



Equus caballus



Draft Code of Practice for the Keeping of Racing Greyhounds

14.08.2017



Bos taurus



Ovis aries



Canis lupus familiaris



Felis catus

This submission has been developed by RSPCA Victoria in conjunction with RSPCA member societies and RSPCA Australia.

General comments

The RSPCA believes that there are significant and entrenched animal welfare problems inherent in the greyhound racing industry. These include problems with over-supply, injuries, physical overexertion, inadequate housing, lack of socialisation and environmental enrichment, training, illegal live baiting, administration of banned or unregistered substances, export and the fate of unwanted greyhounds (high wastage and high euthanasia rates).

Until these problems are recognised and effectively resolved, the RSPCA does not support greyhound racing.

RSPCA Victoria is pleased to see the proposed introduction of many positive measures to achieve improvements to the quality of life and welfare of racing greyhounds. However, we have significant concerns with some specific areas of the draft Code of Practice for the Keeping of Racing Greyhounds (the Code) and consider that it is important that these areas are amended to safeguard greyhound welfare. In particular, minimum exercise requirements for pre-training, training and racing greyhounds and minimum pen sizes of 3sqm are both serious concerns and must be increased to prevent greyhounds suffering.

Overall, the revised Code is a welcomed and necessary development in the future regulation of the Victorian greyhound racing industry. We hope that the key measures proposed in the Code are maintained to ensure greyhound welfare into the future.

However, in its current form, the Code is not easily read and would benefit from important points being highlighted at the beginning of each section.

Comparison with *Code of Practice for the Operation of Breeding and Rearing Businesses*

Minimum housing requirements

The *Code of Practice for the Operation of Breeding and Rearing Businesses* requires pen sizes to be at least 7sqm, whereas this proposed Code only requires 3sqm of space for greyhounds. A minimum pen size of 3sqm is an unacceptably small housing space for a greyhound and will seriously compromise greyhound welfare. Basic physical and behavioural needs cannot be met in an area that is only 3sqm in size. This Code should, at the very least, require the same space as required for similar sized dogs under the Breeding and Rearing Code: that is, a minimum pen size of

10sqm for a dog with shoulder height 40-70cm and 15sqm for a dog with shoulder height 70cm and above.

The minimum width for greyhound kennels larger than 10sqm is indicated as 2.4m. While it may be an advantage to have longer kennels (this would allow for more movement and a larger area of mesh allowing more visual interaction and play along the fence), kennels that are too narrow have the potential to cause damage to a greyhound's tail as they move around the kennel. We would recommend that consideration be given to requiring wider kennels.

As greyhounds are highly social animals our strong suggestion is that they should be housed in compatible pairs or groups with additional floor space provided for each additional greyhound, so that their social needs can be met. The Working Dog Alliance concluded in its paper *Review and Assessment of Best Practice: Rearing, Socialisation, Education and Training Methods for Greyhounds in a racing context* (2015)¹, that it is unacceptable from an animal welfare standpoint for greyhounds to be kept in individual housing. Single housing eliminates their ability to demonstrate one of the Five Freedoms - Freedom to express normal behaviour. Kennelling should be avoided and replaced with pair/group housing in spacious pens with indoor-outdoor access.

Breeding males

Annual breeding clearance should be required for male greyhounds over six years of age who are used for breeding purposes, as per the requirements of the Breeding and Rearing Code.

Specific comments on the draft Code

3.1 Staff ratio

This section is not clear. It should be outlined that one staff member is required to be on site when the establishment has less than 25 greyhound equivalents on site, two staff members on site for any number higher than 25 greyhounds and three staff members for any number higher than 50, and so forth.

It should be clear that the example provided is assuming business hours of 7:30am-3:30pm (although these could be any period between 5am and 8pm). We suggest that this section would be clearer if business hours were reiterated here, rather than being located just in the definitions.

¹ Working Dog Alliance (2015) Review and Assessment of Best Practice: Rearing, Socialisation, Education and Training Methods for Greyhounds in a racing context.

For clarity, it would be useful to add in subheadings 'during business hours' and 'outside business hours' so the requirements are clear and easy to locate.

Furthermore, we recommend an amendment to the single greyhound equivalents in the draft Code. A litter of greyhound puppies is labour intensive and one litter and their mother is not equivalent to one greyhound in terms of staff time required to meet basic needs. While there are equivalents in the Breeding and Rearing Code there aren't in the *Code of Practice for the Operation of Shelters and Pounds* and we believe that as per the Shelter Code, there should not be equivalents in the Greyhound Racing Code. The Shelter Code requires 'one full-time animal attendant employed for every 50 animals housed at the establishment'. There is no mention of mother and litter equivalents in the Shelter Code. However, the proposed Greyhound Code could require as little as one staff member for up to 175 animals (assuming 25 mothers, each with a litter of six puppies under the age of eight weeks). This needs to be addressed in the proposed Code as requiring only one staff member for a large number of animals will not support other requirements of the Code, such as enrichment and training, to be met.

Even within the example of 25 greyhound equivalents that is provided in the draft Code, one full-time staff member would be responsible for 65 individual animals per day (again using the average litter size of six greyhound puppies per litter). RSPCA Victoria considers that one full-time staff member would not be able to adequately meet the needs of 65 animals daily, particularly when some of those animals would likely be younger and require additional assistance. The staff to animal ratio should be increased at least to the level required by the Shelter Code.

3.3 Operations Manager

We query how 'experience' can be demonstrated, and suggest that some parameters be outlined in the code.

4.2 Euthanasia

We support the requirement for a Euthanasia Certificate to be provided to establishments once a greyhound has been euthanased and for this Certificate to be provided to Greyhound Racing Victoria (GRV). However, the Code should specify a timeframe within which the owner must provide the Euthanasia Certificate to GRV.

We support the requirement that a Notice of Intent to Euthanase be provided to GRV 14 days prior to euthanasing a greyhound for non-medical reasons. However, the term 'medical grounds' needs to be defined as some form of intractable or untreatable condition that causes the animal to suffer. Reasonably treatable conditions should not qualify as 'medical grounds' for euthanasia.

In the 'note' section the Code states that the proprietor/owner etc. 'must attempt to contact the veterinary practitioner by phone and request advice'. This section does not outline what then happens if this attempt is made but a vet cannot be contacted. The rest of the note assumes successful contact was made. An alternate scenario should be outlined in the Code.

4.3 Greyhound transport vehicle

The temperature range (10-32°C) is too extreme. We strongly recommend that a range of 20-30°C (a dogs thermoneutral zone)² be adopted.

Transport conditions must provide enough space for greyhounds to comfortably sit, lie down, stretch with clearance and stand in a natural position without making contact with overhead structures. We recommend slightly rewording the Code to include 'comfortably' and 'stretch with clearance'.

Greyhounds must not be left in stationary vehicles due to risk of heat stress which can and does cause dog deaths each year.

Greyhounds should not be housed in a transport vehicle for 24 or 48 hours. Safe comfortable alternative housing should be found for greyhounds where overnight stays are required. If the 48-hour time period is to remain, 'exceptional circumstances' must be defined.

Maximum transport duration is not specified - unless the first paragraph on page 25 is also referring to transport time (although this is not clear). The transport section should be updated to include a sub-heading of 'during transport' and 'housing at an event' for clarity.

6.2.5 Muzzling

Barking muzzles should not be used under any circumstances and should not be allowed in the Code. The NSW Special Commission of Inquiry into the Greyhound Racing Industry in NSW³ and the NSW Greyhound Industry Reform Panel⁴ recommended the banning of barking muzzles on animal welfare grounds.

² Jordan M et al (2016) Temperature Requirements for Dogs: Are they tailored to promote dog welfare? Center for Animal Welfare Science, Purdue University
<https://www.extension.purdue.edu/extmedia/VA/VA-16-W.pdf>

³ 2016 Special Commission of Inquiry into the Greyhound racing Industry in NSW:
<https://www.greyhoundracinginquiry.justice.nsw.gov.au/>

⁴ NSW Greyhound Industry Reform Panel: <http://www.industry.nsw.gov.au/about/our-business/department/racing/greyhound-racing>

As well as causing pain, suffering and distress to greyhounds, barking muzzles are physically dangerous as they inhibit normal panting and thermoregulation which can rapidly lead to fatal heat stress. Cases have also been reported where greyhounds have vomited whilst being restrained in barking muzzles with these greyhounds reportedly subsequently dying from aspiration of their vomit as the barking muzzle prevented their ability to protect their airways.

Excessive barking in greyhounds is usually caused by unmet basic needs such as insufficient daily exercise, lack of enrichment, prolonged daily containment in small kennels and/or stress and anxiety due to kennelling.

Other humane prevention and treatment options should be used to manage excessive barking, including increased time outside housing areas, increased positive human interaction, increased enrichment and exercise, pair or group housing and consultation with a registered veterinary practitioner for assessment and individualised care plans.

We also suggest a new standard be added to the Code prohibiting the use of any devices that cause pain, injury, suffering or distress to greyhounds. This is important to prevent alternative devices which also cause poor welfare outcomes being used to replace barking muzzles. For example, electric shock collars and collars delivering aversive sound or scent should also be prohibited in the Code.

6.3.5 Artificial insemination

Surgical artificial insemination (AI) is banned in some European countries because of animal welfare and ethical concerns. Surgical AI is a highly invasive procedure which involves surgery and general anaesthesia, and which causes significant pain to the female breeding dog⁵. We have concerns about the use of surgical AI when alternative, less invasive options, such as transcervical insemination, are available.

6.3.11 Training and racing

We do not believe that the Code is clear on acceptable and unacceptable training methods, nor how training should be undertaken. Training should be reward-based using positive reinforcement. Training should not involve punishment or aversive methods.

⁵ Mason SJ and Rous NR (2014) Comparison of endoscopic-assisted transcervical and laparotomy insemination with frozen-thawed dog semen: a retrospective clinical study. *Theriogenology* 1;82(6):844-50.

6.3.12 - 6.3.13 Rehoming and Retirement

This section should come before the section on euthanasia. Euthanasia should be included in the section 'Management of Greyhounds'.

Section 6.3.13 states that 'every effort must be made to rehome [a retired greyhound] to an appropriate home', but fails to specify any actions that should be taken. Greyhounds may still be euthanased whenever 'an acceptable home is unable to be found.' This provides little guidance or incentive for owners to rehome retired greyhounds.

We strongly recommend that additional measures be introduced to provide such incentives. These could take the form of the introduction of a bond such as that recommended by the NSW Greyhound Industry Reform Panel. This would involve a bond of a sufficient sum being paid to GRV for every greyhound born, paid within a specified time after whelping. The bond would then be transferable with ownership. The bond would eventually be recoverable upon successful rehoming by the last person in the industry who has the care and control of the greyhound. If the bond is of sufficient quantity, it has the potential to provide a financial disincentive to owners from breeding or acquiring more dogs than they can successfully rehome, or from otherwise not making 'every effort' to find an appropriate home for retired greyhounds.

We also question how accurate euthanasia figures can be maintained unless records of those greyhounds surrendered to pounds or shelters are required to be kept. The fate of greyhounds surrendered to pounds and shelters must also be captured by GRV if such facilities are not to become hidden euthanasia centres for the industry.

We query why there is an exemption from desexing greyhounds surrendered to shelters and pounds when this is a requirement for greyhounds being transferred to rescue groups and foster care networks. We do not believe it is appropriate for the industry to pass this cost on to shelters and pounds.

6.4 Exercise, training and enrichment

The exercise requirements outlined in Table 1 are currently inadequate and should be revised to ensure the welfare of greyhounds. Sufficient exercise is vital to maintain both physical and mental health. The current requirements mean that a greyhound could be kept in a small housing area for 23.5 hours per day, which will seriously compromise greyhound welfare. Studies have demonstrated that dogs find

kennelling stressful and recommend that the time spent outside kennels/pens should be maximised⁶.

The minimum exercise requirements for pre-training, training and racing greyhounds should be increased to 30 minutes exercise twice daily (in line with the Breeding and Rearing Code) combined with access to an exercise space of 20sqm per greyhound for a minimum of four hours a day. This would provide a minimum of five hours outside kennels/pens per day, which is important to help prevent severe kennel/pen distress. This requirement is also consistent with current exercise requirements for rearing (16+ weeks of age) in the Code, which stipulate five hours of access to 20sqm per greyhound each day for exercise needs. RSPCA Victoria strongly supports the existing exercise requirements for rearing outlined in the Code.

Greyhounds moving from rearing to pre-training would have experienced and become acclimatised to a minimum of five hours access to 20sqm of exercise area per day. Reducing access to an exercise area from five hours daily to 15 minutes twice daily will cause severe distress and compromise greyhound welfare. This distress must be prevented by the provision of similar exercise requirements across all greyhound categories.

6.6.5 Construction of housing pens and yards

The current proposed code requires that '[f]encing must not allow for contact between greyhounds in adjoining pens or yards, or over the top of the fence.' However, given the importance of social contact for greyhounds, we would strongly recommend that mesh divisions be required between pens when animals are housed individually (other than solid walls around the area with the bed), to allow for visual contact. Obviously, if there is aggression between adjacent dogs they will need to be separated.

6.6.6 Construction of indoor kennel facilities

As per our comments on the transport vehicle, the temperature range (10-32°C) should be narrowed. We would strongly suggest a range of 20-30°C.

6.6.15 Trial tracks

We note that the Code states that 'Animals or animal products must not be placed on the lure'. We do not believe this point goes far enough to highlight that live baiting is unacceptable. We suggest, as recommended by the NSW Special Commission of Inquiry into the greyhound racing industry in NSW, that small animals must not be

⁶ Rooney et al (2009) A Practitioner's Guide to Working Dog Welfare. *Journal of Veterinary Behavior*, 4:127-134.

kept on properties that keep racing greyhounds to help prevent the potential for live baiting.

7 Transfer of sale

We suggest that section 7 should include an obligation to notify GRV of the transfer of ownership of a greyhound within the industry as it is required when a greyhound is transferred out of the industry.

Regulatory Impact Statement

General comments

GRV reported that 3,012 greyhounds were euthanased in the 2015-16 financial year. While it is encouraging that GRV are now reporting on their euthanasia statistics, this current figure is not compatible with a social licence to operate: wastage in the industry must addressed as a key priority.

We note that the Regulatory Impact Statement (RIS) acknowledges this wastage: *'For a society that values dogs and sees them as a family member, euthanasia of healthy animals is distasteful. In this sense, the euthanasia of greyhounds where there is oversupply has a severe effect on the industry's social licence.'*

Current process

RSPCA Victoria currently has an information sharing memorandum of understanding with GRV, and has worked collaboratively with that organisation on several cases. This allows both organisations to jointly determine the most appropriate action to take to achieve the best outcomes for animal welfare. However, there is currently no fixed process for referrals between organisations.

Comments on RIS options

Of the six options considered in the RIS we support the selection of option 3 as offering the greatest animal welfare outcomes. The estimated incremental costs imposed on the industry over a 10-year period in option 3 are wholly proportionate to the animal welfare benefits to be gained, and the resultant strengthening of the industry's social licence and ongoing sustainability.

Option 1: We do not support this option

Option 2: We do not support this option

Option 3: An internal policing model could work as long as there is appropriate support, oversight and collaboration.

Option 4: Councils would bring independence to this regulatory system; however, we are concerned about council capacity and resourcing. Councils would need to be adequately funded to take on this role.

Option 5: We do not support this option

Option 6: We do not support this option

Another option could be an independent, central commission for all racing codes, which is not under the remit of the racing code CEO's, to ensure more accountability and transparency.

Governance

The RIS makes some brief comments about the industry's governance at s.1.4.2. While GRV may have made some internal changes to the way it performs its animal welfare and integrity functions including significant staff changes, these are not sufficient to guard against conflicts between integrity and commercial functions into the future. Once public pressure and scrutiny wanes, there is a risk that competing commercial pressures may again take precedence over core integrity functions. Structural reforms such as a complete separation of integrity and commercial functions into different statutory bodies are required. This was a clear recommendation of the Victorian Racing Integrity Commissioner (and of other Special Commission of inquiries in Queensland and NSW) which has been accepted by Government. We look forward to its adoption in Victoria.