

Recommendations of the Greyhound Reform Panel

Response from the Australian Veterinary Association Ltd



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29 February 2017

About us

The Australian Veterinary Association is the national organisation representing veterinarians in Australia. Our 9000 plus members come from all fields within the veterinary profession. Clinical practitioners work with companion animals, greyhounds, 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.

Executive summary

The NSW Government established the Greyhound Industry Reform Panel on 11 October 2016 to provide recommendations on potential new animal welfare and governance arrangements to reform the industry. The Australian Veterinary Association has been asked to provide feedback on the recommendations relevant to the veterinary profession.

The AVA commends the detail of this report. It is an excellent document with solid recommendations. There are several points where the AVA believes some recommendations could be enhanced and these are detailed below. The determination of success will involve ease of implementation and cost effectiveness. Ongoing monitoring of the outcomes will be essential to ensure that greyhound welfare is best practice in NSW and a model for other jurisdictions to follow.

Background

The AVA consulted with the following groups, and responses to the recommendations are based on their views:

- Australian Greyhound Veterinarians
- ASAVA (small animal group)
- Australian Veterinarians for Animal Welfare and Ethics
- Australian Veterinarians Behaviour Group.
- AVA NSW Division.

Responses to Recommendations

26. A Greyhound Industry Animal Welfare Committee should be established to advise the integrity commission and should be comprised of five members – an independent animal welfare or behaviour expert; a senior officer of RSPCA NSW; the Chief Veterinary Officer of NSW or their nominee; an industry representative; and a representative from the commercial entity.

AVA response: This committee should include an AVA representative. Veterinarians are in the best position to offer independent professional advice on animal welfare and health.

40. The integrity commission should be able to employ, second or use specialist staff, including veterinarians and police officers.

AVA response: It's noted that the report states that there may be practical difficulties in ensuring the integrity commission's veterinarians are present at all race and competitive trial events, particularly in regional regions. The AVA believes that a veterinarian **must** be present at **every** event.

Specialist staff should also include animal welfare specialists.

49. The integrity commission should have primary responsibility for investigating and prosecuting greyhound related offences recognising the RSPCA NSW, AWL and NSW Police will have complementary roles which collectively improve the overall reach and capacity for enforcement.

AVA response: Agree.

50. Information about investigations should be able to be lawfully shared between the integrity commission, the RSPCA NSW, the AWL and the NSW Police in appropriate circumstances.

AVA response: Agree.

51. The integrity commission should enter MOUs with compliance and enforcement bodies such as the RSPCA NSW, AWL and the NSW Police.

AVA response: Agree.

52. The integrity commission should develop and recommend a code of practice for the treatment, handling and care of greyhounds based on the five domains of animal welfare outlined in more detail in this report – the code of practice should be approved by the Minister for Racing with the concurrence of the Minister for Primary Industries.

AVA response: Veterinarians must have input into the development of this code of practice.

56. The code of practice should ban the use of barking muzzles.

AVA response: Agree. Please note that the AVA's position on the use of muzzles is that it should be based on individual behavior rather than breed.

57. The code of practice should ban the use of aversive substances on greyhounds or the use of regulated products other than for their intended purpose, except where prescribed by a registered veterinarian.

AVA Response: Agree but recommend the wording be changed to a ban on **aversive substances and devices**. This would then capture the use of electronic collars which can be very painful and distressing to animals.

58. Age and litter limits should be set for breeding females in the code of practice.

AVA response: Agree.

59. The role of greyhound health assistants should be established for those who are not veterinarians but provide limited healthcare to greyhounds such as massage therapy, acupuncture and other complementary therapies, non-invasive injury detection and first aid.

AVA response: Agree but the role and duties of greyhound health assistants requires expansion.

60. Greyhound health assistants should be licensed by the integrity commission based on demonstrated competencies which will require completion of training and/or recognition of existing skills.

AVA response: Greyhound health assistants must be registered, pay a license fee and have an ABN. Assistants should undertake training in basic first aid including initial wound management and temporary external stabilisation of fractures, with a view to stabilising the patient prior to transfer to a veterinarian, if veterinary care is not immediately available.

Veterinarians who are qualified in acupuncture, chiropractic, and other treatment modalities should deliver these treatments.

The AVA can advise on the management and training of these persons and in formulating regulations.

61. The services that greyhound health assistants can provide should be clearly defined.

AVA response: AVA must have input into the development of defining the roles of health assistants. Health assistants should not be allowed to use any drugs unless under veterinary direction, any injury must always be referred to a veterinarian and records should be kept for all treatments delivered by health assistants.

62. A licence condition of greyhound health assistants should be evidence of a relationship with a registered veterinarian to whom greyhounds can be referred when in need of veterinary assessment and care.

AVA response: the nature of the relationship the health assistant has with a registered veterinarian needs to be defined. The health assistant must be able to contact the veterinarian (or practice) or a designated veterinary emergency clinic at all times. The health assistant should not be making diagnoses or undertaking treatments other than basic first aid, without first consulting a veterinarian.

The licensing body should reserve the right to inspect referral records of health assistants.

63. Industry should continue to advocate for a national approach to breeding controls for greyhounds.

AVA response: Agree

64. Additional options for breeding controls and other total lifecycle management initiatives, including a target date for achieving zero unnecessary euthanasia, should be considered in two years informed by more robust data.

AVA response: The AVA recommends keeping a close watching brief on this as oversupply of greyhounds has been a significant problem in the greyhound industry, resulting in high euthanasia rates if the dogs are unsuitable for racing. Additional options for breeding control and life span initiatives should be commenced in 6-12 months' time.

65. A new greyhound racing licensing scheme should be established to support improved animal welfare. The new scheme should apply to all industry participants, including breeders, owners (including syndicates), rearers, educators, trainers, greyhound assistants and trial track operators.

AVA response: Agree. The licence should also apply to proposed health assistants.

66. The standard conditions of the new licencing scheme will include:

- a. mandatory education and training requirements
- b. compliance with the code of practice
- c. record keeping and reporting requirements
- d. the maximum number of dogs that can be kept by the licensee
- e. any other requirements as determined by the integrity commission.

AVA response: Agree

69. A condition on the breeder licence will be that a breeder is responsible for reporting every pup whelped and for the welfare of every pup whelped until ownership is transferred.

AVA response: Agree

73. A new greyhound racing register should be established and managed by the integrity commission to capture the identity and whereabouts of all greyhounds throughout their lifecycle.

AVA response: Agree

74. The greyhound racing register should be accessible by the RSPCA NSW, AWL, Local Councils and NSW Police.

AVA response: Agree

75. The greyhound racing register should include greyhounds that retire and are retained by an industry participant as a breeding dog or pet.

76. The greyhound racing register should not include greyhounds that retire and are retained by non-industry participants. New owners will be responsible for registering these animals on the companion animals register.

AVA response to 75 and 76: These recommendations are supported. It is also important that even if dogs are not chosen to race, that pups and young dogs are not excluded from the new greyhound register so that no dogs fall through the cracks of compliance and whole of life care. Clarification is required to ensure inspectors will be able to check on these animals periodically, as keeping ex-racing animals as pets may be less costly to trainers/owners than rehoming animals.

79. Owners of greyhounds should be principally responsible for the welfare of their greyhounds for their full natural life including ensuring their suitability to be rehomed at any stage of their lives.

80. Owners of greyhounds that have been assessed as rehomeable must prioritise the welfare of the greyhound and apply all reasonable endeavours to rehome the greyhound or personally retain the greyhound.

82. All rehoming programs administered or funded by the commercial body must use best practice to assess the compatibility of a greyhound with prospective owners before permanently rehoming them.

AVA response to 79, 80 and 82: Whole of life tracking has long been a recommendation of the AVA and this is strongly supported. Best practice should be used to assess compatibility when rehoming and should involve a veterinary behaviourist.

86. Euthanasia can only be administered by a qualified veterinary surgeon who deems it to be in the greyhound's best interest, or by an owner in the circumstances prescribed under the *POCTA Act 1979*.

AVA response: Agree

87. Evidence of attempts to rehome the greyhound must be provided to the veterinarian when deciding if euthanasia is in the greyhound's best interest.

AVA response: A potential concern with this recommendation is that more definition of the term "best interests" of animals be provided. This also puts the veterinarian in the position of effectively

assessing whether an owner has followed the code of practice, and requires evaluation and understanding of what constitutes evidence which may be beyond the scope of the vet's practice. It would seem appropriate for such evidence to be submitted to and evaluated by the integrity commission.

88. If a qualified veterinary surgeon euthanises a greyhound on the basis of the owner's inability or unwillingness to care for the greyhound, or where the greyhound has been deemed unsuitable for rehoming based on behavioural issues, the veterinary surgeon must notify the integrity commission.

AVA response: The AVA would prefer that the onus for reporting the death from unwillingness to care or unsuitability for rehoming be directed back to the owner of the dog, possibly by the veterinarians providing a death certificate with the cause for euthanasia that the owner needs to submit to the register.

89. The death of a greyhound must be reported to the integrity commission and accompanied by a certificate from a qualified veterinary surgeon outlining the circumstances of the death.

AVA response: For euthanasia carried out by an owner due to remoteness, then notification must be carried out as soon as possible.

90. The NSW Government should advocate to the Commonwealth Government to regulate the export of greyhounds from Australia so that they can only be exported where the receiving country has appropriate animal welfare standards in place.

AVA response: Agree

91. The commercial entity should be required to report at agreed intervals to the integrity commission on the implementation and effectiveness of industry led measures to increase the bred to race ratio.

AVA response: Agree

96. A veterinarian should be present at all public trial tracks when used for activities with a higher risk of injury based on a risk matrix to be developed by the integrity commission e.g. trialling multiple dogs in race like conditions.

AVA response: Agree but recommend that veterinarians be involved in the development of the risk matrix which dictates their involvement in high risk activities at trial tracks.

97. All trial track managers, including licensed private trial track managers, will be required to establish access agreements with veterinarians during trials where injuries occur during low risk activities.

AVA response: Agree

98. Public trial tracks should not be used or open for use for high risk activities that require a veterinarian to be present other than between the hours of one hour before sunrise and one hour after sunset on any day without the permission of the integrity commission.

AVA response: Agree

99. CCTV should be installed and recordings retained for a period determined by the Minister on the advice of the integrity commission for all public trial tracks and either:

- a. Option 1: for licenced private trial tracks as determined by the integrity commission; OR
- b. Option 2: for all licenced private trial tracks unless the integrity commission provides an exemption on application from a licensee.

AVA response: Agree with *Option 2*

100. The keeping of small animals (dead or alive) that may reasonably be used as a lure should be banned in the rules of racing, where greyhounds are kept, trained and/or raced in one of two ways:

Option 1: (supported by greyhound industry representative) :

- a. no exemptions for rabbits and possums

- b. a very limited exemption for piglets where commercial production of pigs is the primary business of the property and this purpose co-existed with greyhounds prior to the requirement commencing – this exemption should only be granted on application by the industry participant to the integrity commission within three months of this requirement commencing and where there are strict controls in place for the separation of the greyhounds and piglets
- c. no exemptions at public trial tracks and race clubs
- d. deemed exemptions for other small animals on notification and verification by the integrity commission.

Option 2: (supported by RSPCA NSW) :

- a. no exemptions for rabbits, piglets and possums
- b. no exemptions at public trial tracks and race clubs
- c. deemed exemptions for other small animals on notification and verification by the integrity commission.

AVA response: Agree with **Option 2**

101. The integrity commission should have the authority to further limit exemptions for other small animals where it has evidence they are at risk of being used in live baiting.

AVA response: Agree

102. Restrictions on small animals being kept where greyhounds are present should be limited to industry-registered greyhounds.

AVA response: Agree

103. Research already commissioned by GRNSW on track design and safety by the University of Technology Sydney should be completed and funded by the new commercial body.

AVA response: Agree

106. A lifetime disqualification from participating as a licenced participant in the greyhound racing industry should apply for proven live baiting or any other serious animal cruelty offence.

AVA response: Agree

107. Section 530 of the *Crimes Act 1900* should be amended to deem live baiting as 'serious animal cruelty' for the purpose of that section.

AVA response: Agree

108. The live baiting offence in the *POCTA Act 1979* should be amended to address evidentiary difficulties in proving an animal used in baiting was alive when the offence occurred including establishing a definition for a dead animal that may have been used in baiting. This should exclude processed meats but include carcasses and unprocessed animal pieces.

AVA response: Strictly no animal material should be used on the lures.

109. Section 530 of the *Crimes Act 1900* should be amended to introduce a new offence where a person recklessly commits a serious act of animal cruelty, with a maximum penalty of 3 years imprisonment.

AVA response: Agree

110. The *Crimes Act 1900* should be amended to enable a court to prohibit animals being kept on a property with greyhounds where the person has been found guilty of an animal cruelty offence, consistent with provisions in the *POCTA Act 1979*.

AVA response: Agree

112. The integrity commission should apply penalties proportionate to offences, including where:

- a. an owner is repeatedly not able or unwilling to care for a greyhound for its natural life
- b. there is clear evidence a licensee is repeatedly producing dogs that are unable or unsuitable for racing or are unsuitable for rehoming.

AVA response: Agree

120. New legislation for the industry should be considered by Parliament in budget session 2017 with as many of its provisions as possible to commence by 1 July 2017.

AVA response: Agree