

# Investigation into animal welfare and cruelty in the Victorian greyhound industry

Final Report 30 April 2015

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#### Errata

Please note that the Investigation Into Animal Welfare And Cruelty In The Victorian Greyhound Industry Report contained the following erratum from the date of release on this website (11 June 2015) and as of 20 December 2015 the erratum have been corrected:

- Recommendation 4.3 listed in the Executive Summary was not consistent with the Recommendation 4.3 contained in the Detailed Recommendations section of the document. This has been rectified.

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# Foreword

This Review was commissioned by the Minister for Agriculture and Minister for Racing following the alleged incidents of live baiting of greyhounds shown on the ABC Four Corners program on 16 February 2015.

Animal welfare is important and we all have a responsibility to take allegations of animal cruelty seriously. The practices highlighted in the program are illegal and have been universally condemned within the greyhound industry and by the broader public.

The Review has been conducted over a ten week period. During the Review I consulted with a range of key stakeholders.

In the time available, the Review has considered the animal welfare requirements throughout the life of the racing greyhound and has examined the legislation, rules, codes and standards in place to ensure the protection of the welfare of animals in the greyhound industry.

The Review has identified that there are weaknesses in the current regulatory environment that need to be tightened. The accountabilities of parties are unclear and Greyhound Racing Victoria do not have the necessary powers to enforce animal welfare effectively. Greyhound Racing Victoria have a conflict of interest between

promoting the industry and regulating animal welfare outcomes. There is a clear need to separate out the regulation of animal welfare from industry promotion.

My view is that animal welfare can only be assured if there is a paradigm shift, that is embraced by all members of the greyhound industry, to ensure animal welfare is at the core of all that they do. This will require a fundamental change in culture and will be essential for the greyhound industry to rebuild public confidence and to maintain the social licence to operate in the future.

I would like to acknowledge and thank the input of many stakeholders from a number of organisations and the contribution of staff in the Department of Economic Development, Jobs, Transport and Resources who have played an important role in supporting this Review.

**Dr Charles Milne**  
Chief Veterinary Officer, Victoria

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## Abbreviations and acronyms

Acronym	Definition
COPG	Mandatory <i>DAA Code of Practice for the Operation of Greyhound Establishments</i>
DAA	<i>Domestic Animals Act 1994</i>
DAB	Domestic Animal Business
DEDJTR	Department of Economic Development, Jobs, Transport and Resources
DJR	Department of Justice and Regulation
GA	Greyhounds Australasia
GAP	Greyhound Adoption Program. GRV developed this program to help place suitable ex-racing greyhounds into homes where they become family pets.
Greyhound	Any greyhound registered or intending to be registered with Greyhound Racing Victoria (GRV) and not registered with its local council. This includes greyhounds involved in all life stages including breeding, rearing, breaking in, training, spelling, racing, and preparing for, or in, retirement.
GRV	Greyhound Racing Victoria
GRV inspectors	GRV animal welfare compliance and education officer
ORIC	Office of the Racing Integrity Commissioner
POCTAA	<i>Prevention of Cruelty to Animals Act 1986</i>
POCTAA Code	<i>POCTAA Code of Practice for the Private Keeping of Dogs</i>
Racing Act	<i>Racing Act 1958</i>
RADB	Racing Appeals and Disciplinary Board
Steward	GRV steward
Wildlife Act	<i>Wildlife Act 1975</i>



# Executive Summary

Reports of live baiting have fundamentally undermined public confidence in the current system of animal welfare regulation in the greyhound industry. Live baiting is illegal and is widely understood within the industry to be so. A key question for this Review is why these illegal activities were not discovered by the regulatory authorities and enforcement action undertaken. This is a question of governance, compliance and enforcement. The Review also considered the attitude and approach to animal welfare in the greyhound industry more broadly to identify possible improvements.

The problem is not just one of public perception. Many of the individuals and organisations participating in the Review provided evidence that there are real failings in the current arrangements. The Review identified three main issues.

1. Across the complex regulatory framework, which includes three Acts of Parliament and their subordinate legislation, there are differing approaches to animal welfare. Significant questions were raised by a number of organisations during the Review process relating to the adequacy of animal welfare standards, how these standards have been enforced across agencies, the differing powers of inspectors, and penalties for offences under different legislation.

The Review identified that there are significant issues that must be resolved. Although a broad review of animal welfare legislation is beyond the scope of this report, there are opportunities to ensure that the approach to animal welfare in the greyhound industry is as simple, consistent and comprehensive as possible within the existing framework.

2. Greyhound Racing Victoria (GRV) has an important role in promoting the economic interests of greyhound racing but is also responsible for protecting the welfare of animals in the racing industry. At times judgements have to be made in estimating the risks of an animal welfare problem and in the rigour with which enforcement measures are developed and applied. This can lead to conflicts between the concerns for the welfare of greyhounds and the short-term economic needs of some or all parts of the industry.

There are many decisions that the regulatory body must make that collectively have an impact on how animal welfare is regulated. These decisions include whether to proceed with prosecutions, allocation of resources within the organisation, the creation of a supportive culture and management and policy decisions that may impact animal welfare.

The Review has concluded that GRV has tended towards a conservative approach to regulating for animal welfare, and that a stronger regulatory approach would be achieved by

the separation of the functions of protecting animal welfare and the promotion of the business of greyhound racing in the future.

3. The current system is fragmented and lacks coordination and oversight between the different bodies involved in safeguarding the welfare of greyhounds. Information sharing and the referral of potential animal welfare breaches has been poor within GRV and across other animal welfare agencies. Except when responding to specific complaints, the RSPCA and local government have deferred greyhound animal welfare to GRV, which is under-powered to ensure compliance to standards acceptable to the broader community and reflected in legislation such as the *Prevention of Cruelty to Animals Act 1986*.

There are opportunities to clarify accountabilities of agencies, improve coordination and information sharing between agencies within Victoria and across greyhound controlling bodies in other Australian jurisdictions, and improve oversight and reporting of animal welfare compliance effort.

This Review makes 50 recommendations in relation to the industry's approach to animal welfare across five areas: to improve animal welfare rules, codes and standards; enhance the powers of animal welfare inspectors; create a *Greyhound Inspectorate*; clarify accountabilities across agencies; and improve information management.

A review of implementation of the recommendations identified in this report should be conducted after two years.



# List of recommendations

## 1. Animal welfare rules, codes and standards

- 1.1: That the *Code of Practice for the Operation of Greyhound Establishments* be comprehensively revised to include animal welfare standards that reflect contemporary community expectations and industry best practice.
- 1.2: That the *Domestic Animals Act 1994* be amended to ensure that all greyhounds in the industry are captured by the *Code of Practice for the Operation of Greyhound Establishments*.
- 1.3: That 'Applicable Organisation' status of Greyhound Racing Victoria under the *Domestic Animals Act 1994* be reviewed to ensure that it does not reduce or exempt the requirement for greyhound businesses to comply with the *Code of Practice for the Operation of Greyhound Establishments* or to be registered as a *Domestic Animal Business*.
- 1.4: That Greyhound Racing Victoria immediately identify all greyhound establishments that are potentially 'Domestic Animal Businesses' under the *Domestic Animals Act 1994* and notify them to the relevant council to be assessed for registration.
- 1.5: That Greyhound Racing Victoria educate its members about the legal requirements to register as 'Domestic Animal Businesses' with local councils (and the penalties for failing to do so) and develop information sharing procedures with local councils to ensure future registration compliance.
- 1.6: That the penalties and sanctions under the Greyhound Racing Victoria Local Rules be reviewed and revised to make them consistent with community expectations.
- 1.7: That the *Prevention of Cruelty to Animals Act 1986* be amended to strengthen the offences for baiting and luring and to improve the enforceability of baiting and luring offences. This could include prohibiting the presence of animals being kept, used live or killed for that purpose at any place being used for greyhound training or racing; and introducing an offence for being present at a place where live baiting or luring is occurring. The penalties of baiting and luring offences should also be increased to match penalties for aggravated cruelty.
- 1.8: That the statutory limitation for time to initiate a prosecution be extended to three years for *Prevention of Cruelty to Animals Act 1986* live baiting and luring related offences including aiding and abetting of such offences; and also for *Domestic Animals Act 1994* offences associated with permitting, training or urging dogs to attack other animals.

1.9: That the Greyhound Racing Victoria Local Rules are amended to specifically require members to comply with all relevant animal welfare and management legislation.

1.10: That Greyhound Racing Victoria considers how best it can inform its members of their animal welfare obligations.

## 2. Role and powers of greyhound inspectors

2.1: That inspectors be authorised under the *Domestic Animals Act 1994* with powers specific to greyhound businesses.

2.2: That inspectors be authorised under the *Prevention of Cruelty to Animals Act 1986* with powers specific to greyhound businesses.

2.3: That the current constraint around 'reasonable hours' for inspection under the *Racing Act 1958* be amended to reflect common hours of operation in the industry.

2.4: That a process for more rigorous investigation of complaints, including surveillance, should be established.

2.5: That the Greyhound Racing Victoria Local Rules be amended to include a power to require the approval to dispose of a greyhound reported to have died from 'misadventure' or euthanasia and to allow Greyhound Racing Victoria to be able to direct that an autopsy be performed, where

appropriate, to better understand end of life outcomes. The exercise of this power should form part of a broader Greyhound Racing Victoria compliance strategy.

2.6: That the competencies or experience required for authorisation of inspectors should be reviewed to reflect those required of *Domestic Animals Act 1994* and *Prevention of Cruelty to Animals Act 1986* authorised officers.

## 3. Greyhound Inspectorate

3.1: That the audit and inspectorate functions be removed from Greyhound Racing Victoria and located in an independent *Greyhound Inspectorate*, under the direct control of government and funded by industry.

3.2: That the Department of Justice and Regulation and Department of Economic Development, Jobs, Transport and Resources work together to establish the *Greyhound Inspectorate*.

3.3: That Greyhound Racing Victoria work to implement this Review's recommendations without delay with a view to transferring responsibilities allocated to the *Greyhound Inspectorate* when established.

3.4: That the *Greyhound Inspectorate* develop best practice guidelines for the establishment of greyhound establishments.

- 3.5: That the *Greyhound Inspectorate* be responsible for regulating greyhound establishments including ‘Domestic Animal Businesses’ under the *Domestic Animals Act 1994*.
- 3.6: That all premises involved in greyhound breeding, rearing, breaking-in, bullrings, boarding, and training should be registered and monitored by Greyhound Racing Victoria under the current governance framework prior to establishment of the *Greyhound Inspectorate*.
- 3.7: That the *Greyhound Inspectorate* develop, in consultation with all relevant agencies, a greyhound *Domestic Animals Act 1994* and *Prevention of Cruelty to Animals Act 1986* compliance strategy, including reporting requirements and memorandums of understanding with appropriate agencies to define liaison, assistance and briefings on breaches of legislation for compliance action.
- 3.8: That the Ministers for Racing and Agriculture develop statements of expectation for the agencies involved in monitoring and enforcing animal welfare in the greyhound industry.
- 4.2: That the Racing Act 1958 require the Greyhound Racing Victoria Board to include a member who is an expert on animal welfare and/or ethics.
- 4.3: The Review also recommends that the GRV Board develop an animal welfare strategy with measurable objectives and goals that reflect wider community expectations for the industry. Currently, GRV mentions animal welfare initiatives in its annual report but there is no formal obligation to do so. The animal welfare content has tended to focus on the Greyhound Adoption Program and new animal welfare initiatives but has neglected reporting on important welfare statistics and trends such as retirement and euthanasia.
- 4.4: That the Greyhound Racing Victoria Board develop a comprehensive animal welfare strategy in consultation with key stakeholders including major animal welfare organisations.
- 4.5: That a review of financial and other incentives be conducted by a Greyhound Racing Victoria led working group, including representation from the Department of Economic Development and RSPCA, to develop options that may be effective to reduce numbers of greyhounds being bred, improve rehoming rates after retirement (Greyhound Adoption Program) and to fund improved post-racing retirement outcomes.

## 4. Accountability between agencies

- 4.1: That the Greyhound Racing Victoria Board is designated a statutory obligation under the *Racing Act 1958* to promote animal welfare, including greyhound welfare, across the industry.
- 4.6: That Greyhound Racing Victoria implement research to review the behaviours, attitudes and practices of members towards animal welfare.

- 4.7: That Greyhound Racing Victoria consider enhanced education and training requirements for the registration and licensing of participants. Skills should be assessed regularly, and participants should be required to undergo regular, ongoing training and revision in order to be familiar with the legal and welfare requirements of greyhounds.
- 4.8: That Greyhound Racing Victoria implement a formal referral mechanism and protocol for breaches of all relevant legislation identified by Greyhound Racing Victoria to be immediately reported to the appropriate agency for investigation and action.
- 4.9: That Greyhound Racing Victoria optimise their use of existing sanctions, particularly registration, suspension and disqualification powers to enforce compliance to Local Rules, Codes of Practice and other relevant legislation.
- 4.10: That Greyhound Racing Victoria develop and implement a greyhound welfare and Local Rules compliance strategy in consultation with all relevant agencies. All inspection and enforcement action should be reported regularly to Greyhound Racing Victoria and Office of the Racing Integrity Commissioner, and a summary public report published annually. A protocol should be developed to guide Greyhound Racing Victoria stewards on the appropriate management of compliance actions.
- 4.11: That Greyhound Racing Victoria supports and encourages stewards' intelligence gathering and assistance to support animal welfare enforcement by Greyhound Racing Victoria and other agencies.
- 4.12: That Greyhound Racing Victoria consider further Local Rules changes to:
- prohibit the keeping of animals by any registered participant for the purpose of use as a lure (live or dead);
  - avoid transfer of greyhounds as a means to avoid effective penalties
  - place sanctions on a greyhound proven to be 'blooded'; and
  - support the policy change that only synthetic lures be allowed.
- 4.13: That a national discussion of jurisdictional governments consider greater harmonisation of rules and improved information gathering and sharing to support regulation and improvement of animal welfare in the greyhound industry.
- 4.14: That the Racing Appeals and Disciplinary Board include an independent member with appropriate animal welfare and/or veterinary expertise when considering animal welfare related issues.
- 4.15: That the responsibilities of the Office of the Racing Integrity Commissioner are expanded to include powers to audit animal welfare compliance and auditing in the greyhound racing industry and to provide a mechanism for animal welfare complaints and information.

## 5. Information management

- 5.1: That all Controlling Bodies implement a rigorous and consistent approach to:
- documenting the reason for retirement of all registered greyhounds;
  - notification of exports of all registered greyhounds which specify which country a greyhound is being exported to, and for what purpose (racing, stud or other); and
  - making it an offence to fail to lodge a retirement or export notification.
- 5.2: That Greyhounds Australasia coordinate the collection and dissemination of greyhound lifecycle information.
- 5.3: That Greyhound Racing Victoria monitor and analyse the information gained from retirement notifications to inform future Greyhound Racing Victoria Board action and animal welfare strategies.
- 5.4: That Greyhound Racing Victoria consider introducing a rule that greyhounds, resident in Victoria, must be kept only at registered premises and in the custody of Greyhound Racing Victoria licensed participants at all times up to retirement.
- 5.5: That Greyhound Racing Victoria monitor injuries at race and trial tracks and publish analysis of the information in its annual report.
- 5.6: That Greyhounds Australasia and Controlling Bodies enhance mutual recognition, adoption and reporting of all penalties issued by individual Controlling Bodies.
- 5.7: That Greyhound Racing Victoria implement and develop a case management system that enables lifetime monitoring of greyhounds with capabilities for complex reporting, analysis and review of the industry.
- 5.8: That Greyhound Racing Victoria and the *Greyhound Inspectorate* share access to the case management system to support intelligence gathering and exchange.
- 5.9: That Greyhound Racing Victoria implement strategies to increase facilitation and information sharing of registration and greyhound location information with local councils and the RSPCA.
- 5.10: That Greyhound Racing Victoria and the *Greyhound Inspectorate* report to the Ministers for Racing and Agriculture and through their Annual Report to Parliament, on performance of the greyhound industry on animal welfare.
- 5.11: That a review be undertaken in two years to assess progress against the recommendations contained in this report.

# 1. Introduction

This Review was commissioned by the Minister for Agriculture and Minister for Racing following the alleged incidents of live baiting of greyhounds shown on the *Four Corners* program on 16 February 2015. These practices have been universally condemned within the greyhound industry and beyond, and are illegal under a number of existing laws.

The Review's terms of reference (see text box) focus on the adequacy of existing regulation and standards as well as the governance and enforcement systems that are currently in place to ensure compliance with these requirements. The questions for this Review were not what happened or how widespread these practices are, but why these practices – whether widespread or uncommon – were not exposed by the regulatory bodies? Do failures in the way the industry is regulated, and the rules enforced, allow such activity to occur? These are questions of governance, compliance and enforcement.

There are also broader questions of animal welfare outcomes in the greyhound industry. This Review also considers welfare throughout a dog's life and looks at the rules, codes and standards in place to ensure animal welfare in the greyhound industry.

The findings and recommendations presented aim to describe a path forward for the greyhound industry in Victoria to ensure contemporary animal welfare outcomes acceptable to the wider community are achieved.

## Terms of Reference

In conjunction with Greyhound Racing Victoria, Chief Veterinary Officer Dr Charles Milne will lead an investigation into animal welfare and cruelty in the greyhound industry in Victoria.

As part of the investigation's Terms of Reference, recommendations will be provided to the Minister for Agriculture and the Minister for Racing for consideration no later than 30 April 2015.

The investigation will include:

1. A review of the current industry codes and standards to protect the welfare of animals in the greyhound racing industry;
2. A review of the animal welfare governance systems and compliance and enforcement strategies to ensure compliance in the greyhound racing industry; and
3. Recommendations on how animal welfare standards, governance and compliance could be improved.

Once completed, the investigation will deliver a report on greyhound industry governance and compliance with animal welfare legislation, standards and codes and identification of opportunities for improvement.

However, real change can only be delivered by the industry, and all of the individuals that participate in it, embracing their responsibilities and the need to put the welfare of the greyhound at the core of all that they do. This fundamental change in culture will be essential for the greyhound industry to rebuild public confidence and to maintain the social licence to operate in the future.

The Review has been conducted over a ten week period. This period allowed for targeted consultation with a range of key stakeholders. No requests for input were refused and all requests to meet stakeholders were supported and constructive. The full list of organisations and individuals consulted is provided in Appendix 1. In a number of cases, the Review undertook follow-up meetings with stakeholders for the purpose of checking facts and understanding. Every care has been taken to ensure accuracy within the time available.

The Review also looked at the animal welfare regulatory framework relating to the greyhound industry, including reviewing the current Victorian legislation and its codes of practice, comparing acts from other jurisdictions, and examining the Greyhounds Australasia Rules and Greyhound Racing Victoria (GRV) rules. The outcomes of steward inquiries and disciplinary board hearings were considered to determine how well this legislative framework was enforced.

Chapter 2 provides an overview of the regulatory environment in which the greyhound industry operates noting the complexity of the legislation, codes and rules. Chapter 3 describes the current approach to animal welfare in the greyhound industry, identifies areas of weakness where legislation, rules and standards can be tightened, and notes ways of improving monitoring and compliance to make the

industry more transparent. Chapter 4 provides detail and evidence leading to the Review's recommendations across five areas:

1. animal welfare rules, codes and standards;
2. role and powers of greyhound inspectors;
3. a proposed *Greyhound Inspectorate*;
4. accountability between agencies; and
5. information management.

The Appendices include a summary of the greyhound industry in Victoria (Appendix 2) and recent animal welfare initiatives by GRV. These are not comprehensive but provide context for the Review findings and recommendations.



## 2. The animal welfare regulatory framework

The regulatory framework that governs animal welfare in the greyhound industry is complex and includes rules and regulations that are spread across multiple Acts and their subordinate documents. The *Racing Act 1958*, the *Domestic Animals Act 1994* and the *Prevention of Cruelty to Animals Act 1986* form the basis for the rules and codes that establish the minimum standards relevant to greyhound animal welfare. The *Prevention of Cruelty to Animals Act 1986* and *Wildlife Act 1975* are relevant to the use of native animals for live baiting. An overview of the Acts and their subordinate documents is provided in Figure 1.

Figure 1. Hierarchy of Acts, Regulations, Rules and Codes relevant to animal welfare





## 2.1 Racing Act 1958

The *Racing Act 1958* (Racing Act) governs the three racing codes in Victoria. It regulates the conduct of race meetings, provides for the licensing of clubs and courses, and establishes GRV as the Controlling Body responsible for the development, promotion and management of greyhound racing.

The Act does not focus on animal welfare, nor does it require GRV to specifically address welfare as part of its functions. However, GRV is responsible for all aspects of greyhound racing that involve the greyhounds themselves, including the registration and verification of greyhounds; litter and stud dog registration; the provision of racing certificates; and the regulation of breeding and kennelling standards. It has an implicit role of providing animal welfare direction to the entire industry. The responsible authority of the Racing Act is the Minister for Racing.

The Racing Act empowers the GRV Board to appoint inspectors and stewards to ensure compliance with Local Rules. In practice, GRV animal welfare compliance and education officers (abbreviated to GRV inspectors for the rest of the Report) are responsible for ensuring industry participants are compliant with the rules of racing and the various Codes of Practice. Stewards tend to have a narrower focus on race day integrity and drugs testing.

### 2.1.1 Local Rules

The Racing Act empowers the GRV Board to make Local Rules to govern the Victorian greyhound industry. The GRV rules incorporate four distinct sets of rules:

1. The 'National Rules' – a set of rules issued by Greyhounds Australasia

that apply to greyhound racing in Australian States and Territories, and New Zealand. Often referred to as the Greyhounds Australasia Rules.

2. The 'Local Rules' – the Local Rules endorsed by GRV. Local Rules vary between jurisdictions and take precedence over the National Rules in the event of inconsistency.
3. The 'Plumpton Coursing Rules' – a set of rules that apply only to Plumpton Coursing events.
4. The 'Betting and Bookmakers Rules' – rules that govern betting and bookmakers.
5. GRV has also developed numerous policies, educational documents and guidelines relating to greyhound welfare and management. The Review notes that an individual would need to read more than 20 individual documents (including the Local Rules, the National Rules, and multiple policies and education packages) to fully understand the requirements for greyhound welfare and management.

### 2.1.2 Licenses and Registrations

The licensing and registration of participants and dogs is central to GRV operations. GRV currently licenses Catchers, Attendants, Trainers and Breeders and an expansion of licensing categories is scheduled for later in 2015. GRV registers litters, racing greyhounds, stud greyhounds and greyhound owners.

There are currently around 8,980 registered owners (including syndicates)<sup>1</sup>, 2,682

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<sup>1</sup> Greyhound Australasia (2015) Website: <http://www.gatd.org.au/GreyhoundsAustralasia/index.php?q=node/111>

licensed trainers<sup>2</sup> and over 700 licensed breeders<sup>3</sup>. New registration requirements for participants (whelpers, rearers and breakers) and establishments (rearing farms, boarding and breaking-in facilities) are planned for introduction in 2015 so that the location of every greyhound can be tracked throughout its entire lifecycle. It is estimated around 9,000 greyhounds are 'active' in training or racing in Victoria today.<sup>4</sup>

Registration with GRV as a greyhound owner is free and entails filling out an online application and signing a declaration. There are no education or training requirements associated with the greyhound ownership registration process, although it is important to note that the majority of greyhound owners are not involved in the day-to-day care of greyhounds.

The licensing process for breeders and trainers is relatively simple. Costs and competency requirements vary depending on the level of license applied for. Mandatory minimum education requirements are only required for new breeders and trainers. There are no ongoing requirements to maintain competencies or undergo further training<sup>5</sup>, although GRV regularly holds seminars and information sessions for existing licence holders. Trainer licences expire after between one to three years, depending on the type of licence.

### 2.1.3 The Racing Appeals and Disciplinary Board

The Racing Act establishes the Racing Appeals and Disciplinary Board (RADB) as an independent Board which determines in the first instance any alleged breach of the Local Rules and National Rules which is a 'Serious Offence'. Local Rule 42 deems keeping a greyhound in conditions dangerous or detrimental to the health and safety of a greyhound a 'Serious Offence', and GRV stewards prosecute these matters before the RADB on behalf of GRV.

### 2.1.4 Office of the Racing Integrity Commissioner (ORIC)

The Racing Act appoints a Racing Integrity Commissioner to conduct audits, investigate and refer complaints, report findings, make recommendations and to instigate his own investigations (called Own Motion Inquiries) including those relating to GRV and the other two racing codes.

Under the Racing Act, the Commissioner is responsible for referring complaints that may fall under other legislation such as DAA and POCTAA to the appropriate authority. However, there is no formal mechanism within the Racing Act to ensure that these referrals are made.

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2 Greyhound Australasia (2015) Website: <http://www.galtd.org.au/GreyhoundsAustralasia/index.php?q=node/111>

3 IER Pty Ltd (2013) *The Size and Scope of the Victorian Racing Industry* p.10.

4 IER Pty Ltd (2013) *The Size and Scope of the Victorian Racing Industry* p.10.

5 Compared to the DAA Code of Practice for the Operation of Breeding and Rearing Businesses which requires individuals working at a breeding establishment to complete a minimum training course every three years to maintain competencies and remain up to date with relevant legislative changes.

## 2.2 Domestic Animals Act 1994

The *Domestic Animals Act 1994* is the main piece of legislation that relates to dog ownership in Victoria. It provides for the general care, registration, and identification requirements of dogs; the registration and minimum standards of 'Domestic Animal Businesses' (DABs); and authorises enforcement of the Act. The DAA also covers dog attacks and sets out the rules governing the keeping of dangerous and restricted dogs. The responsible authority of the Act is the Minister for Agriculture.

A key feature of the Act is the Minister for Agriculture's ability to declare an organisation an 'Applicable Organisation.' 'Applicable Organisation' status affords its members certain exemptions from the DAA on the basis that the 'Applicable Organisation' enforces a Code of Ethics that is equivalent to or greater than the relevant DAA Codes of Practice.

GRV is an 'Applicable Organisation' under the DAA and is expected, as a minimum, to apply the DAA *Code of Practice for the Operation of Greyhound Establishments* (COPG). In addition, GRV members are exempt from having to register their greyhounds with their local council if they are already registered with GRV.

Currently, only authorised local council officers and DEDJTR authorised officers have the power to enforce the DAA and its Codes of Practice, including the COPG. GRV stewards and inspectors have no power to audit or enforce compliance with the DAA and the COPG, although GRV does apply the COPG as the minimum standards for the industry.

## 2.3 Prevention of Cruelty to Animals Act 1986

The *Prevention of Cruelty to Animals Act 1986* (POCTAA) protects the welfare of animals in Victoria and applies equally to all uses of animals and all species including greyhounds in the racing industry.

The Act defines animal cruelty and sets out the offences of cruelty and aggravated cruelty. The offences include acts of deliberate cruelty, ill-treatment, causing unnecessary or unreasonable pain or suffering, and abandonment. The Act also contains specific offences for live baiting (or luring).

Codes of Practice under this Act outline the minimum standards for a range of species and uses including for the accommodation, management and care of all dogs in the *Code of Practice for the Private Keeping of Dogs* (POCTAA Code). The responsible authority for the POCTAA is the Minister for Agriculture.

The following people have the relevant powers to investigate allegations of animal cruelty in the greyhound industry: all Victoria Police officers and Minister-approved RSPCA officers, local council officers, and public service employees employed under Part 3 of the *Public Administration Act 2004* (Vic).

## 2.4 Wildlife Act 1975

There is one more piece of legislation which applies to the live baiting issue. The capture, holding and killing of protected wildlife which is an offence under the *Wildlife Act 1975* (Vic). Offences exist if protected wildlife is used as a lure in greyhound training (live baiting).

# 3. Findings

Ultimately, the achievement of acceptable animal welfare outcomes can only be delivered by the individuals within the industry responsible for the care of the greyhounds.

Delivery of appropriate animal welfare standards necessitates a strong, industry wide culture which recognises its responsibilities and values the importance of animal welfare. Although the Review was not able to obtain empirical data, it would appear that the animal welfare approach taken by a significant portion of the industry lags behind the expectations of the broader community. The Review did not get the sense that a significant proportion of industry participants understand, or have bought into, the importance of animal welfare. Addressing this deficiency is currently the single biggest challenge facing the industry which will only maintain its social licence to operate, and therefore its long-term viability, if these shortcomings are seen to be actively resolved.

It is only through a significantly enhanced effort and a fundamental change in attitude that the industry can provide confidence to the broader community that it will meet society's expectations for animal welfare in the future.

The greyhound racing industry proclaims that it considers animal welfare to be of the highest priority. Although the industry is based on racing greyhounds for the pleasure and profit the sport brings to participants, the Review found that many participants in the industry do have the welfare of their dogs at the forefront of their minds.

At the industry level, GRV recognises that ensuring animal welfare outcomes is critical to the sustainable development.

The first 'strategic competency' of the GRV Strategic Plan 2014-19 is greyhound welfare excellence.

However, this is not always the case. There is always the risk that the prospect of winning and profit will tempt participants to undertake undesirable practices such as doping, live baiting, inciting, and animal substitution. It is the role of the regulator to ensure that these practices are prevented, or when they are found to occur, robust enforcement action taken.

Recently, GRV has undertaken a number of initiatives, outlined in more detail in Appendix 3, to address animal welfare concerns. However, many of the positive steps that GRV has taken to improve animal welfare regulation are still in their formative stages and have not yet fully achieved the desired outcomes. While the recent initiatives are to be welcomed, the Review concluded that further action is required to ensure that the rules providing for animal welfare are adequate and appropriately enforced. In addition, the regulatory powers available to GRV to investigate and enforce animal welfare regulations are inadequate, and the powers that are available are not fully utilised. The Review has identified significant shortcomings in the ability of GRV to regulate for acceptable animal welfare outcomes.

The sections below provides an overview of the issues identified during the Review. More detail and specific recommendations are provided in the next chapter.

## 3.1 Animal welfare rules, codes and standards

The DAA, POCTAA and Racing Act, along with their subordinate documents, establish the minimum standard expected of industry participants for animal welfare, as outlined above.

The *Code of Practice for the Operation of Greyhound Establishments (COPG)* is a statutory code under the DAA which specifies the minimum standards of accommodation, management and care of greyhounds. This code specifies the requirements for all greyhound DABs registered with local councils under the DAA. It also provides the basis for all kennel inspections by GRV inspectors and stewards, as well as providing grounds for offences and penalties under the GRV Local Rules.

The Review determined that the COPG is lacking in content and scope. It does not adequately cover all of the different stages of a greyhound's life and does not include critical standards that address a greyhound's exercise, socialisation, handling, transportation and enrichment needs.

The COPG is also inconsistent with the detail of the DAA *Code of Practice for the Operation of Breeding and Rearing Businesses* that applies generally to dog breeding and rearing.

As an 'Applicable Organisation' under the DAA, GRV is expected to apply the COPG through its own governance and compliance framework. The Review found that, as a result of GRV's definition of a greyhound DAB, a large number of greyhound establishments have not registered with local councils, creating a significant compliance

and enforcement gap. The status as an 'Applicable Organisation' should be reviewed to ensure that the COPG can be applied more generally to greyhound establishments.

The Review makes a number of recommendations to enhance the effectiveness of the COPG as a regulatory tool. In addition to revising the COPG, the DAA should be amended so that the strengthened COPG applies to the majority of dogs within the industry. GRV should immediately take action to increase compliance with the DAA by DABs.

## 3.2 Role and powers of greyhound inspectors

An important welfare compliance tool available to GRV is its ability to conduct inspections of registered greyhound establishments such as kennels and training facilities.

GRV maintains a policy of compulsory inspections for new GRV members and random kennel inspections for established members. During these inspections GRV stewards and inspectors can audit compliance to the Local Rules and associated animal welfare policies.

The Review found that GRV inspectors and stewards have inadequate powers to conduct meaningful unannounced inspections of registered greyhound premises. The ability of GRV inspectors to inspect unregistered premises, such as rearing facilities, is even weaker. An important measure, to address this, would be to authorise greyhound inspectors under the DAA and POCTAA. This change would increase their powers to undertake inspections and allow them to prosecute offences under the DAA and POCTAA.

Additional recommendations are provided, in the Chapter 4, relating to establishing a process for more rigorous investigation of complaints, including surveillance, and providing a power to require approval, from GRV, for an owner or person in charge of a greyhound to dispose of a greyhound carcass following death with the option of GRV requiring that an autopsy be performed in a number of cases to better understand end of life outcomes.

### 3.3 Greyhound Inspectorate

There is potential for a real or perceived conflict of interest between the aspirations of GRV to promote the industry and its responsibility to deliver strong regulation of animal welfare. The continued future of the industry depends on demonstrating and providing confidence in good animal welfare outcomes.

Good regulatory practice requires a degree of separation of the regulatory authority from industry interests. Experience in other fields demonstrates that the provision of education and information alone does not reduce public anxiety and distrust unless there is also effective and clear structural changes to address the underlying concern.

While the Review is of the view that the recommendations to enhance the powers and accountabilities of inspectors will greatly enhance the capability of the greyhound inspectors to operate effectively, the introduction of a high quality authority (the *Greyhound Inspectorate*) which manifestly has animal welfare in the greyhound industry as its first priority and has appropriate investigative

and executive powers is a fundamental component of the series of developments needed to rebuild public confidence.

An industry-funded, statutory *Greyhound Inspectorate* should be established to regulate animal welfare in the greyhound industry. Further work will be required to determine how this is best achieved.

The *Greyhound Inspectorate* should become responsible for the registration, inspection and audit of all premises involved in greyhound breeding, rearing, breaking-in, bullrings, boarding and training. As a result, local government should no longer be responsible for greyhound DABs under the DAA.

It will be critical that the *Greyhound Inspectorate* develops a DAA and POCTAA compliance strategy and build inter-agency relationships to ensure strong liaison, assistance and referral of potential animal welfare offences.

### 3.4 Accountabilities between agencies

The complexity of the current regulatory framework, lack of powers, poor interagency coordination, and confusion as to which agency has the primary role to regulate racing greyhounds and greyhound premises, has resulted in serious gaps in the animal welfare compliance regime.

The Review proposes a new model for agency accountability: one which is simplified, sets out clear responsibilities and facilitates information sharing in order to improve enforcement.

GRV should remain responsible for the registration of greyhounds and participants,



and licencing of race tracks and trial tracks. GRV's animal welfare role and reporting requirements are broadened. GRV will play a key role in educating participants and driving a culture that promotes animal welfare.

GRV should work with a broad range of participants to develop options that may be effective in reducing the numbers of greyhounds being bred, improve rehoming rates after retirement and to fund improved post-racing retirement outcomes.

Stewards, in particular, provide an opportunity to gather critical intelligence on animal welfare issues, not just through formal race day steward reports, but by collecting intelligence through informal channels and during out of race day inspections. They also prosecute under the GRV Local Rules. To date, these Local Rules have been the basis of most prosecutions by GRV stewards of registered owners, trainers and breeders. This will continue for minor animal welfare offences although in the future an increased number of animal welfare offences will be referred to the *Greyhound Inspectorate* for action.

GRV should develop a compliance strategy that seeks to optimise the use of Local Rules and have a formal referral mechanism for serious breaches of welfare legislation in place. A number of Local Rules pertaining to live baiting and the transfer of ownership of dogs should be strengthened.

The Review proposes a number of recommendations to improve the various agencies' ability to regulate animal welfare. These include increasing the animal welfare expertise of GRV, RADB, GA and Greyhound Inspectorate and commencing a national discussion on a consistent approach to animal welfare in the greyhound industry led by the Ministers for Racing.

ORIC should provide oversight of the performance of GRV and the Greyhound Inspectorate in meeting their animal welfare obligations. This oversight has been critical in successfully progressing other integrity issues. The opinion of this Review is that animal welfare is fundamental to the integrity of the sport, and consequently it is appropriate that the remit of ORIC is broadened to include this function.

### 3.5 Information management

Information management is inextricably linked to accountability and effective oversight. A comprehensive and transparent information management system which captures important industry data will be vital to informing animal welfare compliance and enforcement strategies and determining their efficacy.

There is currently a poor understanding of the numbers of greyhounds active in the industry, how they are being managed at different stages of their lifecycle, and what becomes of them after they retire from racing. Despite recent improvements in reporting compliance, more complete information is required at all stages of the greyhound's life. Until retirement, GRV Local Rules should require that greyhounds are kept at registered premises and in the presence of registered participants at all times. This will require comprehensive registering of industry participants and greater national coordination.

Establishment of a case management system to enable lifetime monitoring of greyhounds is a priority. Greater sharing of this improved information should occur across agencies, and greater reporting and transparency provided.

# 4. Detailed recommendations

The sections below provide more detailed information, evidence and specific recommendations across five key areas.

## 4.1 Animal welfare rules, codes and standards

The regulatory framework that governs animal welfare in the greyhound industry is complicated. Relevant statutory requirements, regulations and minimum standards are spread across multiple Acts and their subordinate documents. The Review has considered this regulatory framework in detail and found considerable deficiencies with the following:

- The adequacy of the content of relevant Codes of Practice, in particular the *Code of Practice for the Operation of Greyhound Establishments* (COPG);
- The application of these Codes of Practice to greyhound industry participants;
- The consistency across the legislation with regard to offences, penalties and statute of limitations on laying charges; and
- The complexity of rules.

### 4.1.1 Adequacy of Codes of Practice

In Victoria there are five Codes of Practice made under the *Domestic Animals Act 1994* (DAA) that relate to the management of

dog-related businesses. These Codes are enterprise-specific and outline the minimum standards required for housing, exercise, enrichment, socialisation and care. These Codes are mandatory if an establishment meets the definition of a 'Domestic Animal Business' (DAB) under Section 3 of the DAA.

The *Code of Practice for the Operation of Greyhound Establishments* (COPG) – which specifically applies to greyhounds registered by GRV – is mandatory for greyhound establishments that meet the definition of a DAB.

This Review has identified deficiencies in the COPG and finds it lacking in content and scope in relation to all facets of the racing greyhound lifecycle.

The other DAA Codes of Practice are detailed and enterprise-specific. Compared to these, the COPG is brief (only six pages long) and is intended to apply to all greyhound establishments that are breeding, rearing, training or boarding greyhounds. A review of its content shows that the COPG does not include critical standards that address a greyhound's exercise, socialisation, handling, transportation and enrichment needs at all stages of the dog's life. The COPG also does not include policies to guide greyhound management and care after they retire from racing. The animal welfare standards embodied in



the COPG are considered to fall short of contemporary community expectations.

There is also a Code of Practice made under the *Prevention of Cruelty to Animals Act 1986* (POCTAA) – the *Code of Practice for the Private Keeping of Dogs* (POCTAA Code), which provides guidance to all owners, carers and custodians of dogs. Whilst the POCTAA Code applies to all dogs, it provides guidance only and lacks specific provisions for greyhounds in the racing industry.

There should be a revision of the COPG so that the Code is consistent with other relevant Codes of Practice and with the welfare requirements in place for all other dogs. It should cover the entire greyhound lifecycle including breeding, rearing, breaking, training, racing and retirement. In particular it should specifically address: exercise, socialisation and enrichment needs; transportation; handling; minimum standards for the different types and sizes of establishments; management of retired greyhounds, and euthanasia.

#### Recommendation 1.1:

That the *Code of Practice for the Operation of Greyhound Establishments* be comprehensively revised to include animal welfare standards that reflect contemporary community expectations and industry best practice.

## 4.1.2 COPG application gaps

GRV and its members have reduced compliance obligations under the DAA through two mechanisms. Firstly, GRV has ‘Applicable Organisation’ status under the DAA. This designation requires GRV, as a minimum, to apply the COPG. This status also results in GRV members being subject to different criteria compared to other domestic animal businesses when determining whether they are required to register as a breeding DAB. Secondly, an exemption excuses GRV-registered greyhounds from being registered with local council.

The Review has found that there has been some confusion across industry with regard to the interpretation of GRV’s ‘Applicable Organisation’ status and a lack of clarity of what constitutes a DAB under the DAA. This has resulted in a significant number of greyhound establishments not being registered with local councils as DABs, leading to compliance and enforcement gaps.

Differences in GRV member interpretation of a greyhound DAB and the DAA definition of a DAB (see text box) include:

- The DAA definition of DAB breeding enterprise pursuant to s.3(b) relies on breeding of fertile females to produce dogs ‘to sell.’ Many industry participants breed dogs but do not ‘sell’ dogs per se, instead giving them to trainers to train and race in a syndicate or joint ownership arrangement in the hopes that they will be able to share in any eventual prize money.
- The DAA definition of DAB breeding enterprise also relies on the number of ‘fertile female dogs’ present, which is commonly interpreted as actively breeding fertile female dogs.

- The DAA definition of a DAB rearing, training and boarding enterprise pursuant to s.3(c) relies on the enterprise to be ‘run for profit.’ This has been interpreted narrowly, even where participating in a professional sport for prize money.
- GRV’s definition of ‘owner’ differs from the DAA definition – the DAA views the person in charge of the dog as the ‘owner’ for the purpose compliance and enforcement; whereas GRV define the ‘owner’ as the person who ‘owns’ the dog for prize money purposes – not the person responsible for their day to day care.

The Review considers that the changes could be made to ensure the COPG covers the majority of greyhound establishments.

### Recommendation 1.2:

That the *Domestic Animals Act 1994* be amended to ensure that all greyhounds in the industry are captured by the *Code of Practice for the Operation of Greyhound Establishments*.

In the short term, a review of the GRV ‘Applicable Organisation’ status is warranted. Should recommendations – to amend the definition of ‘greyhound’, change the applicability of the COPG, and appoint inspectors as DAA authorised officers – be accepted, GRV’s ‘Applicable Organisation’

## ***Domestic Animals Act 1994, section 3:***

domestic animal business means --

- a. an animal shelter, Council pound or pet shop; or
- b. an enterprise which carries out the breeding of dogs or cats **to sell**, where—
  - i. in the case of an enterprise whose proprietor is a member of an applicable organisation—
    - A. the enterprise has 10 or more **fertile female dogs** or 10 or more fertile female cats; or
    - B. the enterprise has between 3 and 9 **fertile female dogs** or between 3 and 9 fertile female cats in circumstances where no more than 2 of the fertile female dogs or fertile female cats (as the case may be) are not registered with the applicable organisation; or
  - ii. in the case of an enterprise whose proprietor is not a member of an applicable organisation, the enterprise has 3 or more fertile female dogs or 3 or more fertile female cats; or
- c. an enterprise that is **run for profit** which carries out the rearing, training or boarding of dogs or cats;

status may be irrelevant as the exemptions afforded by that status would no longer apply.

### Recommendation 1.3:

That the 'Applicable Organisation' status of Greyhound Racing Victoria under the *Domestic Animals Act 1994* be reviewed to ensure that it does not reduce or exempt the requirement for greyhound businesses to comply with the *Code of Practice for the Operation of Greyhound Establishments* or to be registered as a 'Domestic Animal Business'.

The Review has determined that a significant number of greyhound establishments, that could meet the definition of a greyhound DAB, are failing to register with local councils. An interrogation of the GRV Animal Registry Service revealed an estimated 106 members may be operating breeding DABs and that none of these are currently registered with local councils. It is also estimated that a significant number of rearing, boarding and training establishments would also fall under the DAA DAB definition. But when checked against local council records, only one GRV-registered greyhound establishment (a boarding establishment) was found to be registered with a local council in Victoria. This estimate does not take into account the many whelping, rearing and breaking-in establishments that are operated by unlicensed participants. These unregistered greyhound DABs present a significant compliance gap.

GRV has no powers of enforcement for the COPG under the DAA; local councils are the registration and enforcement agency. Unless greyhounds and greyhound racing

establishments are known to the local council, councils are unlikely to undertake enforcement activities. In addition, the Governor In Council exemption, which exempts GRV-registered greyhounds from registering with their local council like other dogs, makes it difficult for local councils to identify properties that should be registered as a DABs. The only Code that is relevant to establishments not registered as DABs is the POCTAA Code, which is not mandatory and consequently, not able to be actively enforced.

GRV has indicated that in practice it requires all greyhound establishments with GRV-registered greyhounds to comply with the COPG, whether or not they meet the DAA definition of a DAB. But this requirement is not written into legislation or the Local Rules, leaving the enforcement of the COPG requirements on non-DABs open to challenge.

### Recommendation 1.4:

That Greyhound Racing Victoria immediately identify all greyhound establishments that are potentially 'Domestic Animal Businesses' under the *Domestic Animals Act 1994* and notify them to the relevant council to be assessed for registration.

### Recommendation 1.5:

That Greyhound Racing Victoria educate its members about the legal requirements to register as 'Domestic Animal Businesses' with local councils (and the penalties for failing to do so) and develop information sharing procedures with local councils to ensure future registration compliance.

### 4.1.3 Variation across offences

The Review notes a wide variation between the penalties applicable to equivalent offences under the POCTAA, DAA and the GRV Local Rules. The penalty guidelines developed by GRV fall considerably short of the legislative standards for penalties for animal cruelty under POCTAA or for non-compliance with the COPG under the DAA.

At the time of writing, penalties for luring and animal cruelty offences under POCTAA include significant monetary penalties ranging from \$35,462<sup>6</sup> to \$177,132<sup>7</sup> and jail terms of up to two years for individuals. Penalties for setting a dog to attack (or training a dog to attack) under the DAA range from \$1,476 to \$17,713 and jail terms of up to 6 months.<sup>8</sup> Penalties under the Racing Act are weaker: no jail terms and a maximum fine of \$14,761. In comparison to the legislative penalties, the penalties under the GRV Local Rules are lesser still: a serious offence (such as live baiting) attracts a minimum ten year ban from participating in the industry (with a maximum penalty of a lifetime ban) and a monetary fine of up to \$2,000.

There are also offences under the *Wildlife Act 1975* for the capture, holding and killing of protected wildlife (should the live animal be wildlife). Similar to POCTAA, these offences have significant monetary penalties and, in some cases, jail sentences.

#### Recommendation 1.6:

That the penalties and sanctions under the Greyhound Racing Victoria Local Rules be reviewed and revised to make them consistent with community expectations.

#### Recommendation 1.7:

That the *Prevention of Cruelty to Animals Act 1986* be amended to strengthen the offences for baiting and luring and to improve the enforceability of baiting and luring offences. This could include prohibiting the presence of animals being kept, used live or killed for that purpose at any place being used for greyhound training or racing; and introducing an offence for being present at a place where live baiting or luring is occurring. The penalties of baiting and luring offences should also be increased to match penalties for aggravated cruelty.

6 s.13 luring by an individual

7 s.10 aggravated cruelty by a corporation

8 s.28, 28A, 29(4) of the DAA cover offences associated with permitting, training or urging dogs to attack other animals.

Under the DAA there are two offences relevant to the greyhound industry. Operating a DAB that is not registered with local council can attract a penalty of up to \$24,208 for an individual and \$88,566 for a corporation (s.45). Non-compliance with a Code of Practice can attract a penalty of up to \$36,312 for an individual and \$88,566 for a corporation (s.63A).

The current statutory limitation for time to initiate a prosecution under POCTAA legislation is three years for cruelty and aggravated cruelty under s.9 and s.10. The statutory limitation is 12 months for live baiting and luring offences under s.13. However, collection of information (such as by covert surveillance) and gathering of evidence for the proper preparation of briefing for court prosecution often takes longer than 12 months.

#### Recommendation 1.8:

That the statutory limitation for time to initiate a prosecution be extended to three years for *Prevention of Cruelty to Animals Act 1986* live baiting and luring related offences including aiding and abetting of such offences; and also for *Domestic Animals Act 1994* offences associated with permitting, training or urging dogs to attack other animals.

The current statutory limitation for offences under the DAA that are relevant to the greyhound industry is 12 months.

## 4.1.4 Complexity

GRV Local Rules relating to animal welfare and management are general in nature. Many are not specific, leaving them open to interpretation and inconsistent application. Importantly, there is currently no requirement in the Local Rules that requires members to meet all relevant animal welfare legislation.

#### Recommendation 1.9:

That the Greyhound Racing Victoria Local Rules are amended to specifically require members to comply with all relevant animal welfare and management legislation.

There are a large number of rules and guidelines that need to be understood by industry participants to ensure their animal welfare responsibilities are met. There is an important role for GRV to ensure that its members are fully informed of these requirements and understand their responsibilities.

#### Recommendation 1.10:

That Greyhound Racing Victoria considers how best it can inform its members of their animal welfare obligations.

## 4.2. Role and powers of greyhound inspectors

Currently, the *Racing Act 1958* empowers the GRV Board to appoint employees of the Board (known as stewards and inspectors) to ensure compliance with the National and Local Rules. RSPCA inspectors and local government council officers, as well as DEDJTR authorised officers, are authorised under the DAA and/or POCTAA. This Section reviews the current powers of GRV inspectors. Section 4.3 will discuss removing inspectors from GRV and placing them in a new organisation outside of GRV. Until structural changes can be made, it is important as an interim measure, that the powers of inspectors located in GRV be strengthened as soon as practicable.

### 4.2.1 GRV inspector powers

The two inspectors and 38 stewards (14 full time and 24 part time) appointed by the GRV Board have very limited enforcement powers when compared with the powers provided to DAA or POCTAA authorised inspectors. GRV-appointed inspectors and stewards can issue advisory letters; prosecute members under Local Rules, resulting in fines, disqualification and suspension; and take serious matters to the Racing Appeals and Disciplinary Board of Greyhound Racing (RADB) as required.

However, they require written consent prior to entering a property and have no powers to enter a property unannounced, no powers of search and seizure (except with respect to documents at racing and training tracks), and no powers to seek warrants to enter to search for dogs or seize documents from a place of residence, or to issue a notice to comply.

The Review's recommended approach is to authorise greyhound inspectors under the DAA and POCTAA. Mechanisms will need to be put in place to ensure appropriate oversight and training of authorised greyhound inspectors.

GRV stewards will not require such powers as they can apply the GRV Local Rules to run events.

#### Recommendation 2.1:

That inspectors be authorised under the *Domestic Animals Act 1994* with powers specific to greyhound businesses.

#### Recommendation 2.2:

That inspectors be authorised under the *Prevention of Cruelty to Animals Act 1986* with powers specific to greyhound businesses.

### 4.2.2 Powers of entry

Powers of entry under the *Racing Act 1958* for stewards and inspectors are limited to 'reasonable hours'. The Review recognises that activities within the greyhound industry are not limited to 'normal' working hours, however, GRV has advised that their interpretation of 'reasonable hours' is limited to action between 9am-5pm, Monday-Friday. Whilst this interpretation is untested, the Review is clear that the power for inspectors and stewards to enter a non-residential premises at any time to reasonably detect non-compliance



is required and that the powers available should not preclude proper investigation of potential breaches of legislation.

#### Recommendation 2.3:

That the current constraint around 'reasonable hours' for inspection under the Racing Act 1958 be amended to reflect common hours of operation in the industry.

### 4.2.3 Surveillance powers

The nature of many of the potential welfare offences in the greyhound industry makes detection extremely difficult. The Review heard evidence, from a number of organisations, relating to the difficulties of capturing evidence of poor practices with the limited ability of enforcement officers to undertake covert surveillance.

The *Surveillance Devices Act 1999* outlines who may apply for a warrant to conduct covert surveillance through telecommunications or recordings, and how that information may be utilised. This does not include officers authorised under the DAA, POCTAA or Racing Act 1958, although it does include police officers, who are all authorised as inspectors under the POCTAA. While the police can undertake covert surveillance for POCTAA offences, other POCTAA authorised officers have highlighted the value of these powers to ensure they can effectively investigate cruelty allegations. The process for involving the police in animal welfare investigations involving covert surveillance needs strengthening.

#### Recommendation 2.4:

That a process for more rigorous investigation of complaints, including surveillance, should be established.

### 4.2.4 Autopsy powers

The current requirement for data recording and reporting does not allow for greyhound end of life outcomes to be adequately analysed. Local Rules require reporting of euthanasia by veterinary practitioners and the reason that the euthanasia is required. However, many greyhounds are recorded as dying from 'misadventure' with no adequate description of the cause of death. The Review was impressed by the significant improvements in the notification of the underlying causes of misadventure and euthanasia in New Zealand when an approach was taken to enable stewards and inspectors to have a power to order an autopsy of a greyhound before it was disposed.

GRV has the power under National Rule 18(3)(c) to request autopsies of greyhounds found on land or premises owned, occupied or under the control of a licensed participant. However, the Local Rules need to be enhanced to require that all deaths of greyhounds are reported to GRV and that the carcass can only be disposed of with the permission of GRV. This would allow GRV, based on risk analysis, to confirm through autopsy the underlying cause of misadventure or the rationale for euthanasia of dogs. The evidence provided through this program will allow GRV to be confident that greyhounds are not being disposed of inappropriately and that euthanasia is being utilised in a proper manner within the industry. The Review believes this will improve whole of life tracking, and encourage industry participants to report retirement outcomes accurately.

### Recommendation 2.5:

That the Greyhound Racing Victoria Local Rules be amended to include a power to require the approval to dispose of a greyhound reported to have died from 'misadventure' or euthanasia and to allow Greyhound Racing Victoria to be able to direct that an autopsy be performed, where appropriate, to better understand end of life outcomes. The exercise of this power should form part of a broader Greyhound Racing Victoria compliance strategy.

RSPCA inspectorate and/or the Department of Economic Development, Jobs, Transport and Resources and funded by industry.

### Recommendation 2.6:

That the competencies or experience required for authorisation of inspectors should be reviewed to reflect the requirements of *Domestic Animals Act 1994* and *Prevention of Cruelty to Animals Act 1986* authorised officers.

## 4.2.5 Review of competencies

GRV inspectors and stewards should have the necessary expertise and/or training in greyhound animal welfare and management, including the auditing of facilities. Currently GRV inspectors have local government experience and training and bring significant audit competencies to their role. Stewards have less formal audit qualifications but bring considerable industry experience.

Further work should be undertaken to assess capabilities required for both inspector and steward roles and ensure appropriate formal and informal learning and development processes are in place. The appropriate level of competency for DAA authorisation is: a Certificate IV in Animal Control and Regulation; or the Certificate III in Local Government (Animal Management) or equivalent; or 5 years relevant experience in animal management (i.e. as an authorised officer of a local council or RSPCA inspector). For POCTAA this would be complemented with an additional briefing on powers, penalties and offence investigation, devised and provided by the

## 4.3. Greyhound Inspectorate

As the controlling body, GRV has an important role in promoting the economic interests of greyhound racing. GRV is also the primary organisation responsible for regulating the industry, including animal welfare. Issues of independence and conflicts of interest were raised by the overwhelming majority of stakeholders interviewed due to GRV occupying this dual role. This section outlines the arguments for the Review's recommendation of the establishment of a separate body to regulate animal welfare in the greyhound industry.

### 4.3.1 GRV animal welfare initiatives

GRV recognises that ensuring animal welfare outcomes is critical to the sustainable development of the industry. The first 'strategic competency' of the GRV Strategic Plan 2014-19 is 'Greyhound Welfare Excellence'. The aim is to ensure the welfare of racing greyhounds as an industry wide priority through the setting and



enforcement of high standards across all phases of the racing greyhound life-cycle.

A number of initiatives have been implemented by GRV to address animal welfare concerns. It formed a Responsible Breeding Task Force (RBTF) in 2005, and more recently the Animal Welfare Task Force (AWTF) in 2013 to address issues at all stages of the greyhound lifecycle. Recent GRV animal welfare initiatives include:

- Development of a national animal welfare strategy;
- Introducing stricter breeding guidelines and higher stud fees to ensure a decision to breed is a considered one;
- Expanding racing opportunities to provide additional opportunities for greyhounds of all grades, ages and abilities;
- Appointment of a Greyhound Welfare Manager and two Animal Welfare Compliance and Education Officers;
- Increased inspections of greyhound properties and greater compliance activity;
- Increased reporting requirements to improve data collection and capture information about the entire lifecycle of the greyhound;
- Increased animal welfare education and training requirements for new participants; and
- Improvements to Greyhound Adoption Program (GAP), including greater funding.

A selection of recent GRV animal welfare initiatives are outlined in more detail in Appendix 3.

GRV has recently proposed recruitment of an investigations manager and four additional compliance officers to boost capacity for greater animal welfare education and compliance. In conjunction with this Review's

recommendations to enhance inspector powers (see Section 4.2), this would greatly enhance GRV's capacity to promote and enforce animal welfare measures. However, many stakeholders have said such measures would remain inadequate for safeguarding animal welfare across the industry.

### 4.3.1 The case for an independent inspectorate

With a dual role of promoting the industry and protecting animal welfare, GRV has to make judgements with regard to estimating the risks of animal welfare issues, the allocation of resources to animal welfare regulation, and the rigour with which enforcement measures are developed and applied. Inevitably there are conflicts between the concerns for the welfare of greyhounds and the short-term economic needs of the industry. These conflicts are currently handled within GRV and it is unclear how they are resolved.

The Review has found that GRV has tended to take a conservative approach to animal welfare regulation. Until very recently, animal welfare was not a central focus of the organisation and, although not intentional, GRV inspectors have not felt empowered to prosecute animal welfare offences. Certainly, GRV has not acted as a regulator whose sole focus is animal welfare. For example, GRV has:

- Taken an exclusively educative approach to compliance with the COPG, only prosecuting serious offences which endanger greyhound animal welfare under Local Rules;
- A tendency to deal with animal welfare breaches in-house, with few referrals to other agencies with greater penalties under DAA or POCTAA. For example,

an examination of stewards' inquiries from 2011-2014 yielded five inquiries that indicated possible breaches of POCTAA or the DAA, of which only one is known to have been referred to the RSPCA and one to a local council; and

- Conservatively interpreted its existing powers and standards. For example, it has interpreted 'reasonable hours' for inspections under the Racing Act as being between 9am and 5pm Monday to Friday. Inspectors were instructed not to enter closed gates. It has similarly applied a narrow definition of 'to sell' and 'for profit' in relation to defining greyhound establishments as DABs under the DAA.

The fundamental question is whether a separate organisation charged with protecting animal welfare would deliver better animal welfare outcomes. The Review is of the view that the animal welfare inspector function should not be located in GRV. Instead, an independent body (the *Greyhound Inspectorate*) should be established with its main compliance powers coming from DAA and POCTAA. It is for Government to determine how this body can best operate to ensure that the respective legislative responsibilities of the Minister for Racing and Minister for Agriculture are appropriately discharged. This approach would provide the wider community with confidence that animal welfare standards in the greyhound industry will be properly enforced.

Whilst not in the scope of this Review, Government should take the opportunity to consider whether this organisation's functions should be expanded to cover welfare enforcement across all of the racing codes.

GRV will continue to be responsible for animal welfare across the greyhound industry. The on-going role for GRV, and its relationship with *Greyhound Inspectorate* and other animal welfare regulators is addressed in Section 4.4.

### Recommendation 3.1:

That the audit and inspectorate functions be removed from Greyhound Racing Victoria and located in an independent *Greyhound Inspectorate*, under the direct control of government and funded by industry.

#### 4.3.2 Proposed Greyhound Inspectorate

Establishment of a *Greyhound Inspectorate* will be a complex exercise and adequate time should be allocated to work through the processes and relationships required to ensure the success of this new organisation. Considerable work is required to determine the organisational structure, composition of the board, funding, powers, oversight, etc. The *Greyhound Inspectorate* will require significant resources and these should be fully funded by industry. Critical to success will be the accountabilities and relationship between the *Greyhound Inspectorate* and GRV, including issues such as the role of stewards in animal welfare intelligence gathering and investigations, communication with GRV and ORIC, GRV's continued registration of participants and dogs, and referral processes for GRV animal welfare-related prosecutions under Local Rule 42.

### Recommendation 3.2:

That the Department of Justice and Regulation and Department of Economic Development, Jobs, Transport and Resources work together to establish the *Greyhound Inspectorate*.

Implementation of other recommendations in this report should not be delayed while the new organisation is developed. GRV should undertake the necessary work to build a much stronger regulatory capability and capacity which can be transferred to the *Greyhound Inspectorate* when established.

### Recommendation 3.3:

That Greyhound Racing Victoria work to implement this Review's recommendations without delay with a view to transferring responsibilities allocated to the *Greyhound Inspectorate* when established.

#### 4.3.3 Registration of greyhound premises

Currently the role of registering and inspecting of greyhound DABs sits with 79 local councils across Victoria, many of which have taken limited action with few resources and no specific income flow to adequately fund the task. As evidenced by the lack of registration of premises, the Review found that generally local councils rely on GRV to regulate greyhound establishments, with the exception of planning decisions.

The Review proposes that responsibility for the audit, inspection or registration of greyhound DABs under the DAA should be removed from local government and be allocated to the *Greyhound Inspectorate*, when formed. Local government should continue to play a role in managing straying and dangerous dogs, enforcing local laws relating to the permitted number of dogs on a premise, and planning scheme approvals. If local council officials suspect breaches by greyhound establishments of the COPG or POCTAA, enhanced cross-agency liaison and information sharing should facilitate referrals initially to the *Greyhound Inspectorate* as the appropriate compliance authority.

The Review noted that land use planning has limited ability to influence retrofitting of existing facilities (these need to be managed as part of the on-going premise or participant registration process). However, planning permit assessment does consider issues related to siting, layout and on-going management to minimise off-site amenity impacts. Given the low frequency of greyhound premises applications, there is limited expertise within local government. Development of guidance material on best practice would be useful.

### Recommendation 3.4:

That the *Greyhound Inspectorate* develop best practice guidelines for the establishment of greyhound establishments.

The *Greyhound Inspectorate*, when established, should become responsible for the registration and inspection of greyhound establishments, including whelping, rearing, breeding, breaking-in, spelling and training establishments. With comprehensive powers under the DAA to inspect premises – and a corresponding ability to enforce the DAA – the *Greyhound Inspectorate* will be able to detect and promptly enforce compliance to breaches of the COPG (and the POCTAA Code), which is a function that GRV stewards and animal welfare compliance officers cannot undertake at present.

#### Recommendation 3.5:

That the *Greyhound Inspectorate* be responsible for regulating greyhound establishments including ‘Domestic Animal Businesses’ under the *Domestic Animals Act 1994*.

Amending the definition of a greyhound DAB and modifying the ‘Applicable Organisation’ status of GRV will ensure that more greyhound breeding and other facilities are covered. But the definition of a business requiring registration under the DAA needs to be amended to include all aspects of the racing greyhound life-cycle, that is, all premises involved in breeding, rearing, breaking-in, bullrings, training, racing, and boarding.

#### Recommendation 3.6:

That all premises involved in greyhound breeding, rearing, breaking-in, bullrings, boarding, and training should be registered and monitored by Greyhound Racing Victoria under the current governance framework prior to establishment of the *Greyhound Inspectorate*.

### 4.3.4 Compliance strategy

There is a compelling need for a compliance strategy to be developed to ensure a consistent, risk based and rigorous approach, focussed on agreed outcomes, across all regulatory agencies.

The two existing GRV Compliance and Education Officers have been instructed to take an education only approach to gaining compliance, providing advice at routine kennel inspections and training sessions and using advisory letters to point out required improvements. In the 18 months since inspectors have been in place, there have been few prosecutions for animal welfare offences either under GRV Local Rules or through referrals to other agencies, although there has been over 400 work plans issued requiring work to ensure compliance with the COPG. One outcome of this approach is that inspectors are not being accorded the same level of respect as stewards by industry participants.

It is alleged that stewards have not acted consistently on animal welfare issues and the Review was informed that inspectors have not been adequately empowered to take necessary compliance action. While an educative approach has its place, an ability and willingness to take further action is required. A compliance strategy for the DAA and POCTAA is essential to describe how compliance and enforcement will be undertaken and the reporting requirements to ensure transparency.

Part of this compliance strategy will be to define the strong relationships with other regulatory agencies including GRV, RSPCA, local councils and police. These relationships should be formalised through memorandums of understanding and include provisions for:

- Intelligence sharing;
- Protocols for joint operations; and
- Referral processes for animal welfare breaches, including to GRV for prosecution under Local Rules.

### Recommendation 3.7:

That the *Greyhound Inspectorate* develop, in consultation with all relevant agencies, a greyhound *Domestic Animals Act 1994* and *Prevention of Cruelty to Animals Act 1986* compliance strategy, including reporting requirements and memorandums of understanding with appropriate agencies to define liaison, assistance and briefings on breaches of legislation for compliance action.

Good regulatory practice requires statements of expectation to be provided by Ministers to regulatory agencies. The Ministers for Racing and Agriculture should develop joint statements of expectation that explicitly state what GRV and the *Greyhound Inspectorate* are required to do.

### Recommendation 3.8:

That the Ministers for Racing and Agriculture develop statements of expectation for the agencies involved in the regulation of the greyhound industry which includes specific reference to animal welfare.

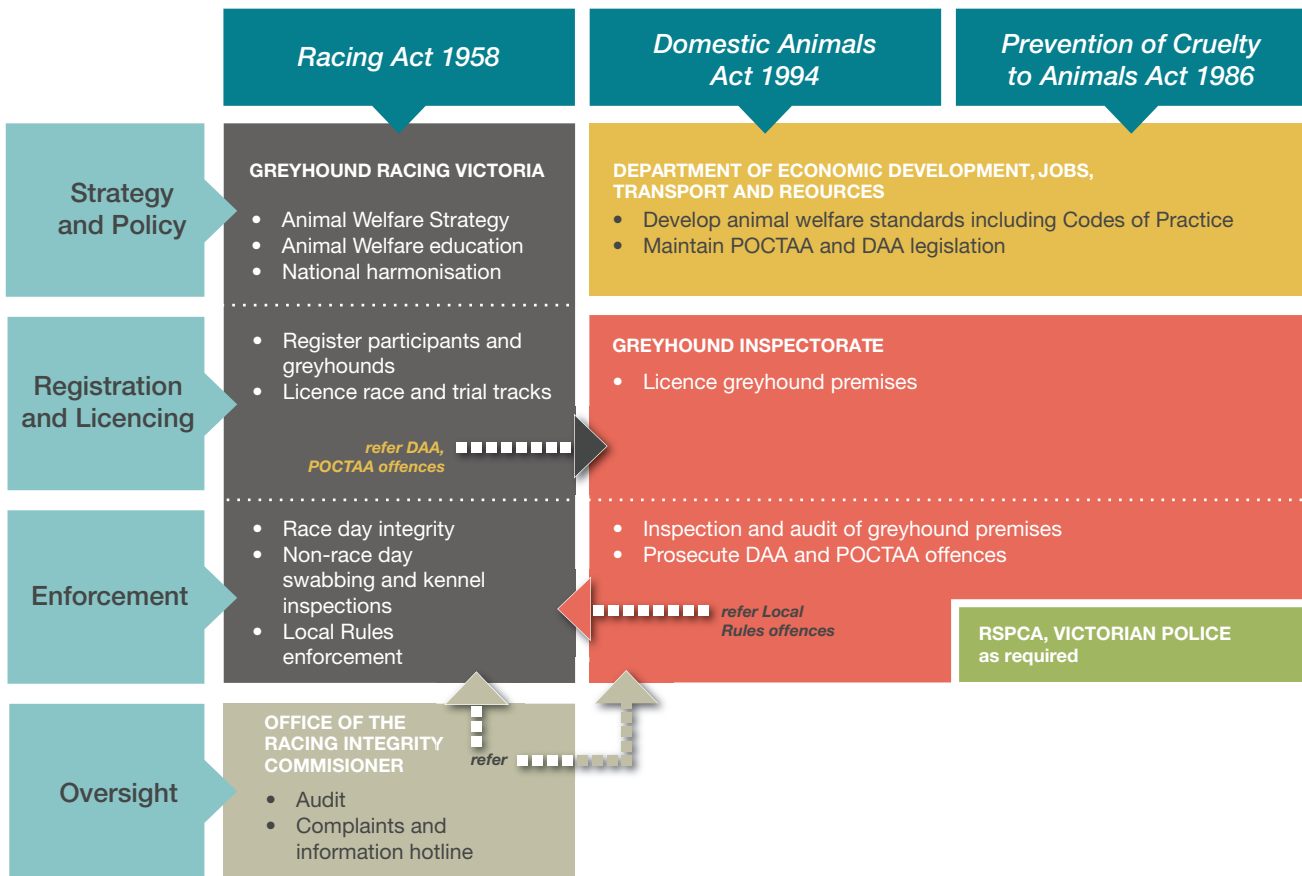
## 4.4. Accountability between agencies

The complexity of the current regulatory framework, a lack of powers, poor interagency coordination, and confusion as to which agency has the primary role in regulating greyhound establishments has resulted in serious gaps in the animal welfare compliance regime.

The Review proposes a new model for agency accountability: one which is simplified, sets out clear responsibilities and facilitates information sharing in order to improve enforcement. GRV should remain responsible for the registration of greyhounds and participants, and licensing of race tracks and trial tracks. GRV's animal welfare role and reporting requirements should be broadened, as should Greyhounds Australasia's role in facilitating consistent animal welfare standards. The responsibility of inspecting greyhound premises should move from local councils to the new *Greyhound Inspectorate*, which will also be charged with registering the premises. The RSPCA will continue to be the lead enforcement agency responsible for general domestic animal welfare under POCTAA and work with the *Greyhound Inspectorate* on serious animal welfare matters. ORIC's role should be expanded to include oversight of GRV and the *Greyhound Inspectorate*'s compliance to animal welfare regulation.

There should be further consideration by Government of the role of the Chief Veterinary Officer and the Office of Racing in future governance and monitoring.

Figure 2. Overview of proposed agency accountabilities



### 4.4.1 Greyhound Racing Victoria

GRV should continue to play the central role in the management and promotion of greyhound racing including being responsible for the registration of participants and greyhounds, licensing of clubs and trial tracks, the conduct of race meetings, and educating and training participants.

The industry needs to embed best practice animal welfare as a cornerstone of its industry strategy. Ensuring high welfare standards of all animals involved in breeding, training and racing will require a sea change in the culture within the greyhound industry which must recognise the importance

of animal welfare and the impact that its poor reputation in this area has on the potential future of greyhound racing itself. Real change can only be delivered by those within the industry embracing their responsibilities and the need to put the welfare of the greyhound at the core of all that they do. This fundamental change in culture will be essential for the greyhound industry to rebuild public confidence and to maintain the social licence to operate.

GRV should remain primarily responsible for improving the knowledge, attitude and culture of the greyhound industry with regard to animal welfare of greyhounds. This can be achieved through a clear strategy for education, enforcement, dissuasive or punitive penalties and regular review. The Review



recognises significant advances in the past two years towards that end but sees a need to enhance animal welfare capabilities and capacity across the industry landscape.

#### 4.4.1.1 Animal welfare strategy

The Board of GRV should have an explicit function under the *Racing Act 1958* to ensure high animal welfare outcomes across the greyhound industry. Section 75 of the Act could be amended to include the promotion of animal welfare as a function of the GRV Board.

##### Recommendation 4.1:

That the Greyhound Racing Victoria Board is designated a statutory obligation under the *Racing Act 1958* to promote animal welfare, including greyhound welfare, across the industry.

To further ensure that animal welfare is given sufficient prominence, the Review recommends that the GRV Board include a member who has specific expertise on animal welfare issues and/or ethics.

##### Recommendation 4.2:

That the *Racing Act 1958* require the Greyhound Racing Victoria Board to include a member who is an expert on animal welfare and/or ethics.

Currently the only sanction the Minister for Racing can impose on the GRV Board is the option of removing the entire board. This Review recognises the considerable animal welfare initiatives that GRV has instigated and the changes that are beginning to flow as a

result. A greater availability of sanctions will allow the Minister more flexibility in the future to penalise the industry should GRV fail to adequately address animal welfare issues. These sanctions could be linked to the GRV's animal welfare strategy and its objectives.

##### Recommendation 4.3:

The Review also recommends that the GRV Board develop an animal welfare strategy with measurable objectives and goals that reflect wider community expectations for the industry. Currently, GRV mentions animal welfare initiatives in its annual report, but there is no formal obligation to do so. The animal welfare content has tended to focus on the Greyhound Adoption Program and new animal welfare initiatives but has neglected reporting on important welfare statistics and trends such as retirements and euthanasia.

##### Recommendation 4.4:

That the Greyhound Racing Victoria Board develop a comprehensive animal welfare strategy in consultation with key stakeholders including major external animal welfare organisations.

Another significant concern is the number of dogs within the industry that are destroyed and how they are killed. A range of initiatives are underway by GRV to increase the life of greyhounds and ensure a humane death. These include extending the racing career of dogs that cannot reach high/ elite levels, improving Greyhound Adoption Program rehoming rates, and improving reporting of retirement outcomes.

Considerable work has been undertaken by the industry to explore options to improve the quality of litters and reduce the total number of puppies born. Initiatives include a nationally-agreed stud fee, proactive education of breeders, and monitoring of most and least successful breeders. These efforts have been moderately successful - between 2008 and 2013, litters registered have decreased almost 10 per cent while puppy registration numbers decreased 5 per cent.

The Review concludes that further work is required at a national and state level to reduce excess puppy numbers. For example, the introduction of a whelping fee could reduce litter numbers and the revenue raised should be used to improve retirement outcomes. A suggestion proposed to the Review was that the Greyhound Adoption Program could accredit other animal welfare and rescue organisations to retrain ex-racing greyhounds in order to increase rehoming rates.

#### Recommendation 4.5:

That a review of financial and other incentives be conducted by a Greyhound Racing Victoria led working group, including representation from the Department of Economic Development and RSPCA, to develop options that may be effective to reduce numbers of greyhounds being bred, improve rehoming rates after retirement (Greyhound Adoption Program) and to fund improved post-racing retirement outcomes.

The animal welfare strategy should be built on sound science. Good information is critical to understand industry trends and is covered in Section 4.5.

A greater understanding of participant behaviours, attitudes and practices in regards to animal welfare is essential to inform future strategy and policy. This understanding will inform animal welfare messaging and participant education initiatives.

#### Recommendation 4.6:

That Greyhound Racing Victoria implement research to review the behaviours, attitudes and practices of members towards animal welfare.

#### 4.4.1.2 Participant education and training

GRV should review the requirements for participant licensing and registrations, including the competencies required to be demonstrated before registration and for continuing education. This should include education for new and existing owners on the physical and social requirements of greyhounds and of their responsibilities for animal welfare.

Recently, GRV has increased the requirements for registration of new participants. The Review has heard that more applications are rejected initially than in the past. Compulsory induction seminars are required for new participants. There are also increased education opportunities for existing participants through regular roadshows and following kennel inspections, however, the Review has concluded that greater education is required to ensure participants understand their responsibilities and how to ensure these are achieved.



#### Recommendation 4.7:

That Greyhound Racing Victoria consider enhanced education and training requirements for the registration and licensing of participants. Skills should be assessed regularly, and participants should be required to undergo regular, ongoing training and revision in order to be familiar with the legal and welfare requirements of greyhounds.

#### 4.4.1.3 Compliance

The Review found that there is a history of GRV not referring breaches of animal welfare legislation to the appropriate agency for investigation. There is no formal mechanism within the Racing Act or within GRV that ensures GRV stewards or inspectors who detect breaches of POCTAA or the DAA report these breaches to ORIC, local councils or the RSPCA.

An examination of GRV records shows that there were 11 RADB hearings over the past three years that dealt with prosecutions likely to be offences under POCTAA or DAA. A similar examination of stewards' inquiries from 2011 to 2014 yielded five inquiries that indicated possible breaches of POCTAA or the DAA. Of these five inquiries, one is known to have been referred to the RSPCA and one to a local council. An analysis of unsatisfactory kennel inspections reports indicated several breaches of the COPG and POCTAA. It is unclear if any of the premises were referred to the relevant enforcement agencies for DAA or POCTAA, although during 2014 and 2015 (to date) files have been created for 435 persons by the compliance team. Almost all of these files (at least 95%) will contain a work plan – either addressing a

few minor issues, or listing major changes required along with agreed time frames for implementation. These findings suggest that referral of breaches of other legislation to the appropriate agency is not general practice.

#### Recommendation 4.8:

That Greyhound Racing Victoria implement a formal referral mechanism and protocol for breaches of all relevant legislation identified by Greyhound Racing Victoria to be immediately reported to the appropriate agency for investigation and action.

The GRV should optimise their use of existing sanctions to enforce compliance with the relevant Codes of Practice. The GRV holds considerable extra-legislative enforcement powers through their ability to (de)register and license participants and greyhounds, as well as possessing the power to suspend and disqualify participants.

#### Recommendation 4.9:

That Greyhound Racing Victoria optimise their use of existing sanctions, particularly registration, suspension and disqualification powers to enforce compliance to Local Rules, Codes of Practice and other relevant legislation.

The GRV Board should develop and implement a compliance strategy in consultation with its stewards and animal welfare inspectors from all relevant agencies. The strategy should define regular compliance reporting to all responsible authorities, including ORIC. A protocol should be developed to guide GRV stewards and

animal welfare inspectors on the appropriate management of compliance actions.

#### Recommendation 4.10:

That Greyhound Racing Victoria develop and implement a greyhound welfare and Local Rules compliance strategy in consultation with all relevant agencies. All inspection and enforcement action should be reported regularly to Greyhound Racing Victoria and Office of the Racing Integrity Commissioner, and a summary public report published annually. A protocol should be developed to guide Greyhound Racing Victoria stewards on the appropriate management of compliance actions.

#### 4.4.1.4 Stewards

GRV stewards should continue their focus on the running of race meetings and ensuring the integrity of greyhound racing. This includes the running of qualifying trials and vetting, weighing and identifying of animals on race day, and swabbing for drugs on and out of race days. They should continue to administer and enforce the GRV Local Rules.

Stewards are very knowledgeable about the industry and its participants. There is opportunity for stewards to provide greater intelligence on animal welfare issues – not just through formal race day steward reports – but by collecting intelligence through informal channels and during out of race day inspections. GRV's first operating principle – "We seek to ensure greyhound welfare; it is considered in every decision we make" is a steward's responsibility to implement.

#### Recommendation 4.11:

That Greyhound Racing Victoria supports and encourages stewards' intelligence gathering and assistance to support animal welfare enforcement by Greyhound Racing Victoria and other agencies.

#### 4.4.1.5 Local Rules

The *Racing Act 1958* (s.55) prohibits the use of live quarry in greyhound racing. Current Local Rules incorporate the Greyhounds Australasia National Rules which prohibit the bringing of an animal other than a greyhound onto a trialling track or racecourse (or specified areas near these), and prohibits improper use of an animal for any purpose connected with greyhound racing. In addition, GRV has indicated in its policy documents that persons found committing the offence of luring will be referred to the POCTAA authorised officers for investigation.

The Review considers that the Local Rules should place sanctions on dogs that have been trained using live animals as lures. Greyhounds proven to be trained using live baiting (luring) methods should be excluded from racing or subject to sanctions to limit the transfer of these dogs to another trainer for racing.

There should be a clear offence under POCTAA, supported by Local Rules, prohibiting the keeping of animals by any registered participant for the purpose of use as a lure (live or dead). The practice of bleeding greyhounds needs to be considered as a separate offence.

### Recommendation 4.12:

That Greyhound Racing Victoria consider further Local Rules changes to:

- prohibit the keeping of animals by any registered participant for the purpose of use as a lure (live or dead);
- avoid transfer of greyhounds as a means to avoid effective penalties;
- place sanctions on a greyhound proven to be 'blooded'; and
- support the policy change that only synthetic lures be allowed.

and New Zealand and it does not have the resources to pursue overarching research and programs. Further, all National Rules must be agreed upon by each Controlling Body before coming into effect. This creates a situation whereby the National Rules incorporate the lowest acceptable welfare standards, and Local Rules develop inconsistently across jurisdictions. In these circumstances, the Review believes GA is currently unable to lead a national approach to improving animal welfare and that Ministers for Racing in each jurisdiction could establish a process to support this work by GA and Controlling Bodies.

## 4.4.2 Greyhounds Australasia

Greyhounds Australasia (GA) is the appropriate body to lead efforts to harmonise Local Rules across Australia and New Zealand. It has already publically committed to improving the welfare of racing greyhounds and implementing more stringent regulations across the industry.

GA should play a greater role in harmonising animal welfare statistic reporting across the Controlling Bodies. Section 4.5.1 highlights potential areas for improvement. The Review understands that data currently gathered by each Controlling Body differs in format and content, rendering many potentially useful comparisons between jurisdictions difficult or impossible.

GA could also play a key role in development of a national research and development strategy for greyhounds.

However, Greyhounds Australasia is a limited company. It is funded by the Controlling Bodies of each State/Territory

### Recommendation 4.13:

That a national discussion of jurisdictional governments consider greater harmonisation of rules and improved information gathering and sharing to support regulation and improvement of animal welfare in the greyhound industry.

### 4.4.3 Racing and Appeals Disciplinary Board

The RADB hears and determines appeals referred to it by the Racing Integrity Commissioner, GRV or its stewards. The Board consists of a Chairperson and Deputy Chairperson, both of whom are experienced lawyers, and 5-15 members, of which one is from GRV. For hearings the Chairperson and Deputy Chairperson select four members to preside. There is currently no requirement for the membership to include animal welfare, ethics or veterinary expertise when hearing cases relating to animal welfare.

progressing other integrity issues. The opinion of this Review is that animal welfare is critical to the integrity of the sport, and so it is appropriate that the ORIC broaden its remit. This would enable ORIC to maintain an independent auditing role for GRV, its stewards and the *Greyhound Inspectorate*.

ORIC currently provides a mechanism for making complaints or providing information on integrity issues. As part of the proposed extended mandate, the Review believes this mechanism is well placed for information on animal welfare issues. ORIC would then refer any information to the appropriate regulatory agency as required.

#### Recommendation 4.14:

That the Racing Appeals and Disciplinary Board include an independent member with appropriate animal welfare and/or veterinary expertise when considering animal welfare related issues.

#### Recommendation 4.15:

That the responsibilities of the Office of the Racing Integrity Commissioner are expanded to include powers to audit animal welfare compliance and auditing in the greyhound racing industry and to provide a mechanism for animal welfare complaints and information.

### 4.4.4 Office of the Racing Integrity Commissioner

Oversight is fundamental to accountability that each agency involved in the greyhound racing industry is effectively carrying out its duties.

The Office of the Racing Integrity Commissioner (ORIC) is charged under the Racing Act with investigating internal integrity processes and systems in greyhound racing, such as illegal gambling and cheating. The Review recommends that the responsibilities of ORIC be expanded to explicitly include investigations into animal welfare compliance and an annual audit of the *Greyhound Inspectorate*. This oversight has been critical in successfully

## 4.5 Information management

Information management is inextricably linked to accountability and effective oversight. A comprehensive information management system which captures important industry data will be essential to informing animal welfare compliance and enforcement strategies and determining their efficacy.

Interviews with key greyhound industry stakeholders identified a number of issues relating to data collection, analysis, and use. There is currently a poor understanding of the numbers of greyhounds active in the industry, how they are cared for at different stages in their lifecycle, and what becomes of them after they retire from racing. Stakeholders identified the need for cross-agency access to a 'live' database of GRV-registered greyhounds, improved data collection, a comprehensive case management system, better analysis of racetrack and trial injuries, access to intelligence across agencies, behavioural research into industry attitudes towards animal welfare and improved public reporting.

Lack of agency coordination can explain a lack of data to a certain extent, but this Review finds that even against a fragmented welfare landscape, GRV has failed to implement systems and data collection vital to industry and animal welfare oversight. Significant changes to data collection, case management and information sharing are required to ensure information is transparent and available to the GRV board, industry members and the public.

### 4.5.1 Greyhound lifecycle information

GRV does not routinely publish greyhound welfare statistics and there are particular information gaps relating to whole of life information. In 2013 GRV introduced fines for failing to lodge retirement notifications, and in 2014 GRV began to chase-up retirement outcomes for unnamed greyhounds.

As of April 2015, GRV report they have retirement outcomes for 70% for all greyhounds, named and unnamed owned by Victorian registered owners. While the Review notes GRV is unable to chase-up retirement notifications from owners registered with interstate Controlling Bodies and unregistered owners, it questions whether the penalties for failure to lodge retirement notifications are sufficient<sup>9</sup>. That GRV does not know what becomes of 30% of Victorian greyhounds is inadequate, and GRV (and other Controlling Bodies) must implement improved lifecycle tracking and retirement reporting.

Particular problems arise when Victorian greyhounds are transferred to other states. As Victoria hosts a significant proportion of the highest and most lucrative racing grades, owners frequently move their GRV-registered greyhounds to interstate jurisdictions with graded racing events that permit a greater chance of winning. GRV currently has no mechanism for understanding what happens to these greyhounds once they are transferred interstate.

International export statistics of Victorian greyhounds are also difficult to come by. The Review was informed that greyhounds for export generally are transferred to interstate brokers located in NSW or QLD before being

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<sup>9</sup> In 2013 GRV introduced fines of \$50 for each month (per dog) owners failed to provide a retirement notification.

transported overseas. This means that GRV is not necessarily notified of the export or the dog's retirement outcome. GA operates a voluntary Greyhound Passport Scheme but does not have the power to track or control the export of all Australian greyhounds.

Ideally, the recommendations below should be implemented by all Controlling Bodies and information shared between jurisdictions through a common database such as Greyhounds Australasia's National Data Repository.

#### **Recommendation 5.1:**

That all Controlling Bodies implement a rigorous and consistent approach to:

- documenting the reason for retirement of all registered greyhounds;
- notification of exports of all registered greyhounds which specify which country a greyhound is being exported to, and for what purpose (racing, stud or other); and
- making it an offence to fail to lodge a retirement or export notification.

#### **Recommendation 5.2:**

That Greyhound Australasia coordinate the collection and dissemination of greyhound lifecycle information.

This information will be of great value in understanding and promoting improved retirement outcomes and ensuring the welfare of greyhounds throughout their racing career.

#### **Recommendation 5.3:**

That Greyhound Racing Victoria monitor and analyse the information gained from retirement notifications to inform future Greyhound Racing Victoria Board action and animal welfare strategies.

There are further significant information gaps that result from a lack of GRV power to track greyhounds when they are under the supervision of unlicensed participants – such as the many contract rearers, breeders or whelpers. Closing this information gap will require strengthening the Local Rules and increasing inspections and the active monitoring of dogs, as well as registering all greyhound establishments and participants.

#### **Recommendation 5.4:**

That Greyhound Racing Victoria consider introducing a rule that greyhounds, resident in Victoria, must be kept only at registered premises and in the custody of Greyhound Racing Victoria licensed participants at all times up to retirement.

In order to provide comprehensive data on all aspects of greyhound welfare and allow the comparison of the welfare outcomes of the facilities used in racing GRV stewards should record injuries at race tracks and registered trial tracks and publish statistics in their stewards reports. These statistics should be made freely accessible to the industry and public.

### Recommendation 5.5:

That Greyhound Racing Victoria monitor injuries at race and trial tracks and publish analysis of the information in its annual report.

## 4.5.2 Harmonisation of penalties

Greyhound industry Controlling Bodies have a number of penalties at their disposal for breaches of Local Rules, including monetary fines and the deregistration, suspension or disqualification of participants and dogs. The Review recognises that each Controlling Body has different processes and reasons for imposing penalties, but that a serious breach of Local Rules that results in the suspension or disqualification of a person or dog should be recognised and uniformly penalised across all jurisdictions. Improving information management across Australia and New Zealand Controlling Bodies would assist in delivering this requirement.

### Recommendation 5.6:

That Greyhounds Australasia and Controlling Bodies enhance mutual recognition, adoption and reporting of all penalties issued by individual Controlling Bodies.

## 4.5.3 A new case management system

Many stakeholders consulted for the Review, including GRV, emphasised the importance of developing a comprehensive case management system. This system will need to be shared by GRV and the

*Greyhound Inspectorate* and maintain detailed information about participants and premises, and interact with the National Data Repository which is administered by GA. This will require a substantial improvement to FastTrack or, more likely, establishing an entirely new data management system.

Only through the development of comprehensive data can GRV and the *Greyhound Inspectorate* keep track of the status and activities of the many thousands of greyhounds that enter and exit the industry each year. This will allow the identification of trends and will inform the modification and impact of welfare strategies and policies. Industry statistics and trends must also be published each year enabling the industry to become accountable to ORIC, the government and transparent to the wider community.

### Recommendation 5.7:

That Greyhound Racing Victoria implement and develop a case management system that enables lifetime monitoring of greyhounds with capabilities for complex reporting, analysis and review of the industry.

### Recommendation 5.8:

That Greyhound Racing Victoria and the *Greyhound Inspectorate* share access to the case management system to support intelligence gathering and exchange.



## 4.5.4 Sharing information

Under the DAA, owners are exempt from registering their GRV-registered dogs with the local council in which they reside (a requirement for most privately kept dogs). This creates a difficulty for local government in that they rely on GRV providing this information to track greyhounds in their jurisdiction. Section 74(1B) of the DAA enables local council authorised officers to request from GRV information regarding the location of GRV-registered greyhounds. However, a number of local councils consulted for this Review said they would appreciate ready access to greyhound registration data held by GRV to assist the enforcement of relevant DAA provisions. The same applies for the RSPCA who can request information for specific investigations under section 24ZTA of POCTAA, however, they need the approval of the Department Head or delegate to do so. Having ready access to this data would facilitate enforcement of POCTAA.

### Recommendation 5.9

That Greyhound Racing Victoria implement strategies to increase facilitation and information sharing of registration and greyhound location information with local councils and the RSPCA.

The Review found that the level of information available to the public is limited. In part this is because the information has not been collected, although recent initiatives have greatly improved the quality of information available. However, GRV can do more to ensure that the performance of the industry on animal welfare is transparent through development of clear

measures of success and reporting against these measures in annual reports.

### Recommendation 5.10

That Greyhound Racing Victoria and the *Greyhound Inspectorate* report to the Ministers for Racing and Agriculture and through their Annual Report to Parliament, on performance of the greyhound industry on animal welfare.

The implementation of the 50 recommendations made in this report will require significant effort across a number of organisations. A review to assess progress and provide assurance that the required actions have been implemented satisfactorily is required.

### Recommendation 5.11

That a review be undertaken in two years to assess progress against the recommendations contained in this report.

# Appendix 1

## Consultation

Animal Welfare Science Centre (University of Melbourne)

Animals Australia

Australian Veterinarians Association Victoria

Casey Local Council

Craigieburn Animal Hospital

Cranbourne Greyhound Racing Club

Department of Justice and Regulation (Office of Racing)

Greyhound Racing New Zealand

Greyhound Racing Victoria

Meadows Racing Club

Municipal Association of Victoria

Office of the Racing Integrity Commissioner

Private veterinary practitioners

Royal Society for the Prevention of Cruelty to Animals (RSPCA) Victoria

# Appendix 2

## The Victorian greyhound racing industry

Modern greyhound racing involves a field of up to eight dogs racing around a circular track in pursuit of a mechanically operated artificial lure. Track racing utilising artificial lures commenced in Australia in 1927 and the use of live prey was banned in Victoria in the late 1960s.

Race meetings throughout Australia are conducted by State or Territory Controlling Bodies as prescribed by the Racing Act in each state (see Figure 1). In Victoria, GRV is the Controlling Body under the *Racing Act 1958*.

**Figure 1: Legislative structure**



Greyhounds Australasia, a non-statutory national body made up of representatives from each State and Territory Controlling Body (along with representatives from New Zealand Greyhound Racing),

promotes national co-operation and uniformity between the jurisdictions.

The Victorian greyhound racing industry is the second largest in Australia after New South Wales. Thirteen greyhound clubs across the state consist of 1,739 club members. In 2013 these clubs hosted:

- 1,015 race meetings;
- 11,789 races; with
- 91,020 greyhound starts; and
- 187,790 total track attendees.

There are currently 8,980 greyhound owners (including syndicates), 2,682 trainers and 728 breeders. Overall, the Victorian industry supports an estimated 3,015 full-time equivalent jobs.

The number of stakeholders, monies wagered, race meetings, stake monies and total attendees are growing. In financial year 2013-2014:

- Victoria TAB wagering turnover increased by 3.1% to \$0.82 billion.
- Total income earned by GRV from wagering and other sources was \$71 million.
- GRV distributed approximately \$41 million in prize money to owners, representing record levels for greyhound racing.
- Stake money paid was \$38 million, more than double the \$17 million paid in 2004
- GRV increased its code revenue market share against the other Victorian racing codes by 0.92%. It now accounts for 20.13% of Victoria TAB wagering revenue compared to 67.22% for thoroughbred racing accounts and 12.65% for harness racing.

- Attendances on-course grew by 6%, having grown 6.6% in metro areas and 5.6% in the country.
- The number of TAB meetings in Victoria increased by 5.7%.

But the number of industry participants (licensed persons) has remained stable, or even slightly decreased in the past decade:

- There were 14 clubs in Victoria until 2008, now there are 13.
- The number of owners have slightly increased from 8,398 in 2003 to 8,980 in 2013.
- The number of trainers have slightly decreased from 2,958 in 2003 to 2,682 in 2013.
- The number of attendants have slightly decreased from 658 in 2003 to 594 in 2013.

A major feature of the greyhound industry is its 'hobby trainer' basis. This is commonly an individual, family or small group of individuals operating as a syndicate who might own, rear, train or race one to five dogs. Greyhounds Australasia estimates 95% of trainers fall into this category.

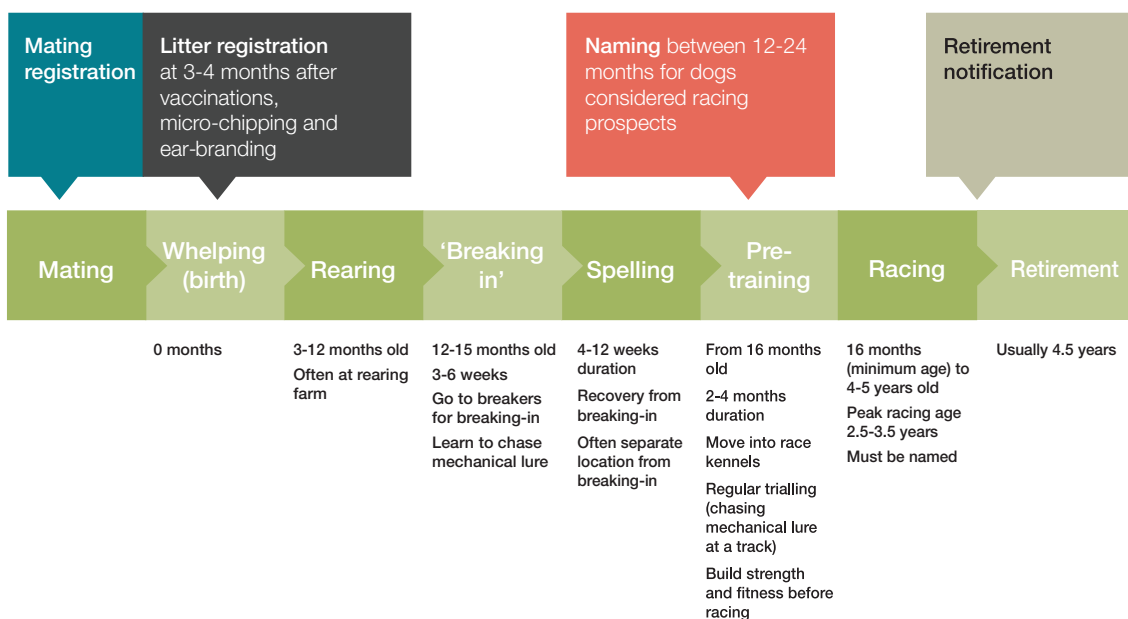
## Greyhound lifecycle

There were 2,851 greyhound litters registered across Australia in 2013, equivalent to almost 18,000 greyhound puppies

. In Victoria, a total of 882 litters registered in 2012. Of these, 5,661 puppies were registered with 3,709 (or 65.5% of registered puppies) named for racing. In any one year, it is estimated that there are around 9,000 greyhounds training.

GRV tracks greyhounds at five stages in their lifecycle through its registration systems: at (1) registration of services/matings, (2) litter registration, (3) naming, (4) racing status (recording whether the dog has ever raced), and (5) at retirement, with the reason for retirement recorded.

Figure 2: Lifecycle of a racing greyhound



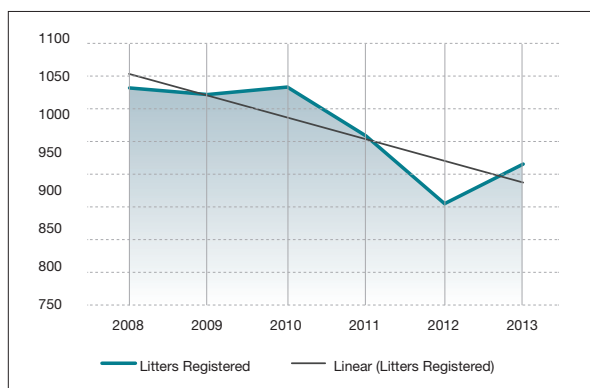
## Whelping

GRV must be notified of matings (natural or artificial) and the number of puppies resulting from those matings, along with their colours and sexes within ten days of the litter being born. Greyhound litters average 6.2 puppies per litter and are housed with their mother up until the time of litter registration – when each puppy is registered at approximately 3-4 months old. After undergoing mandatory vaccinations, ear branding and micro-chipping, litter registration with GRV is completed at around four months of age.

At a national level, breeding numbers have declined by 50% since 1975, when over 36,000 greyhound puppies were whelped. In 2013, less than 18,000 puppies were whelped.<sup>10</sup>

Victorian litter and puppy registrations have shown a steady decline. Between 2008 and 2013, litters registered have decreased almost 10 per cent (Chart 1) while puppy registration numbers decreased 5 per cent (Chart 2) to just under 6,000 in 2013.<sup>11</sup>

**Chart 1: Number of Victorian litters registered**

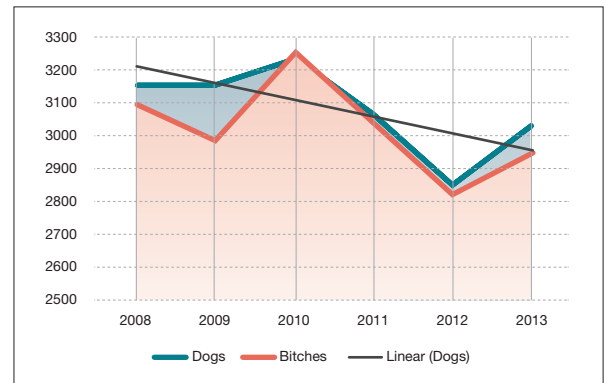


Source: GRV

<sup>10</sup> GA Chief Executive quoted in <http://www.afr.com/brand/greyhounds-need-homes-as-scandal-trashes-industry-20150313-1435vc>

<sup>11</sup> Supplied by GRV

**Chart 2: Victorian puppies registered**



Source: GRV

## Rearing

After whelping, puppies are 'reared' from three months to approximately 12-15 months old at rearing farms, which typically contain long yards or paddocks where puppies are housed together. Here puppies learn to socialise with other dogs, grow and develop. Puppies can also be reared by their breeder on a smaller scale.

## Breaking in

At 12-15 months puppies are sent to 'breakers' for their early racing education. During the 'breaking in' process, they learn to enter and exit the starting boxes and to chase a mechanical lure individually and then later with the distraction of other dogs, and learn the routine of the race kennels. For many young greyhounds this is where their racing career ends if they don't demonstrate enough racing potential or a strong desire to pursue the lure. If a puppy breaks in 'poorly', it is then the owner's responsibility to decide whether to keep the puppy and let it develop before trying again, retain the greyhound, give it away as a pet, or humanely euthanase it. Although the majority of greyhounds are broken in by commercial 'breakers' some smaller trainers will break in their own puppies.

## Spelling

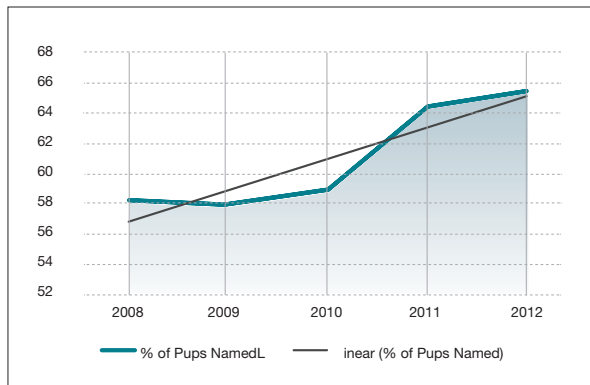
If a dog shows racing potential after breaking in, they are usually sent to rest and recuperate (or 'spell') for 4-12 weeks before being sent to pre-training. Greyhounds are usually examined by a vet at this stage to make sure any soreness and injury is detected and treated appropriately.

## Pre-training

Pre-training is the final step in a greyhound's education before it starts its racing career. This stage typically lasts 2-4 months and involves the greyhound moving into race kennels and regularly chasing a mechanical lure on a track (known as 'trialling'). Performance at this stage will determine whether a greyhound has racing potential, and whether it is best suited for short sprints or distances. If a greyhound is deemed to have potential, the owners will register an official race name with Greyhounds Australasia – a process known as 'naming.' Only named greyhounds can race or be bred. If dogs do not show sufficient potential they will remain unnamed and will eventually retire.

In Victoria, the percentage of puppies going on to be named has steadily increased from 58% in 2008 to 66% in 2013 – indicating less breeding 'wastage' in the industry (Chart 3).

**Chart 3: Percentage of Victorian puppies named**



Source: GRV

## Racing

Greyhounds are eligible to race from 16 months old and racing careers generally last 1-2 years. Dogs are at their peak racing age at 2½ - 3½ years. Most retire by 4-5 years old or earlier if they suffer injury or perform poorly. Successful race dogs are often retired early to maximise their stud careers.

## Retirement

The stage known as 'retirement' applies to any greyhound – young or old – when it is removed from the racing pathway. This can happen at any stage of the greyhound lifecycle. Accident, injury, and misadventure may cause the retirement of pups at an early age, well before reaching the age for breaking in. Greyhounds who show limited ability, or who have no desire to chase the lure may be retired from the time of breaking in, through pre-training and into early racing. Retirement also occurs when a racing dog is retired by their owner after a successful racing career.

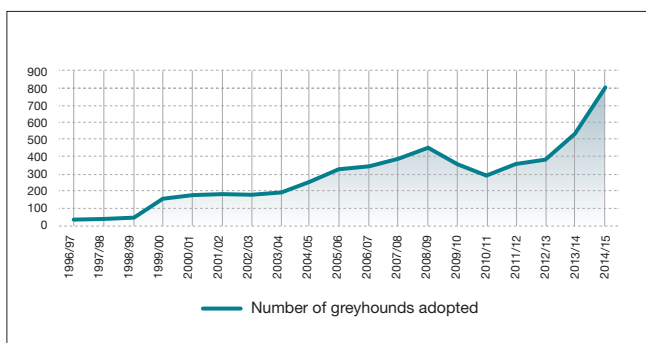
GRV records six possible retirement outcomes for greyhounds:

1. Breeding – as a stud dog or brood bitch. Industry statistics show that most brood bitches have one to three litters between the ages of two and six. Only 13.5% of all bitches have a fourth litter and less than 6% have five or more litters.<sup>12</sup> Very few brood bitches whelp litters after the age of seven. Successful stud males can have a breeding career into old age.

GAP – entry into GRV’s Greyhound Adoption Program (GAP), whereby suitable greyhounds are fostered and re-trained for rehoming and adoption.

GRV’s GAP has been successful at increasing the number of rehoming retired greyhounds since its inception in 1996 (Chart 4). The program is financed and administered by GRV to place retired greyhounds in private homes as pets. GAP has rehomed close to 5000 dogs since 1996. In 2014 it rehomed 536 dogs, the highest number to date.<sup>13</sup> A more modest number are thought to be diverted to other rescue groups or shelters for adoption.

**Chart 4: Number of greyhounds adopted**



Source: GRV

2. Pet – becomes a pet of the owner, trainer or third party.
3. Export – international export for breeding or racing. Does not include interstate transfers. In 2011 93 Victorian greyhounds were recorded as being exported to international destinations, mostly New Zealand and Macau.<sup>14</sup>
4. Euthanased – GRV records five possible reasons for euthanasia: (1) unsuitable for rehoming, (2) due to injury, (3) lack of ability, (4) death at track or (5) other reason (includes a blank euthanasia certificate from the veterinarian, i.e., no reason given). Where a greyhound is listed as euthanased, the owner must provide a veterinarian’s certificate to GRV to complete the retirement.
5. Other reason – this category encompasses all ‘other’ reasons which are not covered above, including: death by accident, misadventure or natural cause; donations of the animals to canine blood banks; and surrender of dogs to shelters and rescue groups.

A greyhound’s natural lifespan is generally predicted to be 12-14 years. The available statistics indicate the majority of retired greyhounds are euthanased before living out their natural lifespan. Animals Australia estimates that 10% of greyhound puppies will live to 12-14 years<sup>15</sup>.

GRV processes euthanasia certificates but does not report this number. Animals Australia estimate that 5,000 Victorian greyhounds are euthanased each year in total, a figure that encompasses unwanted puppies, retired racers and retired breeders.

<sup>12</sup> GRV. See <http://www.grv.org.au/greyhound-welfare/breeding-rules/>

<sup>13</sup> GRV Annual Report 2013-2014, p.12.

<sup>14</sup> See <http://greens.org.au/q-9013-racing-greyhound-racing-victoria-%E2%80%94-animal-welfare>

<sup>15</sup> Animals Australia (2015) Submission 6 March 2015, p.2.



# Appendix 3

## GRV welfare measures

In recent times GRV has undertaken a number of initiatives to address animal welfare concerns. It formed a Responsible Breeding Task Force (RBTF) in 2005, and more recently formed the Animal Welfare Task Force (AWTF) in 2013 to address welfare issues at all stages of the greyhound lifecycle. Total funding of welfare, Greyhound Adoption Program (GAP) and integrity services has increased 103.1% in the last three years.<sup>16</sup>

Recent GRV initiatives include:

- In February 2014, GRV finalised an animal welfare strategy with Greyhound Racing NSW aimed at establishing new standards of animal welfare excellence in the greyhound racing industry, including breeding, racing, re-homing and participant education. In May 2014 this strategy was endorsed as Greyhound Australasia's national welfare strategy.
- Improve the quality and reduce the number of greyhound puppies whelped by introducing higher breeding fees and stricter breeding guidelines to ensure a decision to breed is a considered one:
  - Stud registration fees are now \$1000. Similar registration fees are currently being proposed for breeding females (a national agreement is desirable to avoid pushing breeding into lower cost states).
  - GRV discourages bitches from breeding a third litter until the puppies from the first two litters have reached an age where their ability can be assessed. If the first two litters failed to produce starters, or showed very poor results, GRV will recommend the female not be allowed to breed again. From the 1 July 2015, a third litter will require approval from a national panel.
- GRV introduced an age cap for bitches to breed
- Expanding racing opportunities to provide additional racing opportunities for greyhounds of all grades, ages and abilities:
  - Introduction of Tier 3 racing for slower dogs.
  - In February 2015 GRV introduced Grade 6 and 7 races to afford greyhounds beginning their career to race against similarly inexperienced greyhounds.
  - Similarly, GRV has introduced 'All Maiden Meetings,' 'Restricted Win,' 'Veterans,' and 'Female Only' races to cater for a broad range of ability.
- Improved inspection and compliance requirements on greyhound properties:
  - In 2007, GRV appointed a Greyhound Welfare Manager. In 2013 GRV employed the first of two Animal Welfare Compliance and Education Officers (referred to as inspectors in this report) to educate industry participants and increase inspections of greyhound facilities to ensure they are compliant with all relevant rules and codes of practice. GRV has recently appointed an Investigations Manager

<sup>16</sup> GRV personal communication.

- and intend to employ a further four inspectors.
- The number of designated inspections of kennels and training facilities has risen considerably in recent years. In 2013-14 the number of kennel inspections increased by 50% to 1,147, with the majority of inspections being unannounced.
- GRV has substantially increased reporting requirements to improve data collection and capture information about the entire lifecycle of the greyhound.
    - In 2008 GRV commenced requesting from owners the status of their greyhounds where that greyhound had become 'inactive' and had not raced for a period of six months. These 'retirement checks' occur on a monthly basis. In 2013 it introduced monetary fines (\$50/month for each dog 'inactive') for non-responses, and in 2014 GRV began to follow-up the status of unnamed greyhounds that had fallen inactive.
    - The Review noted that Victoria is one of the few states that actively chase retirement outcomes and as of April 2015 had the highest retirement notification compliance rates by far any state or territory at 70.1%<sup>17</sup>, compared to NSW (12.8%), Tasmania (45.2%), WA (46.1%), QLD(25.2%) or SA (34.8%), NT (23.5%) and NZ (36.7%).
  - GRV is now introducing rules that will require that greyhounds stay in the care of a registered person at all stages of its lifecycle through to retirement.
- GRV identified that one of the key barriers to enforcing and improving animal welfare compliance are gaps in ownership records of the greyhounds. GRV is often unable to track greyhounds if the dogs are moved to kennels operated by unlicensed persons (mostly during the whelping and rearing stages).
  - The introduction of 'Whelpers' licences is scheduled to be incorporated to changes to the Breeding rules in 2015. Licences for 'Rearers' is also scheduled for 2015.
- GRV has increased animal welfare education and training requirements.
    - GRV developed new industry information packages to assist owners and breeders so they can make educated and informed decisions around the services and service providers available at different stages of their greyhound's life.
    - GRV developed a 'Breeders' Education Package' that provides compulsory training for all new breeders to undertake prior to being able to register their first litter.
    - A new 'Breeders Competency Package' will soon require breeders to undertake education modules related to breeding as part of the move towards national standardised training, and accreditation under the National Training Framework.
    - A Trainer's competency was launched in 2009. A new 'Trainers' Competency Package' is currently being developed as part of the National Training Framework.
    - GRV to require all new industry participants to be assessed on core com-

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<sup>17</sup> These compliance rates from GA are the number of dogs with retirement outcome reported divided by total number of dogs that qualify as inactive (i.e. whelped since 1 January 2011, at least 20 months old, no activity recorded in the past 6 months). They are recorded based on state in which owner or owning syndicate is registered.

petencies before obtaining relevant licences.

- Maximising end of career alternatives.
  - In 2014 GRV committed to increased funding to GAP by \$1.4 million over three years.<sup>18</sup>
  - The GAP property was expanded and upgraded to include increased housing for greyhounds coming into the program, and an onsite treatment facility that will facilitate a shorter transition time through the program.
  - GAP has also changed its intake model. It is conducting testing across the state so that trainers and owners no longer have to travel as far to access the program, and removing the fees associated with placing a greyhound in the program.
  - GAP also has MOUs with a number of other rehoming agencies to maximise the number of greyhounds going into private homes.

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<sup>18</sup> [http://www.grv.org.au/wp-content/uploads/2015/02/20140722\\_GRV-Media-Release\\_Greyhound-Adoption-Program-Record\\_FINAL.pdf](http://www.grv.org.au/wp-content/uploads/2015/02/20140722_GRV-Media-Release_Greyhound-Adoption-Program-Record_FINAL.pdf)

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