

11 May 2016

Greyhound Racing NSW
Building B
1 Homebush Bay Drive
RHODES NSW 2138

grnswpolicy@grnsw.com.au

Re: Proposed Local Rule 106A Feedback

The Australian Veterinary Association is the national organisation representing veterinarians in Australia. Our 8,500 members come from all fields within the veterinary profession. Clinical practitioners work with companion animals, horses, farm animals, such as cattle and sheep, and wildlife. Government veterinarians work with our animal health, public health and quarantine systems while other members work in industry for pharmaceutical and other commercial enterprises. We have members who work in research and teaching in a range of scientific disciplines. Veterinary students are also members of the Association.

Summary

This proposed local rule change makes it mandatory for registered owners to take steps to rehome greyhounds post racing. It aims to reduce the unnecessary euthanasia of greyhounds and promote responsible ownership. This is a great move as many owners could not have rehoming on their agenda. The primary responsibility for rehoming is subtly being transferred from the owner to the rescue groups who are struggling with numbers. Rehoming a dog is one of the most stressful things that can happen to it, particularly if the dog is fragile emotionally. Thus, it is fundamentally flawed to promote responsible abandonment.

There is a question over whether vets can accurately judge a dog's temperament and suitability for rehoming in a clinical situation. Should they be required to conduct a test for predatory behaviour and do they have the required knowledge of behaviour to make accurate assessments that are not going to put other people's children and pets at risk?

The AVA Greyhound Group would be willing to provide assistance to members if members felt they need help in this area of assessment by providing information via seminars, webinars and email support.

However, given the chronic shortage of both available homes and arguably, dogs that can fit easily into pet homes, we only see proposals like this putting the dogs overall welfare and safety at risk for the sole purpose of appearing to be tackle the issue of "wastage".

Lay euthanasia for any reason is a very emotive issue for vets and there will be a wide range of opinions from the profession. There would obviously be circumstances where lay euthanasia needs to be performed but should we ask the question by what method(s) would the euthanasia be performed.

Perhaps the best plan would be what is either in place or has been mooted in Victoria. Each trainer must have a plan prepared and approved for what to do in such a situation, detailing one or two willing, nominated vets who will be available for emergencies in a timely manner. If this were mandatory, there would be no need for home euthanasia.

Maybe there should also be strict records available to ensure that certain people were not performing more euthanasias than other owners/trainers. Owners and trainers must come onboard with the concept that they are part of the solution.

Most animal welfare legislation in Australia does not prohibit killing of animals - some Acts differ. The law already permits emergency killing of animals by non-vets. Making all dogs traceable and accountable from 'cradle to grave' will go a long way to ensure there are not 'fake' emergency killings. If a person kills an animal inhumanely they can already be prosecuted under animal welfare legislation. All licensed kennels need to be freely accessible by agencies empowered under welfare legislation.

We are trying to get the industry to come out of the dark ages where trainers shooting dogs was widespread. If there is no question of illegality, why do vets need to give the ok? How can they give informed approval without seeing the dog? No vet from whom we have sought an opinion (including the staff of the largest after hours emergency centre) would consider entering into any discussion on this subject with a trainer over the phone.

Points of concern

Rule 1

- Passing all the responsibility for rehoming onto a rescue groups is not the best way to approach this matter.
- It may be difficult for rehoming providers to cope with supply. This rule will certainly provide a clear assessment of where the industry is at in this area. It would be hoped that many people do decided to keep an extra dog or two on in their kennels to help provide a solution to the over supply problem.
- The issue of euthanasia if three groups refuse to rehome the dog is exceedingly unfair on the hard working, well-meaning rescue groups who will be put in the position that if they don't take the dog (especially if they are the third group approached) then it will be euthanased. This will leave them feeling responsible for its death and may tempt them to take on more dogs than they should which becomes another welfare issue. Trainers frequently use the threat of euthanasia to coerce rescue groups into taking their dogs. Why should they feel guilty when the trainer/owner walks away guilt free?
- In the Definition of "unable to be rehomed" part (iii), veterinarians will be asked to assess if dogs are suitable for rehoming. Dogs which are highly anxious, nervous, aggressive, affected by degenerative/chronic conditions such as arthritis, dermatitis or pannus, etc, will not be suitable for rehoming in most cases. Vets would certify a dog unsuitable for rehoming if it lunged at dogs or people.
Surrendering a dog with serious emotional issues with a rescue group that is either financially or emotionally equipped to deal with the dog is neither responsible nor in the dog's or societies' best interests. I'm not sure referring to such groups as "rehoming providers" is appropriate. Many do the best job they can in very difficult situations, but always have too many dogs, not enough resources nor expertise, and they would rarely choose to do it as a community or industry centric service. Introducing this measure prior to ensuring more is being done to increase the dog's ability to be rehomed is likely going to be disastrous.
- Furthermore, it is an offence in NSW under the Companion Animals Act to "Sell or advertising for sale, a proposed dangerous or menacing dog, 150 penalty units/\$16,500 or Accept ownership of a proposed dangerous or menacing dog 150 penalty units/\$16,500". A highly predatory dog would fulfil the criteria of a proposed dangerous or menacing dogs.
- We understand and appreciate the sentiment of this proposal, but the focus needs to be on the right dog in the right home, not just any dog in any home, whilst continuing to take steps to ensure there are more right dogs than not.

Rule 2

- Rule 2 (a) is of concern. The greyhound industry should not be moving its problems onto local councils. If a greyhound is unsuitable to rehome then it must have some serious issues and would be best euthanised. Whether a veterinarian or a rehoming group makes the decision that a dog is unable to be rehomed, the decisions re the dog's future should be made at that time.

Rule 4

- Rule 4 is quite comprehensive. The situation that this rule is written for is quite uncommon. Should an owner or trainer be attempting to deceive the authorities there seems to be adequate provision to examine the validity of the claim.
- With regard to Rule 4b, if any veterinarian was not comfortable with providing permission to euthanise a dog then they should not do it. Alternatives would be to refer the person to another clinic or to a GRNSW officer. As time progresses owners and trainers need to have a relationship with a veterinary facility, and this could assist in this situation.
- The concern and thus the background of this new rule, is that unauthorised non vet, non-emergency euthanasia is a much more widespread issue in NSW than the kindly act of euthanasing a dog in valid and urgent need of veterinary care when one is not available. Another valid concern is that vets should not/cannot be placed in a position to authorise the latter without examining the animal, particularly in light of the fact there are no recommendations as to how this should be managed.
- Although there are some vets who may merely humanely kill a greyhound based on countless assessments and behavioural consultations, that although physically healthy, many are not mentally healthy and there are serious welfare issues with greyhounds in rescue. Return rates are higher than what might be imagined and the dogs are suffering serious stress. Many are left in kennels, or pushed around multiple homes or physically punished for their behaviour problems. Ethically, the vets role is to prevent suffering, whatever form that may come in.
- s.9(2) of the NSW Veterinary Practice Act 2003 permits some non-vets to undertake restricted acts of veterinary science. This includes the owners of animals, their employees and where the doing of the act is necessary because the animal is in urgent need of veterinary treatment and a vet is not available. Euthanasia as such is not a restricted act of veterinary science in any event - r4 of the NSW Veterinary Practice Regulations (although the administration of anaesthetic agents is). Whilst non-vets would have difficulty obtaining scheduled drugs, the humane killing of animals by their owners by other means is not prohibited by these laws.
- Euthanasia is an act of veterinary science, with a scheduled drug. A lay person cannot make a diagnosis NOR administer a scheduled drug. Euthanasia, strictly speaking means a 'good death'. The real difference is the reason why an animal is being killed, e.g. humane killing (humane but not in the animal's interests, e.g. healthy unwanted animal) vs true euthanasia (mercy killing situation). If vets are 'putting down' healthy greyhounds this is not euthanasia even though it is humane - it is humane killing.
- There is no reason why a vet must give the ok for a non-vet to perform humane euthanasia, i.e. shooting, if such is to occur, it must be the responsibility of the euthanaser, not a vet who has not seen the dog so has no idea if the description is accurate or not, then the euthanaser must provide evidence (e.g. photos of the animal still alive (perhaps panting etc, or videos) as most trainers or others have mobile phones with such capabilities, and can then show the said video, etc to the authorities (greyhound body) to prove the necessity. The existing requirement for a certificate of euthanasia indicates that anything else might warrant further investigation. It also subtly shifts responsibility from owner/trainer to vets. Vets are not the answer to many of these issues. Cultural change, if possible, is.
- GRNSW is also proposing to make non-veterinary emergency euthanasia of a greyhound permissible only where it is clearly essential due to sudden and catastrophic injury and emergency veterinary attention cannot be obtained in a reasonable period of time. In these circumstances, the industry participant will be required to contact a veterinary

surgeon in the first instance and gain veterinary approval for both the euthanasia and the method of euthanasia. How can one ensure that such action will be valid and reasonable over the phone? Most vets have never been asked to provide input on how to dispatch a “regular” dog apart from arranging a home euthanasia vs a clinic euthanasia. Without having seen the animal, possibly not having ever seen the client how would it be possible to give this advice over the phone without creating a legal mine field.

- What would be defined as a catastrophic injury? This would be a broken neck, broken back, fractured skull, but is it likely to include severe long bone fractures.? If so, domestic pet owners can manage to get their dogs to the vet, so why should greyhounds be treated any differently? It would be difficult to set definitive guidelines for catastrophic injuries so how could a vet on the phone make an informed decision?
- Clearly firearms might be considered the only other humane option, but is the gun licensed, do they know what to do? The approved methods would need to be spelt out clearly by GRNSW.
- With regard to 4c, d, e, who would bear the cost of storage of greyhound bodies, post mortem examinations, disposal of bodies and reporting on emergency euthanasia. This places all burdens on the vet.
- We would recommend that this section be removed entirely as it could be open to abuse.