



PARLIAMENT OF TASMANIA

JOINT SELECT COMMITTEE ON
GREYHOUND RACING IN TASMANIA

Dissenting Report

Presented by Ms O'Connor, Leader of the Tasmanian Greens, Greens Member for Denison, and ordered by the House to be printed

MEMBERS OF THE COMMITTEE

Mr Bacon
Ms Courtney
Mr Gaffney
Mr Mulder (from 24 May 2016)
Ms O'Connor
Ms Rattray (Chair)
Mrs Rylah
Mrs Taylor (until 6 May 2016)
Mr Valentine

Introduction

This dissenting report is based on the strongly held view that, while all Committee members are clearly concerned to see improved animal welfare outcomes and the majority Report makes a number of important recommendations towards this aim, it has come down too firmly on the side of industry.

Tasmanians who recognise inherent value in the lives of animals and our responsibility to give voice to the voiceless, will be disappointed with the findings and recommendations of the majority Report.

While the Joint House Inquiry initiated by the Greens was prompted by live baiting practices interstate which were exposed in an ABC Four Corners investigation in February 2015, the cruelty at the heart of this industry extends well beyond the live baiting issue.

The Inquiry heard evidence of puppies and dogs that were killed for being surplus to requirements, injured, or not fast enough. We read and heard damning evidence of an industry culture that considers animals to be disposable items in the name of profit.^{1,2} A perspective supported by the industry's peak body.³

The extent of wastage of healthy and injured greyhounds in the Tasmanian industry is obscene. Right to Information documents requested by the Greens provide evidence that 1608 named dogs had died or been killed between 1 July 2013 and 9 June 2016.⁴

Limited data provided by the Tasmanian Government confirms that in 2011/12, more than 200 greyhounds were killed before they reached the age of two and were 'named' for racing.⁵

Minister Rockliff's review into animal welfare standards in the industry qualified its available wastage data by acknowledging that the figures were "*reliant on those in charge of a greyhound notifying the regulator in accordance with the Rules of Racing*" and should therefore be viewed as minimum figures.⁶

¹ Submission 1, Biosecurity, p. 2.

² Dr Rod Andrewartha, Transcript of evidence, 30 June 2015, pp 73-75.

³ Crisis to Recover Program 2015, Greyhounds Australasia, p. 1.

⁴ Racing greyhound deaths 2016, DPIPWE, Right to information documents.

⁵ Review of arrangements for animal welfare in the Tasmanian greyhound industry 2015, DPIPWE, p. 26.

⁶ Ibid, p. 27.

The Greens will continue to work towards a ban on greyhound racing in Tasmania on the basis of the facts presented to the Inquiry, and from a foundational belief this cruelty cannot be justified.

We also recognise that many greyhound owners, trainers and breeders do have a genuine concern for the welfare of the animals in their care. This, however, does not justify the inherent cruelty of the industry as a whole.

We believe a ban and the consequent end to public funding of the industry would have strong community support.

While we do not support the continuation of greyhound racing or its public funding, the Greens support, and contributed to, every finding and recommendation in the majority Report that prioritises animal welfare reform.

Between the establishment of this Inquiry and the delivery of its recommendations, both the New South Wales and ACT governments have announced an end to greyhound racing in those jurisdictions.

Australia is one of only eight countries in the world that has not prohibited greyhound racing.

Background of the Inquiry

The Tasmanian Greens moved to establish a Joint House Parliamentary Inquiry into Tasmania's greyhound racing industry following evidence of widespread live baiting and cruelty that was exposed on ABC Four Corners in February 2015.

In the investigative report, "Making a Killing", award winning journalist, Caro Meldrum-Hanna revealed the practice of using live animals – such as piglets, rabbits and possums – to train racing greyhounds was widespread and systemic in Queensland, New South Wales and Victoria.⁷

The Greens believe that, despite the denials of TasRacing and the Tasmanian industry during the course of this inquiry, live baiting has taken place, and may still be happening here at any one of the 28 bullrings and 31 private tracks confirmed to the Committee to exist by the Office of Racing Integrity.

⁷ Making a Killing 2015, ABC Four Corners.

Until the Four Corners report, the greyhound industry and its governing body had consistently denied that live baiting was prevalent in the industry. There was a conspiracy of denial and silence that ensured the unimaginable suffering of countless small animals in the name of profit.

The community disgust and outrage demanded governments and Parliaments shine a spotlight on the industry.

The Greens secured the relatively willing support of the Tasmanian Liberals and somewhat reluctant support of Labor, along with members in the Legislative Council, to establish the Inquiry.

At the Committee's first meeting, Greens' Animal Welfare spokesperson, Cassy O'Connor MP, was elected as Chair. The Hansard record of proceedings will confirm that Ms O'Connor conducted herself fairly and impartially as Chair.

Ms O'Connor was removed as Chair after agreeing to speak at a rally to end greyhound racing at which she made it clear she was speaking only on the Greens' behalf, and not that of the Committee.

She continued to contribute actively to the work of the Committee and wishes to genuinely thank her fellow Committee members for their cooperative approach during the conduct of the regrettably prolonged inquiry.

Findings

LIVE BAITING

1. A consistent theme of industry participants who presented to the Inquiry was that the separation of the racing and integrity arms of the Tasmanian industry, as well as the lack of private trial tracks made it almost inconceivable that live baiting would be taking place in Tasmania.⁸
2. A consistent theme of the RSPCA and animal welfare peak bodies was that it would be 'naive' to think live baiting had not been happening here as it had been in Queensland, New South Wales and Victoria.^{9,10}

⁸ June Phillips, Transcript of evidence, 1 July 2015, pp 1-2

⁹ RSPCA, Transcript of evidence, 30 June 2015, pp 45-46

¹⁰ Dr Sally-Anne Richter, Transcript of evidence, 30 June 2015, p 2.

3. During the course of the Inquiry, the Office of Racing Integrity undertook an audit of properties where greyhounds are kept. Director of Racing, Tony Murray, made it clear to the Committee that he was genuinely surprised the audit had discovered 28 unregulated bullrings and 31 private tracks in Tasmania.¹¹
4. The graphic footage obtained by Animals Australia and aired on Four Corners revealed live baiting takes place on private bullrings and private tracks, remote from public view.¹²
5. Written and spoken evidence to the Committee, including some in-camera evidence, makes a compelling case that the practice of live baiting has been a feature of industry culture since its beginnings in Tasmania.^{13,14,15}
6. The Office of Racing Integrity^{16,17} and the RSPCA¹⁸ both attested to the extreme challenges of obtaining evidence that would result in a conviction for live baiting.
7. The argument that live baiting could not occur in Tasmania relies heavily on the claim that this State does not have private trial tracks. However, according to the testimony of Anthony Bullock, a leading trainer, live baiting could occur in bullrings and on private tracks.¹⁹
8. Another industry argument has been that if live baiting occurred in Tasmania it would have already been exposed. The Greens consider this to be fallacious for several reasons. First, before 2015, it had not been exposed in other Australian jurisdictions. Lack of evidence cannot be evidence that it is not occurring. Second, live baiting was only exposed due to unauthorised but important surveillance which has not been attempted in Tasmania. And third, Anthony Bullock²⁰ and others^{21,22} confirmed that live baiting has occurred in the past in Tasmania, which was not exposed or prosecuted previously.

¹¹ Tony Murray, Transcript of evidence, 11 August 2015, pp 39-40

¹² Making a Killing 2015, ABC Four Corners.

¹³ Dr Sally-Anne Richter, Transcript of evidence, 30 June 2015, pp 4-5.

¹⁴ Anthony Bullock, Transcript of evidence, 11 August 2015, pp 3 -4.

¹⁵ June Phillips, Transcript of evidence, 1 July 2015, pp 1-2.

¹⁶ Tony Murray, Transcript of evidence, 11 August 2015, p. 39

¹⁷ Review of arrangements for animal welfare in the Tasmanian greyhound industry 2015, DPIPW, p. 21.

¹⁸ RSPCA, Transcript of evidence, 30 June 2015, pp 45-46

¹⁹ Anthony Bullock, Transcript of evidence, 11 August 2015, p 1-2.

²⁰ Anthony Bullock, Transcript of evidence, 11 August 2015, pp 3-4.

9. TasRacing, and the industry at large, has demonstrated a lack of capacity or willingness to admit, or genuinely consider the possibility, that live baiting has or may occur in Tasmania.
10. Industry participants have communicated their lack of willingness to report live baiting, even if they were aware it was happening.²³
11. Live baiting is a training practice that has taken place in the past, and may still be taking place, in Tasmania.

WASTAGE

12. There is a serious and unacceptable lack of accurate and transparent data on the number of greyhounds killed by the industry each year in Tasmania.
13. The RSPCA reported that combined statistics from Greyhounds Australasia and the *Tasmanian Review of Arrangements for Animal Welfare in the Tasmanian Greyhound Racing Industry* final report indicate that between 600–700 greyhounds are whelped in Tasmania each year. Qualifying its data as likely ‘minimum’ rates, the Tasmanian Review report also reveals that more than 216 greyhounds were killed before they were named in 2012/13.²⁴
14. The term “euthanasia” is not an accurate term to describe the killing of greyhounds due to over-breeding, cost, injury or lack of race performance. Euthanasia is the practice of intentionally ending a life humanely to relieve suffering. The puppies and dogs disposed of by this industry may be being put down humanely, but it is rarely for the relief of suffering.
15. While a number of industry participants told the Committee they believe the term ‘wastage’ is emotive, in fact it is a more accurate descriptor than euthanasia for the fate of industry greyhounds. The Chief Veterinary Officer stated to the Inquiry that greyhounds are considered to be livestock, and described the method of killing in this context as ‘slaughter’.

²¹ Dr Sally-Anne Richter, Transcript of evidence, 30 June 2015, pp 4-5.

²² June Phillips, Transcript of evidence, 1 July 2015, pp 1-2.

²³ Dr Rod Andrewartha, Transcript of evidence, 30 June 2015, p 71.

²⁴ Submission 71, RSPCA, pp 4-5.

DRAINING

16. It is accepted that the practice of 'draining' involves the removal of blood by a registered vet, often prior to lethal injection, and that this blood is of use to veterinarians. On the limited statistical data available, we have between 800-900 dogs wasted in Tasmania each year, so the blood of a greyhound has become a useful by-product of an industry that too readily ends the lives of unwanted dogs.

OTHER EVIDENCE OF CRUELTY

17. Poor track design and a failure to prioritise the reduction of injury potential on circular tracks are significant factors in the rate of injuries and deaths in the Tasmanian greyhound racing industry. Track design is a major contributor to the number of dogs injured and killed each year.²⁵

18. A number of submissions, including from the RSPCA and Brightside, pointed out that Tasmania's minimum standards for housing of greyhounds are not currently consistent with best practice for the care of animals, as the Rules of Racing allow greyhounds to be kept in extremely cramped conditions for extended periods.²⁶

19. Many greyhound kennels in Tasmania may be complying with the minimum standards outlined in policies and guidelines, but it is clear from submissions and evidence presented to the Inquiry that these are in substantial need of improvement.

20. There is no legislative or regulatory requirement for greyhounds to have environmental enrichment and socialisation from an early age to assist with re-homing if they have been found to be unsuitable for racing or at the end of their racing career.

21. There are increasing instances of the administration of prohibited substances to greyhounds, including methamphetamine, by industry participants. The Office of Racing Integrity gave evidence to the Committee that its capacity to undertake rigorous and regular testing is declining due to a lack of funding.²⁷

²⁵ Submission 71, RSPCA, p 6.

²⁶ *ibid*, p 9.

²⁷ Tony Murray, Transcript of evidence, 20 November 2015, pp 7 – 9.

TAXPAYER-FUNDED CRUELTY

22. The Tasmanian industry receives up to \$5 million in public funding each year. Industry participants who testified to the Inquiry claim that, despite this subsidy, the industry is struggling financially.²⁸
23. TasRacing and the broader industry's claims of substantial flow-on economic benefits from the industry are not backed by credible evidence.
24. The source for their claims is a 2013 report from IER Pty Ltd. This report was clearly commissioned by TasRacing as a public relations document to justify the industry subsidy.²⁹ The Greens have tested the methodology and assertions in this report, and found this document to be an unreliable source of facts on the financial contribution of the greyhound racing industry in Tasmania.
25. The status of this IER report as a public relations document rather than a sound analysis of the industry is evidenced through common sense; the obvious attempt to draw out the largest figures possible; and the fact that no recommendations were put forward to support an economic analysis of an industry that takes 75% of its revenue from public subsidy.
26. The IER report derives the majority of its final figure of economic activity by double or triple counting the \$30 million subsidy that is given to TasRacing. It is inevitable that investing the \$30 million elsewhere would have similar flow-on economic effects, particularly given the Government's 'buy local' policy.
27. The IER report also does not consider the detrimental social impact and costs of gambling to the State. Racing gambling has a fairly high correlation with gambling addiction severity, and numerous studies indicate that productivity loss from gambling negatively affects economies and places a further burden on social support services.
28. Due to industry subsidy, the IER report itself represents a cost to the taxpayer. It is notable that such a substantially unsustainable industry would commission a propaganda report rather than an accurate analysis of its financial position.

²⁸ Dr Eliot Forbes, Transcript of evidence, 1 July 2015, pp 37-38

²⁹ Size and Scope of the Tasmanian Racing industry 2013, IER PTY. LTD.

29. The economic model for greyhound racing relies on taxpayer funding. Without it, the industry would not survive and the lives of thousands of dogs would not be expended for profit.
30. The greyhound racing industry nationally and in Tasmania is inherently and irredeemably cruel. It uses large sums of public money to perpetuate cruelty towards animals.
31. Community concern is growing about public funds being used to allow the slaughter of healthy animals for a gambling- industry.

INDUSTRY IN DENIAL

32. A leaked document from the industry's peak body, Greyhounds Australasia, found that *"The industry has done a poor job in understanding the nature and depth of this fundamental problem and has done very little to find a genuine solution"*.³⁰ This was apparent during the hearings of the Tasmanian Inquiry.
33. Former TasRacing CEO, Dr Elliot Forbes, denied that wastage in Tasmania is caused by overbreeding due to being a net importer of dogs³¹ despite 600-700 being whelped each year³², more than 200 dogs being killed before being named,³³ and further hundreds being killed each year due to injury or for lack of racing talent.³⁴
34. Dr Forbes also considered housing standards for greyhounds to be suitable,³⁵ a position not supported by organisations concerned with animal welfare who made submissions or presented to the inquiry.^{36,37}
35. Furthermore, Dr Forbes suggested that racetrack injuries were often minor.³⁸ Given that RTI documents have revealed that racetrack injuries are a significant driver of wastage rates, this statement cannot be supported.

³⁰ Crisis to Recovery Program 2015, Greyhounds Australasia, p. 1.

³¹ Dr Elliot Forbes, Transcript of evidence, 1 July 2015, pp 44-45.

³² Submission 71, RSPCA, pp 4-5.

³³ Review of arrangements for animal welfare in the Tasmanian greyhound industry 2015, DPIPWE, p. 26.

³⁴ Racing greyhound deaths 2016, DPIPWE, Right to information documents.

³⁵ Dr Elliot Forbes, Transcript of evidence, 1 July 2015, pp 36-37.

³⁶ Submission 71, RSPCA, p 9.

³⁷ Dr Sally-Anne Richter, Transcript of evidence, 30 June 2015, p 9

³⁸ Dr Elliot Forbes, Transcript of evidence, 1 July 2015, pp 30-31

36. Dr Forbes' responses to questions during the Inquiry and at Government Business Scrutiny hearings during 2015³⁹ revealed him as an obstructive witness unwilling to acknowledge the severity and reality of animal welfare issues in the greyhound racing industry.
37. Dr Forbes also referred to questions about what happens to horses after their racing career as "propaganda material". All this in the wake of his introductory boasting before the Committee that TasRacing meets or exceeds community expectations regarding animal welfare.
38. Dr Forbes claimed 'The Review of Arrangements for Animal Welfare in the Tasmanian Greyhound Racing Industry' found no evidence of live baiting. This is a factually inaccurate representation that nonetheless keeps getting pushed by the industry body and industry participants.
39. The fact is that the Review report found there to be "no evidence that could lead to prosecution". The qualifier "that could lead to prosecution" implies there is, in fact, some evidence of live baiting. This report emphasises, in bold, that "this finding does not exclude the possibility that live baiting could be happening in Tasmania".
40. TasRacing has consistently dismissed or downplayed evidence of industry cruelty. Dr Forbes claimed TasRacing meets or exceeds community expectations towards animal welfare while labelling concerns over animal welfare as 'propaganda'.

³⁹ Government Businesses Scrutiny Committee 2015, Tasracing Pty Ltd.

RECOMMENDATIONS

1. Due to the unfeasibility and unwillingness of the industry to address animal welfare issues to any acceptable standard, the Tasmanian Government has an ethical imperative to legislate a ban on greyhound racing in Tasmania.
2. The Tasmanian Government has a financial imperative to cease funding to the industry. Cessation of public funding to the industry needs to be included in the 2017-18 State Budget in order to give the industry time to transition.
3. Some of the millions of dollars saved can be allocated to the re-homing of all ex-racing greyhounds through organisations such as GAP, Brightside, the RSPCA and the Dogs Home to ensure the industry's termination does not lead to more adverse outcomes for greyhounds.
4. Private bullrings and trial tracks must be prohibited structures under the *Animal Welfare Act 1993*.
5. The *Dog Control Act 2000* must be amended to allow greyhounds that were either not born into the industry, or have been appropriately rehabilitated and socialised through GAP, Brightside, or other qualified organisation, to be unmuzzled in public.
6. The *Animal Welfare Act 1993* must be amended to include an acknowledgement that pain and suffering includes (but is not limited to) distress and mental suffering as well as physical suffering as per the recommendation of the Animal Welfare Advisory Committee (AWAC) in response to the 2012 review of the Act.

Ends.