it can be strongly argued that **GRNSW have ignored animal welfare science, deflected from the concept of animal health vs natural behaviour, and have demonstrated no pro-active measures or initiatives** at all in a number of important areas including track safety, excessive high speed racing, exhaustion and injury rates, racing in excessive heats, doping and a closely confined kennel environment. This lack of pro-activity by GRNSW was well demonstrated during the recent review of the NSW Greyhound Welfare Code of Practice which in effect is in

Stakeholder engagement

- 5.5 *“**Stakeholder engagement with groups other than scientists is another issue central to securing SLO.** Not all animal use industries have taken progressive attitudes towards this process. Indeed, **some Australian industries have taken a recalcitrant approach to animal welfare issues.** Secrecy has been a popular approach for contentious industries in the past, however it appears to be losing popularity, **increasingly attracting the mistrust of modern consumers and voters**” (Hampton et al. 2020).*

- 5.6 *“However, media exposé events changed the paradigm. A similar story unfolded with greyhound racing, where supposedly discontinued practices (e.g., live baiting) were exposed by hidden-camera investigations. **Antagonism of critics rather than the establishment of constructive dialogue has also been seen in some Australian animal controversies. This amounts to the industry appearing to dismiss public concerns as mere reflections of a lack of community knowledge or understanding**” (Hampton et al. 2020).*
- 5.7 The greyhound racing industry, and indeed government pro-racing supporters, have never demonstrated a pro-active or progressive approach to stakeholder engagement. This recalcitrant attitude and approach continues to impact them negatively. This has recently been well demonstrated through the refusal to make public the government issued five (5) year GRNSW Operating Licence. The non-publication of the hearings, findings, penalties and any report emanating from the GRNSW commissioned independent inquiry chaired by barrister Adrian Anderson into matters relating to the alleged unauthorised export of greyhounds is a further example.

Transparency

- 5.8 *“Consumers and voters increasingly expect transparency from organisations that they are willing to trust. **When applied to animal welfare, transparency equates to public access to reliable data describing animal welfare outcomes**” (Hampton et al. 2020).*
- 5.9 *“Some industries may resist calls for transparency due to fears of public awareness of actual outcomes or the cost of implantation. A lack of transparency about how animals are treated has been a common theme among many industries facing erosion of SLO. **The traditional resistant approach to transparency amounts to telling the public 'we have the highest animal welfare standards and processes, however all of our outcomes are secret'. This approach relies on consumers missing the important difference between industries that say animal welfare is a priority and those that can demonstrate commitment to incremental improvements in the welfare of animals in their care**” (Hampton et al. 2020).*
- 5.10 In addition to issues already covered involving the Greyhound Welfare CoP and the GRNSW Operating Licence, the lack of whole-of life tracking of all greyhounds is a good example of a lack of transparency and how this can lead to a loss of community confidence and applicable SLO.

Public relations

- 5.11 *"In some cases, rather than examining or changing their practices, industries have seemed to rely exclusively on public relations when confronted with a SLO issue. **In the past, many industries have attempted to deflect animal welfare concerns through the production of public relations materials attempting to portray a positive image. There is a critical distinction between attempts to improve animal welfare outcomes and attempts to improve public perceptions. The latter, namely reliance on public relations alone, can be defined as a monologue (that of the voice of the industry) that frames the issue, rather than a dialogue with stakeholders.** Such one-way approaches to communication with stakeholders are usually formed without consultation. Public relations strategies recognise that a threat to SLO exists, but attempt to address the threat with claims purported to ensure "humane" outcomes, although often lacking a science-based definition of what "humane" means"* (Hampton et al. 2020).
- 5.12 *"The reputational risks associated with a public relations strategy include **the lack of support from animal welfare scientists and suspicion from consumers that animal welfare concerns may not be sincere**" (Hampton et al. 2020).*
- 5.13 The NSW Government's support and promotion for the greyhound racing industry and GRNSW's catch-cry of greyhound racing being "family friendly" in spite of the over-whelming animal welfare issues and integrity issues illustrates the danger of deflecting from evidenced issues with public relations spin and hype.

The role of the media

- 5.14 *"The media has played a central role in all the case studies discussed above, particularly in cases of opposition and activists attacking industries. Forms of opposition have include television exposés (live export and greyhound racing), documentary movies (kangaroo harvesting), and social media attacks. The recent history of animal welfare outrage in Australia has typically shown that media events, for example filming of poor outcomes in abattoirs or on live export ships, have driven expressions of public concern. In some extreme cases, the impact of strong journalism broadcasts on free-to-air TV has seemingly eroded SLO virtually overnight [2]. Such exposés seem to be a hallmark of erosion of SLO in this context. This type of media event has often been associated with well-organized and popular advocacy campaigns to ban contentious animal practices. Abundant information regarding adverse animal welfare events in written reports or scientific papers does not seem to have*

- 5.14 *imperilled SLO in the same way. However, public perception studies have indicated that in some cases, media coverage has little long-term impact on broader public attitudes, either because the message itself had little impact or because of lack of exposure to the media piece. In some cases, such media advocacy has been successful in eroding public support and forcing legislators to take rapid action, such as temporary bans on the practices at the centre of ongoing contention. Similarly, opposition expressed on social media can also exert rapid and effective pressure on policy makers and politicians” (Hampton et al. 2020).*
- 5.15 The ongoing rise of public concerns and expectations regarding animal welfare matters and the greater mobilisation and professionalism of advocates and activists along with the ease of social media will ensure issues previously not fully canvassed will increasingly result in applying targeted pressure on policy makers and politicians.
- 5.16 The NSW Government’s support and promotion for the greyhound racing industry and GRNSW’s catch-cry of greyhound racing being “family friendly’ in spite of the over-whelming animal welfare issues and integrity issues illustrates the danger of deflecting from evidenced issues with public relations spin and hype.

Solutions and challenges

- 5.17 *“Looking for current solutions to SLO issues is an ongoing challenge. The SLO framework is relatively new, and as with all newly developed theory, evidence linking societal opposition and policy change is currently limited. **Societal expectations are dynamic, especially in the field of animal welfare, so lasting one-stop solutions to SLO issues are unlikely to exist. Contentious practices such as live export and animal racing are likely to face increasing opposition in Australia in coming years”** (Hampton et al. 2020).*
- 5.18 *“Industry responses to such challenges can be divided into broad-brush categories of proactive (industries that have owned their issues and embraced reform) and reactive (industries that have denied they have a problem and relied on public relations to restore their reputations) approaches. **While the reactive approach may have achieved short-term success in the past, it seems unlikely to appease most consumers in the long term.** This suggests that proactive identification and mitigation of SLO threats is becoming essential for industries to be socially sustainable” (Hampton et al. 2020).*



OTHER

- 5.19 ***"An established approach to securing SLO in this context is to recognise that community engagement is essential and to commit to the regular reporting of animal welfare metrics for practices that are currently contentious. For practices that impose animal welfare impacts but currently lack widespread public concern, industries may proactively engage with animal welfare scientists before public awareness and outrage drive political intervention"*** (Hampton et al. 2020).
- 5.20 *"In the case of Australian industries, more published, publicly accessible animal welfare research undertaken by non-industry personnel is warranted. A feasible approach to facilitate this goal is to promote greater industry-university collaborations in welfare research. This strategy relies on the premise that transparent demonstration of animal welfare outcomes, with a demonstrated commitment to improvement, will be more effective at maintaining public trust than secrecy. This will certainly involve inconvenience and may threaten profit margins (at least in the short term), but ultimately will allow industries to continue to do business in the long term and may well lead to the opening of new markets. The costs of such reforms should be considered in the same vein as any other investment to sustain the industry and should be built into research and development budgets. We do not wish to be prescriptive in discussing how industries should respond to contemporary animal welfare challenges, but rather we note that **strategies emphasising proactivity and transparency appear to have been largely successful in repairing and protecting SLO**"* (Hampton et al. 2020).

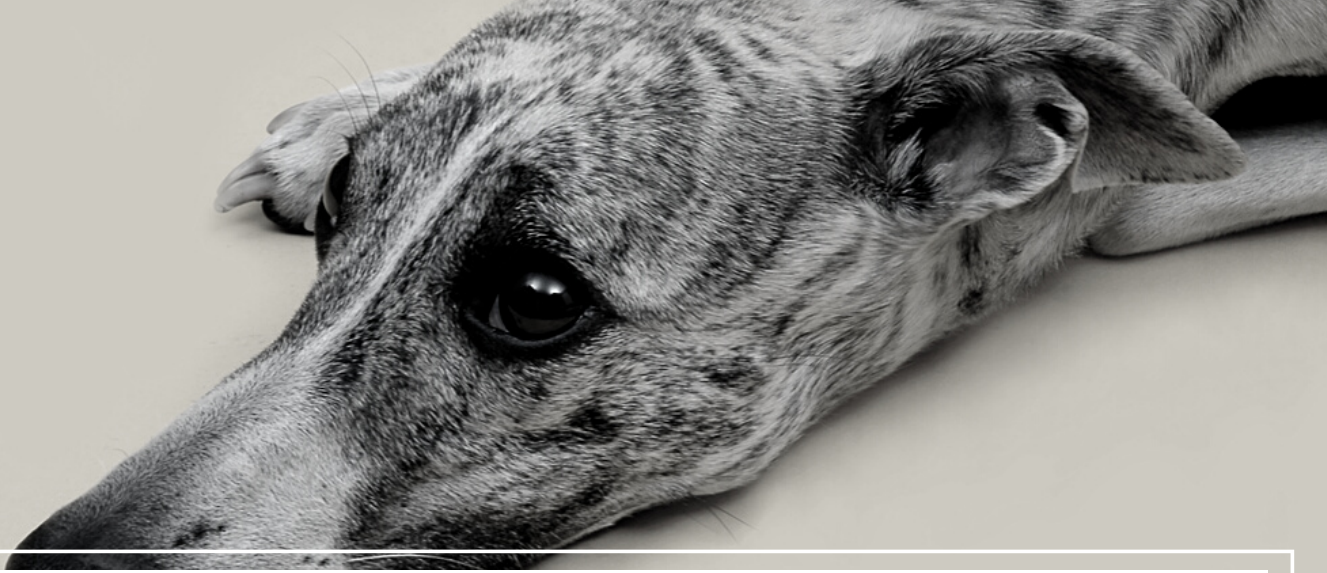
Conclusions

- 5.21 ***"Animal welfare scrutiny is increasing for all industries. Proactivity in anticipating the effects of this scrutiny are central to the social sustainability of animal use industries. In the modern age, with increasing societal expectations of transparency, efforts to avoid scrutiny or attempts to deflect it through public relations alone are unlikely to be effective. Furthermore, one welfare considerations are expected to take an increasingly important role in boardroom discussions that extend beyond animal welfare concerns in isolation"*** (Hampton et al. 2020).
- 5.22 *"The concept of SLO appears to provide a useful framework for animal industries to build an improved model of consultation that engages the community in ways that could enhance transparency and build societal support [87]. Understanding stakeholder beliefs and desires will ultimately prompt industry to guide education, resolve pressing issues, and facilitate the regular reporting of incremental improvements in welfare outcomes. In particular, there seems to be a need for industry-university collaborations to facilitate transparent animal welfare assessments"* (Hampton et al. 2020)



OTHER

- 5.23 *"How the public perceives these animal welfare issues and how industries respond to them appear to be highly influential in shaping the market opportunities and long-term survival of affected industries. This trend seems to be especially prevalent in Australia. These issues are likely to affect other nations in the near future, and the case studies from Australia are instructive as to how different industry responses affect SLO" (Hampton et al. 2020).*



SUMMARY AND CONCLUSION

- 6.1 Having thoroughly considered the history of greyhound racing in NSW, decades of reforms and current and persistent greyhound racing animal welfare and integrity concerns, our conclusive view is that while GWIC is far from what we consider to be a highly effective independent regulatory body, it is vital that GWIC continue to operate as the independent regulator, in line with NSW Government public commitments and undertakings.
- 6.2 It is also our view that GWIC should be granted increased powers and resources and that the current funding model be amended to allow the full and secure Government funding of GWIC, with Government recouping this funding from GRNSW and the gambling industry through taxation.
- 6.3 **A return to the previous welfare and integrity arrangements and responsibilities under GRNSW rather than GWIC would result in a reduction in greyhound welfare and would be detrimental to the integrity of the industry. Any return to the previous arrangements would also seriously undermine and diminish Government's previous public undertakings and commitments.**
- 6.4 We are confident that the welfare of greyhounds in the NSW racing industry, and the integrity of the industry, can be significantly and immediately improved and protected in a meaningful way through the implementation of the recommendations included in Animal Liberation's submission.



APPENDICES

APPENDIX 1

PETITION

Target: Legislative Council Select Committee

Please add your name to Animal Liberation's petition which will be lodged as part of our formal submission to the NSW Legislative Council's Select Committee to inquire into and report on the Greyhound Welfare and Integrity Commission.

The NSW State Government has established a Legislative Council Select Committee to inquire into and report on the Greyhound Welfare and Integrity Commission (GWIC), as the independent regulator of the greyhound racing industry in NSW. The Select Committee has now called for public feedback in response to the Committee's Terms of Reference (TOR).

Following the damning findings and report by the Special Commission of Inquiry into the NSW Greyhound Racing Industry, and the Greyhound Industry Reform Panel, GWIC was established as part of the NSW State Government's reforms and included the introduction of the Greyhound Racing Act 2017. To minimise the inherent conflict of interest relating to welfare and integrity matters under the industry's commercial entity, Greyhound Racing NSW (GRNSW), the establishment of GWIC included the important separation of the commercial and regulatory functions, including the welfare of greyhounds.

To protect and improve the welfare of greyhounds in the greyhound racing industry, and the integrity of the industry, it is vital that GWIC continues with an enhanced level of independence, powers and resources and is supported by a new permanent and secure Government funding model. A return to the previous welfare and integrity arrangements and responsibilities under GRNSW rather than GWIC. would result in a substantial reduction in greyhound welfare, and would be detrimental to the integrity of the industry.

To: Legislative Council Select Committee
From: [Your Name]

Dear Select Committee,

I'm am signing Animal Liberation's petition which will be lodged as part of Animal Liberation's submission to the Select Committee's Inquiry into the Greyhound Welfare and Integrity Commission (GWIC).

I am requesting that during the Inquiry's deliberations and the Committee's final report findings and recommendations, Committee Members take into account my sentiments as an interested member of the public, about the welfare of greyhounds and the integrity of the greyhound racing industry, as confirmed by my petition signature.

APPENDIX 1

I support the NSW State Government's intentions to reform the greyhound racing industry in NSW through the establishment of the Greyhound Racing Act 2017 and GWIC as the independent regulator of greyhound racing in NSW. The separation of the commercial and regulatory functions was an important step in support of these reforms, including minimising any conflict of interest. It is important that this clear separation continues. GRNSW is conflicted in its stated role and purpose between commercial viability, industry participant support and greyhound welfare. GWIC has a key responsibility for protecting and improving the welfare of greyhounds however the subservient relationship with GRNSW and government including the inherent issues and uncertainty with the current funding model, limited powers and lack of secure resources, results in ongoing problematic issues which limit GWIC's capacity and ability to fulfil its statutory role including protecting the welfare of greyhounds.

GWIC's ability to undertake its greyhound welfare obligations is also hampered by constraints in the Greyhound Racing Act 2017 and the Greyhound Welfare Code of Practice. Without necessary amendments to the Act and the Code in addition to increased powers and resources including a new Government funding model, GWIC's will not be able to protect and improve the welfare of greyhounds in an effective and meaningful way in line with public expectations and Government undertakings and commitments.

Following the Special Commission of Inquiry into the NSW Greyhound Racing Industry and the Greyhound Industry Reform Panel, the NSW State Government accepted the Panel's Recommendation No's 1 and 15. A return to the previous welfare and integrity arrangements with "welfare" and "integrity" responsibilities under GRNSW rather than GWIC, would result in a compromised and diminished standard of greyhound welfare, and would cause further detriment to the integrity of the industry.

I believe GWIC should be retained and expanded with an increased level of independence, powers, resources and Ministerial support including independent and secured Government funding. GWIC must not be placed in a position where it is reliant on GRNSW and the gambling industry for its funding and financial stability. It is inappropriate and a conflict of interest for a commercial entity to provide funds directly to a government entity, where the role of the government entity is required to regulate the activities of the commercial entity. The industry should not be directly involved with the regulator's annual funding and Government regulators should only be funded by the Government from consolidated revenue. To uphold the stated and intended role and purpose of GWIC, GWIC should be adequately funded by the NSW Government. Government in turn, can recoup these funds from GRNSW via Point of Consumption taxes on the gambling industry, legislated in the Betting Tax Act 2001, and through a tax on profits made by GRNSW.

APPENDIX 1

Any attempt by GRNSW, industry participants or Government to directly influence regulations, policies and procedures is totally inappropriate and must be strongly discouraged and avoided.

All breaches involving any suspected or known risk or impact to the welfare or well-being (physical or mental) of greyhounds or other non-human animals including, 'Detection prohibited substance', must impose the maximum allowable penalties and should include mandatory reporting.

Greyhounds continue to be forced to race at high speed and in temperatures of up to 38 degrees celcius and killed (wastage) following injury, illness or failed adoption assessment with minimal oversight by the industry.

Government has a clear role and responsibility in legislative reform, policy direction, and the upholding of laws either directly or through regulators such as GWIC and its principal objectives, "to promote and protect the welfare of greyhound" by regulating the activities which fall under GRNSW. This is particularly relevant to animal welfare and protection laws. The government does not partly fund RSPCA NSW as a regulator and equally fund a puppy factory and it should not fund GRNSW (the focus of regulation), or the gambling industry either.

GRNSW's stated role and purpose of commercial viability and industry participant support is in direct conflict to greyhound welfare. GWIC has a key responsibility for protecting and improving the welfare of greyhounds, however, the subservient relationship with GRNSW and Government including the inherent issues and uncertainty with the current funding model and lack of secure resources, results in ongoing problematic issues which limit GWIC's capacity and ability to fulfil its statutory role including, the welfare of greyhounds and the integrity of the greyhound racing industry in NSW.

GRNSW has continued to ignore the evidenced findings and recommendations from the study conducted by the University of Technology Sydney which concluded the unacceptable level of greyhound racing injuries and deaths can be reduced by track design and congestion with straight tracks and 6 dog races. During 2020 and up to the end of September, 173 greyhounds have died in track-related incidents and 8,159 have suffered injuries, and GRNSW has still not established any whole of life tracking program for NSW greyhounds.

GWIC must be given the power to make tracks safer including: Setting minimum standards for the design and construction for race tracks and greyhound training facilities; Licencing race tracks and training facilities; Withdrawal of licences for race tracks and training facilities which do not meet the standards; Setting maximum race field sizes; and annual reporting by GWIC of any public money expended by GRNSW to make new or existing tracks safer.

APPENDIX 1

Given the statutory “welfare” and “integrity” role and purpose of GWIC, and strong public perceptions about the industry and GRNSW, including the use of public money and funding from the gambling industry, I would also encourage the Select Committee to closely examine public feedback received in response to the NSW Greyhound Welfare Code of Practice and the Statutory Review of the Greyhound Racing Act 2017 including, the July 2017 Government issued five-year Operating Licence granted to GRNSW. The government cannot uphold GWIC and its statutory role while simultaneously investing public money into GRNSW and indirectly, the gambling industry, through ventures like the Million Dollar Chase or patching up dangerous race tracks. Such actions on the part of Government are viewed as a perceived and real conflict of interest and all such funding to GRNSW as the commercial entity, and the gambling industry, must cease.

I would further encourage the Select Committee to review the proceedings including hearings, findings, penalties and any report emanating from the GRNSW commissioned independent Inquiry chaired by barrister Adrian Anderson into matters relating to the alleged unauthorised export of greyhounds.

Yours faithfully



**ANIMAL LIBERATION
THANKS THE SELECT
COMMITTEE FOR
READING AND
CONSIDERING OUR
SUBMISSION.**

**WE LOOK FORWARD
TO THE COMMITTEE'S
REPORT AND
RECOMMENDATIONS**

ANIMAL LIBERATION

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Companion Animals Regulation 2008

NSW Animal Welfare Code of Practice No 5 – Dogs and cats in animal boarding establishments

Companion Animals Breeding Standards

NSW Greyhound Welfare Code of Practice (effective 1 January 2021)

Code of Practice for Breeding, Rearing and Education

Code of Practice for the Keeping of Greyhounds in Training

Race Day Hydration and Hot Weather Policy

Trial Track Policy

Swabbing Policy

Greyhound Re-homing Policy

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