

Department of State Growth

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Our Ref



The Secretary
Joint Select Committee on Greyhound Racing in Tasmania
Parliament House
HOBART TAS 7000

via email: stephanie.hesford@parliament.tas.gov.au

Dear Ms Hesford

SUBMISSION TO THE JOINT SELECT COMMITTEE ON GREYHOUND RACING IN TASMANIA

Thank you for inviting Racing Services Tasmania (RST) to provide a submission to the Joint Select Committee on Greyhound Racing in Tasmania.

As joint author of the *Review of Arrangements for Animal Welfare in the Tasmanian Greyhound Racing Industry Final Report -13 March 2015*, which forms part of the Committee's Terms of Reference, I am pleased to provide the enclosed submission which is intended to update the Committee on the status of a number of recommendations contained in the Review Report that directly relate to RST.

I would welcome the opportunity to address the Committee to answer any specific questions it may have in relation to this issue.

Yours sincerely

Tony Murray
DIRECTOR OF RACING

11 June 2015

enc Submission

Submission to the Inquiry of the Joint Select Committee on Greyhound Racing in Tasmania

A Murray
Director of Racing

June 2015

CONTENTS

1	SCOPE OF THIS SUBMISSION	4
2	INTRODUCTION.....	4
3	BACKGROUND.....	5
4	CONCLUDING REMARKS	10
5	ATTACHMENTS.....	10

1 Scope of this submission

Racing Services Tasmania (RST) welcomes the establishment of the Joint Select Committee on Greyhound Racing in Tasmania ("the Committee") and for the opportunity to make a submission to this Inquiry.

The scope of this submission is to inform the Committee of the status of a number of recommendations contained in the *Review of Arrangements for Animal Welfare in the Tasmanian Greyhound Racing Industry Final Report - 13 March 2015* ("the Review Report") that directly relate to RST and to provide updated statistical information where available.

The review was undertaken by Tony Murray, Director of Racing with the Department of State Growth (DSG), and Rod Andrewartha, Chief Veterinary Officer with the Department of Primary Industries, Parks, Water and the Environment (DPIPWE), at the behest of the Government in response to concerns about live baiting in the greyhound racing industry raised in the ABC Four Corners program in February this year.

It is intended that this submission act as an update to the Review Report.

2 Introduction

The General Manager RST is appointed to the statutory role of Director of Racing with responsibility for the delivery of integrity functions across the industry, including -

- support and provision of advice aimed at ensuring that Government requirements and expectations are met in relation to the regulation and integrity of the racing industry in Tasmania;
- registration of racing clubs;
- operation of the stipendiary stewards' Panel;
- licensing and registration of industry participants and racing animals, pursuant to the Rules of Racing;
- representing the State and the local racing industry on national bodies and in national forums in terms of racing integrity and related matters;
- handicapping for harness racing and grading for greyhound racing;
- registration and regulation of bookmakers and their agents;
- setting of integrity conditions applicable to Tasmanian race field information publication approvals;
- administrative support for the Tasmanian Racing Appeal Board; and
- administration of and monitoring compliance with legislation.

These integrity functions are delivered by officers of RST, a division of DSG, (based in Launceston and Hobart, as well as at various racing locations throughout the State) in close consultation with the industry's commercial arm, Tasracing Pty Ltd, as well as racing clubs and industry representative bodies.

RST currently employs 19 full-time staff members and 20 casual staff.

There are a number of key areas that are considered essential for the delivery of best practice integrity. These include:

- a swabbing regime that promotes drug-free racing and is consistent with contemporary practices; and
- the provision of a high-quality, skilled workforce, with particular emphasis on attracting, training and retaining stewards; and
- the provision of high-level regulatory controls to ensure that those participating in the industry are fit and proper, and appropriately skilled persons; and
- the ability to utilise modern integrity practices, inclusive of human resources and technology;
- the benchmarking of integrity practices and procedures with national and international racing and sports integrity jurisdictions; and
- an effective monitoring regime to ensure industry participants are compliant with the relevant Rules of Racing and policies with respect to animal welfare in the racing industry.

Confidence in racing integrity underpins its health and wellbeing. Key performance indicators such as industry participation and wagering are inextricably linked to the integrity of the industry. It is fair to say that the delivery of integrity to the racing industry, especially in view of the constantly changing wagering landscape nationally and internationally, is more challenging than ever before.

3 Background

In February 2015, the Minister for Racing, Hon Jeremy Rockliff MP, instructed the Director of Racing and the Chief Veterinary Officer (who oversees animal welfare investigation for the Government) to undertake a review of animal welfare arrangements in the greyhound racing industry to ensure there is a robust system in this State, and provide the Minister with a report, including their findings and recommendations, by 13 March 2015.


The key findings of the Director and the Chief Vet, together with their associated recommendations, are detailed in the body of the Review Report, which was tabled in Parliament on 25 March 2015. In total, there were 29 recommendations.

In undertaking their review, the Director and the Chief Vet, both statutory officers independent of the racing industry's commercial body, focused on the key areas of live baiting, the lifespan of the greyhound and compliance. This was in consideration of the limited time period available for the review to be completed (less than four weeks).

It is important to note that they found no evidence of live baiting occurring in Tasmania. Nonetheless, they did identify a number of measures the Government could take to strengthen provisions against such illegal activity.


Some of the measures recommended involve reviewing, and modifying where appropriate, the Rules of Racing, licensing and registration standards and criteria, industry education programs, race programming, breeding rules and policies and funding allocations, all primarily the function of Tasracing and therefore not within the scope of this submission.

Of the 29 recommendations contained in the Review Report, the following are relevant to the role of the Director and RST:


 **Recommendation 3** - Create an offence under the Rules of Racing for a person to keep or house on a property used for training or educating greyhounds, any small animals that could be used for live baiting

Progress - A survey questionnaire has been provided to all Tasmanian registered greyhound trainers, requiring them to advise RST of the number of registered greyhounds kept on the property, the number and type of domestic animals kept on the property, and the exact location, type and usage of any bullring and/or straight track (including mechanical drag/lure) on the property.


This data will help establish how many bullrings and private training tracks exist in the State and inform the Director's strategy in the context of establishing an appropriate and effective process of inspection and audit of properties that maintain such facilities.

 **Recommendation 5** - Only permit the use of bullrings by a registered person who is in charge of the property on which the bullring is located and only permit greyhounds trained by that person to utilise the facility

Progress - Refer recommendation 3

 **Recommendation 6** - Investigate the construction of bullrings on registered trial tracks under the control of Tasracing, with 24/7 CCTV monitoring which is only available to Racing Services Tasmania stewards or RSPCA officers (if this recommendation is adopted, consider the banning of all private bullrings)

Progress - Awaiting finalisation of the statistical data in relation to the prevalence of bullrings and training tracks and their use prior to progressing consultation with Tasracing.

 **Recommendation 7** – Ensure races are programmed specifically for greyhounds with less ability and for mature age greyhounds

Progress - Refer recommendation 8

Recommendation 8 – Ensure that the Grading Schedule provides further racing opportunities for greyhounds that are no longer competitive in their current grade

Progress - The Director recently completed a review of the Grading Schedule, which addressed this recommendation, and the draft findings of the review (refer Attachment A) have been circulated to industry inviting their feedback by mid-June 2015.

It is envisaged that the revised Schedule, incorporating industry feedback where appropriate, will be finalised by the commencement of the 2015/16 greyhound racing season (commencing 1 August 2015).

Recommendation 11 - Ensure breeding rules and policies are supported and informed by detailed statistical data and education

In undertaking their review, the Director and Chief Vet identified the need for collecting and maintaining accurate data sufficient to inform critical policy decisions impacting the lifespan of a greyhound. In late 2013, the Director had initiated a process to track each greyhound whelped in Tasmania. The greyhound breeding data that had been gathered as part of that project was incorporated into the Review Report¹.

Progress - There is an ongoing emphasis on the collection and forensic analysis of statistical data. Updated greyhound breeding data is provided for the Committee's information at Attachment B.

Recommendation 15 - Enhance the powers of entry for animal welfare officers under the *Animal Welfare Act 1993*, and RST stewards under the Rules of Racing, to ensure they are properly supported with respect to live baiting and other animal welfare issues

Progress - Amendments to the Animal Welfare Act were passed by the Parliament on 3 June 2015.

The Director is currently undertaking a review of the relevant Rules of Racing and will make his recommendation to Tasracing with respect to amending the Rules, where appropriate.


Recommendation 16 - Consider an amendment to the *Racing Regulation Act 2004* to enable stewards to require unlicensed persons to appear before inquiries and provide documents if it can reasonably be determined that the person is of particular interest to an inquiry under the Rules of Racing

Progress - The Director has commenced a review of the Racing Regulation Act, in consultation with key stakeholders, to determine if there is any constitutional or other legal restraint which would prevent the Parliament inserting a provision in the Racing Regulation Act, giving some suitable public officer or


¹ Review of Arrangements for Animal Welfare in the Tasmanian Greyhound Racing Industry Final Report – 13 March 2015, p26

class of officers the power to compel any person to attend inquiries conducted pursuant to the Rules of Racing.


The review is anticipated to be finalised prior to or shortly after the commencement of the Spring 2015 Session of Parliament. If amending the legislation is considered to be a viable proposition, the Director will make a recommendation to the Minister for the matter to be progressed.

 **Recommendation 20** - Establish a requirement that all bullrings and training tracks on properties used for the training and education of greyhounds are registered by the Director of Racing

Progress - Refer recommendation 3

 **Recommendation 21** - Establish a process of inspection and audit of properties that have a bullring and/or training track on the property

Progress - Refer recommendation 3

 **Recommendation 22** - Consider the employment of a Racing Integrity Manager and an additional Steward Investigator to support the Director of Racing and enhance the delivery of integrity and animal welfare objectives

The Review Report identified both “Governments and regulators have a significant role in animal welfare. Governments need to ensure that legislative mechanisms are in place to effectively support those charged with investigating and prosecuting potential welfare breaches. Regulators need to ensure that appropriate resources are allocated to animal welfare from policy, educational and compliance perspectives.”

The Director and Chief Vet’s review encompassed examining the role of education, training and competence of both regulators and industry participants in driving improvements in terms of animal welfare outcomes².

In recent years RST has been extremely proactive with respect to animal welfare in a number of areas, including increased stable and kennel inspections by stewards to ensure trainers have appropriate facilities to care for the wellbeing of the animals entrusted to them. In addition, all new applicants for a trainer’s licence must have a satisfactory kennel inspection prior to being licensed by the Director.

To assist with its regulation of animal welfare issues, the Director created the position of Steward Investigator. This position was created following an internal restructure of administrative positions and reports directly to the Director. The Steward Investigator, whose major focus is on non-raceday activities, with a significant emphasis on animal welfare, is well experienced in this important area, having previously held positions with the RSCPA and DPIPW.

² p41-43, Review of Arrangements for Animal Welfare in the Tasmanian Greyhound Racing Industry Final Report -13 March 2015

Progress - In the 2015/16 State Budget, the Treasurer announced funding for the employment of a Racing Integrity Manager (RIM) and an additional Steward Investigator. The recruitment process for the RIM is being progressed as a matter of priority, with advertisements placed in the Tasmanian Government Gazette as well as on RST website (www.racing.tas.gov.au) and the national racing jobs website (www.RacingJobs.com.au). It is anticipated that this position will be filled by mid to late July 2015, and the second Steward Investigator position shortly thereafter.

✚ **Recommendation 23** - Review security and surveillance protocols and practices in place at all Tasracing-controlled racing and trialling venues

Progress - The Director is consulting with Tasracing to progress.

✚ **Recommendation 24** - Make it a requirement that any greyhound that travels interstate whilst still under the care and control of a Tasmanian licensed person must be notified in advance to stewards (except in the case of a greyhound travelling to fulfil an interstate racing commitment)

Progress - To be actioned in consideration of the outcomes of the various interstate greyhound inquiries once known.

✚ **Recommendation 25** - Establish a central point of contact, that being the RSPCA, for persons with information in relation to live baiting or any greyhound animal welfare complaints. The contact details of the RSPCA to be included on all greyhound-related published documents

Progress - Forms, certificates and other published documents are to be redesigned as a consequence of RST's pending amalgamation with DPIPWVE (refer recommendation 28) and its rebranding to the Office of Racing Integrity (refer recommendation 29) on 1 July 2015 and will include reference to the RSPCA being the central point of contact.

✚ **Recommendation 26** - Establish formal Memoranda of Understanding between Racing Services Tasmania, the RSPCA and Tasmania Police for the exchange of information

Progress - The Director has commenced dialogue with the Commissioner of Police, Darren Hine, with a formal meeting scheduled for mid-June 2015.

Potential agreement with the RSPCA to be considered in the context of RST's amalgamation with DPIPWVE (refer recommendation 28) and the existing arrangements in place between the Department and the RSPCA.

✚ **Recommendation 27** - Consider the establishment of an independent, national animal welfare taskforce to consider jurisdictional findings and to make joint recommendations to state and territory Racing Ministers and Greyhounds Australasia

Progress - The Director raised this issue at the Government Racing Officers meeting in Brisbane on 29 May 2015. In principle support was given for the recommendation to be considered at the next Australasian Racing Ministers Conference in late 2015.

✚ **Recommendation 28** – Consider the development of an appropriate formal arrangement between the RST division of the DSG and the Biosecurity Tasmania division of DPIPWVE

Progress - On 25 March 2015, the Minister for Racing announced that RST would transfer from DSG to DPIPWVE on 1 July 2015. The existing biosecurity and animal welfare capabilities that exist within DPIPWVE align well with RST's responsibility to ensure the industry is safe, fair and credible.

RST, as the racing regulatory body, will be able to leverage off the animal welfare and veterinary skills available within DPIPWVE to achieve better animal welfare and integrity outcomes.

✚ **Recommendation 29** - Rebrand Racing Services Tasmania to the Office of Racing Integrity to emphasise its role and differentiate from the commercial body, Tasracing

Progress - This rebranding will take effect on RST's transfer to DPIPWVE on 1 July 2015.

4 Concluding remarks

While animal welfare is a key focus area for all codes of racing, with rules and policies continuing to be reviewed and strengthened, the Director and Chief Vet's report underlines the need for industry to develop a culture where the community can be confident that animal welfare standards meet contemporary expectations.

Thank you for the opportunity to make a submission to this Inquiry. The Director would be happy to address the Committee in person to answer any questions that Members may have or to discuss further any of the points raised in this submission.

5 Attachments

- A. Grading Schedule
- B. Greyhound Breeding Data



GRADING SCHEDULE REVIEW

The following recommendations are provided for industry comment prior to **19 June 2015**.

1. Introduce a new grading system for race distances less than 400 metres.

The grading schedule would therefore have four distinct categories as follows:

- (a) Short Sprint - less than 400 metres
- (b) Sprint - 401 to 569 metres
- (c) Mid Distance - 570 to 679 metres
- (d) Distance - 680 metres and higher

Rationale – The new system will cater for greyhounds that have difficulty running at distances greater than 400 metres. It will also provide enhanced opportunities for a greyhound to win races prior to progressing through the grades. This system is also consistent with other jurisdictions, wherein the grading of greyhounds is aligned to the race distance at each track.

An example of how this new system would work is:

Currently a greyhound winning a 278 metre Grade 5 event at Launceston becomes a Grade 4 over the sprint distance at the track. Under this proposed system, the greyhound would become a Grade 4 over the short sprint distance, but would remain a Grade 5 at the sprint distance.

2. Grade 4 greyhounds can drop back to Grade 5 after three unplaced runs at that distance on that track

Rationale – It is important to enhance the racing opportunities for greyhounds once they have reached their level in the grading system where they tend not to be reasonably competitive. The ability to drop back to a Grade 5 event provides consistency with what occurs in other grades and will enhance racing opportunities and extend racing careers.

3. A greyhound can win two Grade 4 races (after moving to that grade either up or down) before progressing to Grade 3.

Rationale – Greyhounds can currently move through the grading system very quickly, with the prospect of a greyhound winning a Grade 5 one week, a Grade 4 the next week and then potentially having to compete against Grade 1 greyhounds the next week. The additional win at Grade 4 will assist such greyhounds and also provide enhanced opportunities for greyhounds dropping back from Grade 3.

4. **Terminologies for grades such as graduation, trial and progressive be removed with reference only to the number of the grade. This would result in reference to Grades 1 to 5, with juvenile races being referred to as Grade 6. The only terminology to remain will be reference to maiden races.**

Rationale – From a wagering perspective, a reference to the grade of the race by number is easy to follow and consistent with what occurs in the other codes. From a future participant viewpoint, it is essential that the grading system, amongst other things, is as simple as possible to understand. The terms currently used are generally from another era and their terminology would simply confuse a prospective new participant.

5. **At one meeting per week, a Grade 5 race is selected on order of choice reversed (rotated between tracks).**

Rationale – There needs to be enhanced racing opportunities for greyhounds that are non-competitive and those that have difficulty gaining a start due to their order of choice. Welfare and wagering opportunities need to be carefully balanced. In this proposal, one race per week will be chosen in this manner, whilst the other 30 (approximately) would be chosen in the normal manner. This is not seen as unreasonable given the potential welfare benefits.

6. **At the last meeting per month, the Grade 6 (Juvenile) race at each track is selected based on age (irrespective of order of choice), with oldest greyhounds selected first.**

Rationale – Greyhounds have limited opportunities to compete in races based on age and hence experience. It is considered that this proposal will provide additional opportunities to compete in age based races prior to the greyhound turning two years of age.

7. **A maiden event be conducted at each meeting, but if nominations do not allow, those maidens will be automatically included with Grade 5 nominations, unless the trainer has notified “no higher”.**

Rationale – There is a general consensus that maidens should compete in their own grade and not in mixed races. Additionally, there currently exists a grey area wherein if the maiden race is deleted, or if there are excess greyhounds in this grade, in the absence of any notification from the trainer, it is at the grader’s discretion as to whether to include those nominations in the Grade 5 event over the same distance.

It is proposed that all excess maiden nominations (that is, those not drawn in the maiden) be considered for the Grade 5 (at the same distance) unless a “no higher” notification accompanies the nomination. This also would apply to any maiden nominated for a race meeting, irrespective of whether a maiden event was programmed.

8. **Wherever possible, single grade races are conducted, with mixed races only used when absolutely necessary.**

Rationale – From a pure grading perspective, the fairest system is to have a particular grade of greyhound competing against greyhounds of the same grade. The current situation of having mixed races is further exacerbated by drawing the single graded race first and those that do not gain a start are then required (at times) to compete in a split race with greyhounds of a higher grade. As such, every effort should be made to conduct single class races wherever possible.

9. Distance grades and programming to be treated the same as all other categories.

Rationale – The current system for distance greyhounds provides that once a Grade 5 race is won, a greyhound must compete in an open event. This is seen as a discouragement to train greyhounds for distance events. Whilst it will take time to build up a pool of distance greyhounds, the advantage of providing additional racing opportunities for this category is seen as beneficial from both a wagering and welfare perspective.

10. The requirement for nomination forms for first starters to be lodged at least 24 hours prior to nomination closing time be removed.

Rationale – With all States except Victoria now on the OzChase system, there are enhanced opportunities for Racing Services Tasmania (RST) to utilise the system to reduce time lags such as this.

11. Phone nominations be phased out over an eight month period, commencing on 1 September 2015, wherein only phone nominations to the recorded service will be accepted and from 1 February 2016, wherein only online and fax nominations will be accepted.

Rationale – The current system of phone nominations is inconsistent with what occurs in other jurisdictions. Additionally, in Tasmania participants in the other two codes are not able to nominate by phone, except in exceptional circumstances.

The integrity of the process is enhanced when there is a formal record of the nomination and it also streamlines the preparation of fields. RST staff will provide intensive training to participants to assist them with the move to online nominations.

12. Enhance the consistency with respect to greyhounds which are unplaced in finals.

Rationale - Currently a greyhound which is unplaced in a final has its run disregarded from an order of choice perspective; however, the run is recognised in terms of the drop back rule.

It is considered that this results in “double dipping” and therefore in terms of consistency a greyhound with an unplaced run in a final should have the run disregarded for both the order of choice and the drop back rules.

13. Enhance the consistency for greyhounds that fall in a race.

Rationale - Currently the run of a greyhound that falls in a race is disregarded from an order of choice perspective; however, the run is recognised in terms of the drop back rule.

It is considered that this results in “double dipping” and therefore in terms of consistency a greyhound that falls should have the run disregarded for both the order of choice and the drop back rules.

14. Clarify procedures with respect to the selection of order of choice 12 greyhounds (except Grade 6 which is selected on age, unless otherwise programmed).

Currently the grading schedule refers to “previous performances”. It is proposed to make this clearer in the following manner:

Greyhounds on order of choice 12 will be selected on their form at the distance on the track at which it is nominated, with the following order:

- (a) Highest placing at the last start at track and distance.
- (b) If equal, the greyhound that has had only one start at the track and distance, followed by the greyhound that has had two starts at the track and distance, noting that if equal and if necessary, a random ballot will be conducted.
- (c) If the last start placing is the same and the greyhounds have had at least three starts at the track and distance add the finishing placing in the last three events at the track and distance with the lowest number gaining the start. For example, a greyhound finishing, 6th, 8th, and 4th will have a total of 18, whilst a greyhound finishing 6th, 5th, 8th will have a total of 19. In this case the first greyhound (18 points) will be selected.
- (d) If the totals are the same, a random ballot is applied.
- (e) Note unplaced runs in a final and falls are disregarded in the above order.
- (f) Note that only performances at the track and distance will be taken into account.

Rationale – This provides a black and white solution to the selection process and enables RST staff and participants clarity on this often disputed selection process.

POINTS TO NOTE

- If changes are implemented, grading will not be done retrospectively. For example, if the additional “short sprint” category is adopted, the current “sprint” grade of the greyhound will be converted directly to the new category, regardless of previous performances over the short sprint distances.
- Tasracing has a statutory responsibility for race programming and any matter that requires a change to programming will need their approval.
- Some of the changes outlined can be implemented at short notice, whilst others may require software changes in the OzChase system. Once the final determination on changes is made, I will provide a timeframe for implementation.

Tony Murray
Director of Racing
27 May 2015

ATTACHMENT B

GREYHOUND BREEDING DATA ¹			
	2011/12	2012/13	2013/14
Whelpings	617	608	694
Bitches	304	260	297
Dogs	271	287	338
Deceased prior to registration	42	61	59
Litter Registrations (4 months of age)	575	547	635
Named	306	319	58
Unnamed	269	228	577
Named Greyhounds	306	319	58
Raced	273	268	19
Unraced	33	51	39
Named Raced Greyhounds	273	268	19
Deceased	113	65	1
Retired	19	8	0
Other ²	141	195	18
Named Unraced Greyhounds	33	51	39
Deceased	29	19	1
Retired	0	5	0
Other ¹⁰	4	27	38
Total named greyhounds deceased	142	84	2
Total named greyhounds retired	19	13	0
Total named greyhounds other ⁴	145	222	56
Unnamed Greyhounds	269	228	577
Total unnamed greyhounds deceased	217	162	63
Total unnamed greyhounds retired	27	20	5
Total unnamed greyhounds other ⁴	25	46	509
Totals			
Greyhounds Deceased (including prior to registration)	401	307	124
Greyhounds Retired	46	33	5
Greyhounds Other⁴	170	268	565

¹ Source – RST database as at 1 June 2015

² "Other" refers to greyhounds still active in training/education (based on RST data)

RETIREMENT/EUTHANASIA

Also included in the Review Report was data on all greyhounds in Tasmania (either whelped in the State or relocated to Tasmania at some stage) that had been retired, rehomed - including the Greyhound Adoption Program (GAP) - euthanised or died from natural or other causes³.

Updated figures are as follows⁴:

- In the 2013/14 racing season, 640 greyhounds were euthanised, retired, rehomed or deceased -
 - 490 euthanised
 - 28 deceased (natural or other cause, for example snake bite)
 - 122 retired/rehomed (62 in GAP)
- In the 2014/15 racing season to date (1 August 2014 to 1 June 2015), 566 greyhounds were euthanised, retired, rehomed or deceased -
 - 383 euthanised
 - 37 deceased (natural or other causes)
 - 146 retired/rehomed (86 in GAP)

³ *Review of Arrangements for Animal Welfare in the Tasmanian Greyhound Racing Industry Final Report - 13 March 2015, p27*

⁴ Source – RST database as at 1 June 2015