



# Animal Defenders Office ACT

Using the law to protect animals

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The Coordinating Officer  
Greyhound Racing Act Review  
Office of Liquor, Gaming and Racing  
GPO Box 7060  
SYDNEY NSW 2001

Via: [greyhound.review@olgr.nsw.gov.au](mailto:greyhound.review@olgr.nsw.gov.au)

2 March 2015

Dear Sir/Madam

## **Review of the *Greyhound Racing Act 2009***

Thank you for the opportunity to provide a submission to the review of the *Greyhound Racing Act 2009* (the Act).

### About the Animal Defenders Office

The Animal Defenders Office (ADO) is a non-profit, Community Legal Centre that specialises in animal law. The ADO offers free legal advice and representation for individuals and groups that want to take action for animals. The ADO also produces information to raise community awareness about animal protection issues, and works to advance animal interests through law reform.

### Summary

The objective of the Act is to ensure the sustainable economic development and future viability of the greyhound racing industry. In our view, it is not possible to provide for adequate animal welfare standards within an industry that is designed to generate profit from the use of animals. On that basis, the ADO submits that in the interests of animal welfare, the commercial greyhound racing industry cannot continue. Moreover we contend that public sentiment on the issue of commercial greyhound racing is increasingly in favour of ending the industry.

If commercial greyhound racing is to continue in NSW, the ADO urges the NSW Government to strengthen the protections for the greyhounds and other animals in the industry. This can be achieved through introducing legislative standards for the treatment of animals within the industry, either through the Act, or through separate legislation, and by establishing an enforcement body that is both independent from the industry and adequately resourced to monitor and respond to animal welfare issues. Specific recommendations in relation to animal welfare are outlined below in this submission.

### Role of GRNSW—conflict of interest and lack of integrity

The policy and governance framework established under the Act raises serious concerns about the integrity of the controlling body, Greyhound Racing NSW (GRNSW), particularly in relation to its role in enabling the widespread abuse, neglect and destruction of greyhounds, and other animals, within the industry.

The Act does not contain any animal welfare standards. The two references to 'welfare' in the Act are to the welfare of the industry, not of the animals on which the industry depends (ss9(2)(c) and 12(2)). Nor does the Act create or impose any duties or obligations on the controlling body, GRNSW, in relation to animal welfare. GRNSW does, however, have a non-legislated role in establishing and enforcing non-legislative standards for the treatment of animals in the industry. GRNSW's dual role in promoting the economic viability of greyhound racing on the one hand, and acting as the primary body for monitoring and responding to animal welfare issues on the other, creates a serious conflict of interest.

Independent government oversight in regard to establishing animal welfare standards and enforcing these standards is required.

The ADO is aware that this would be a departure from the traditional regulation of the industry, which has to date been left to industry and industry-related bodies. The recent damning revelations of live-baiting in the industry by Animals Australia and the ABC emphasise that the industry is inherently incapable of regulating itself when it comes to animal welfare.

The industry should therefore have less, rather than more, autonomy when it comes to regulatory oversight of the industry. There should be completely separate bodies responsible for the commercial and regulatory functions of the industry. The government should play a much greater role in acting in the public interest to ensure that animal welfare becomes the top priority of the industry. There should also be at least two animal welfare experts on regulatory bodies such as GRNSW. These experts should be in addition to a member or members with veterinary qualifications, and should be sourced from community animal protection organisations and charities. At least two members should be required to militate against the marginalisation or intimidation of a single animal welfare member.

#### Key issues relating to animal welfare

In addition to the issues outlined above in relation to the Act, the ADO would like to take this opportunity to highlight some of the key areas of concern relating to animal welfare in the greyhound racing industry.

#### **Overbreeding**

The consequences associated with overbreeding within the industry, particularly in relation to high euthanasia rates and low rehoming rates, are far reaching. Nationally, it is estimated that as many as 17,000 healthy dogs are euthanized each year as a result of overbreeding in the industry. This figure does not take into account those greyhounds who are surrendered to pounds and shelters and subsequently destroyed, or those killed by their owners.

The fate of greyhounds who are not euthanized is not documented. Anecdotally, it is known that many greyhounds are surrendered to shelters and other rescue and adoption groups or given away privately. Shelters and adoption groups can attest to the low rehoming rates for greyhounds.

#### ***Recommendation:***

***Immediate action must be undertaken to reduce absolutely the number of greyhounds born, and the industry must invest significantly greater resources to increase rehoming capacity.***

## **Injuries**

Greyhounds are at significant risk of sustaining injuries during racing and training. Common injuries include broken bones, spinal trauma, torn muscles, ligament injury and head trauma that cause serious pain and suffering. These injuries are often so extreme that the greyhound is unable to return to racing. The oversupply of greyhounds means there is little incentive for owners and trainers to rehabilitate an injured greyhound.

### ***Recommendation:***

***Immediate action must be taken to prevent greyhounds being injured on the track and during training. This can be only achieved by prohibiting greyhound racing.***

## **Live animal baiting**

While public attention has only recently been drawn to the issue of live animals being used as lures during training, Animals Australia reported on this issue in its submission to the 2013/14 Legislative Council inquiry conducted by the Greyhound Racing in NSW Committee. While stronger protections are needed to ensure that animals are not subject to this cruel practice, in our view it is unlikely that legislative reform in this area will eradicate the practice. This activity takes place on private property during training sessions. It is therefore difficult to detect those responsible for this activity and to take action against them.

### ***Recommendations:***

***Immediate action must be taken to prohibit the use of live animals as lures in greyhound racing. This can only be achieved by prohibiting greyhound racing and associated training.***

***Failing a complete ban on racing, sanctions against those who participate in any way in live animal baiting should be embedded in the Act. Sanctions should include a life ban from the industry, and a requirement to pay back any proceeds gained from the industry such as race winnings or financial prizes. These sanctions would be in addition to animal cruelty offences in the Prevention of Cruelty to Animals Act 1979 (NSW).***

## **Inadequate data**

The above issues are compounded by the lack of reliable, accurate data within the industry.

### **Recommendation:**

***Immediate action must be taken to require compulsory collection and publication of data on the lifecycle and outcome for greyhounds, including births, injuries, rehoming and death (including cause of death).***

Please contact the ADO if you require clarification of the points made or require the references relied upon.

Yours faithfully

Animal Defenders Office

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