



Petition 2011/49 of Aaron Cross on behalf of the Greyhound Protection League of New Zealand

Report of the Government Administration
Committee

Fiftieth Parliament
(Hon Ruth Dyson, Chairperson)
November 2013

Presented to the House of Representatives

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Summary of recommendations

Summary of recommendations

The Government Administration Committee recommends to the Government that it ask the New Zealand Racing Board to

- develop a system for monitoring the greyhound racing industry's Rules of Racing (p. 6)
- review the service agreement between the New Zealand Greyhound Racing Association and the Racing Integrity Unit (p. 6)
- review the New Zealand Greyhound Racing Association's implementation of the recommendations arising from the welfare review of the greyhound racing industry by August 2014 (p. 10).

The committee recommends to the Government that

- it ask the Department of Internal Affairs to establish and maintain a database of greyhounds, tracking their identity and their location from registration until death (p. 7).

The committee recommends to the Government that it ask the National Animal Welfare Advisory Committee to

- consider developing standards for the use of animals, particularly greyhounds, in racing (p. 8)
- consider developing guidelines on the breeding of greyhounds (p. 8)
- consider reviewing the Animal Welfare (Dogs) Code of Welfare 2010, with a view to specifying the circumstances in which dogs can be euthanased (p. 8).

1 Introduction

The petition

Petition 2011/49 of Aaron Cross on behalf of the Greyhound Protection League of New Zealand was referred on 21 February 2013, and requested that the House

note that 1,590 people have signed an online petition requesting an inquiry into the injuries and outcomes for greyhounds in the New Zealand racing industry, that the findings be made public, and that the House support this request.

Background

Aaron Cross and the Greyhound Protection League of New Zealand

Aaron Cross is a Wellington animal rights activist, a greyhound owner of three years, and the co-founder of the Greyhound Protection League of New Zealand (GPLNZ). The GPLNZ is an animal rights group dedicated to the welfare of greyhounds, and opposed to greyhound racing.

Mr Cross, on behalf of the GPLNZ, proposes in his submission that greyhound racing be banned, or if this is not possible, new laws introduced enforcing high welfare standards for all greyhounds bred and imported for the racing industry, and compliance with the Dog Control Act 1996. He alleges mistreatment, drug-feeding, non-registration, and the euthanasia of greyhounds by the industry, and says that some dogs are unaccountably missing. The industry body, the New Zealand Greyhound Racing Association, challenges these allegations.

New Zealand Greyhound Racing Association

The New Zealand Greyhound Racing Association (NZGRA), using the trade-name Greyhound Racing New Zealand, is an incorporated society with 10 greyhound racing clubs registered as members. NZGRA is recognised in the Racing Act 2003 as the body representing the greyhound racing industry.

The NZGRA's website says the association was established to promote and advocate greyhound racing, and the registration, safety, and welfare of greyhounds in New Zealand, and to formulate and administer rules and regulations governing these areas. It is also responsible for the conduct of greyhound race meetings.

The NZGRA established a registered charity, Greyhounds as Pets, to find homes for retired racing greyhounds. It has an animal welfare policy and also set up an animal welfare committee in 2012 to ensure "all greyhounds in New Zealand are protected and promoted by the adoption and development of sound animal welfare standards and practices."

The greyhound racing industry

The greyhound racing industry is governed by the New Zealand Racing Board (NZRB), an independent body corporate established under the Racing Act 2003, and reporting to the Minister for Racing. The NZRB approves the NZGRA's annual statement of intent and business plan.

The New Zealand Racing Integrity Unit, created in February 2011, is an independent organisation responsible for investigating and prosecuting breaches of the Rules of Racing of each racing code (including harness, thoroughbred, and greyhound racing). It is funded entirely by the racing industry. In 2012 the unit took control of race-day processes, including the provision of veterinary services. It has an integrity services agreement with each racing code. Under its agreement with the NZGRA, the unit is contracted to undertake unannounced periodic kennel inspections. A recent welfare review of the greyhound racing industry¹ concluded that the agreement is inadequate regarding the enforcement of welfare rules, the levels of service provided by the unit, and service level reporting.

Independent review of the greyhound industry in Great Britain

We were interested to learn that a 2007 independent review of the greyhound industry in Great Britain proposed a new governing body, along with measures to improve greyhounds' welfare, and better tracking of individual dogs. It also recommended research into breeding, better retirement provisions for greyhounds, and monitoring of track quality and the nature and cause of injuries. We note that these recommendations are similar to the findings of the NZGRA's Independent Welfare Review, which we discuss later in this report.

Recommendations

We recommend to the Government that it ask the New Zealand Racing Board to

- develop a system for monitoring the greyhound racing industry's Rules of Racing
 - review the service agreement between the New Zealand Greyhound Racing Association and the Racing Integrity Unit.
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¹ New Zealand Greyhound Racing Association, *Independent Welfare Review*, WHK, 25 June 2013

2 The petitioner's concerns

Tracking greyhounds in New Zealand

The petitioner claims that there is a lack of registration compliance, and no way to track each dog's movements. We are aware that no single body has a statutory mandate to enforce the registration of greyhounds involved in racing in New Zealand, and there is no independent database listing racing and non-racing greyhounds. Under section 29 of the Racing Act 2003, each racing code must make and enforce rules regulating the conduct of racing. In the case of greyhound racing, these rules may provide for the registration of greyhounds. Rule 120 of the Greyhound Racing Rules states that no greyhound can be nominated for a race unless it is registered. NZGRA keeps a database of greyhounds registered for racing, but acknowledges that it is not accurate.

We heard that under the Dog Control Act 1996, all dogs must be registered with the relevant local council. However, to complicate matters, some councils allow bulk licencing of dogs, where a person pays a registration fee for a number of animals. The Department of Internal Affairs maintains a National Dog Database of information supplied and maintained by local councils, including registration details, microchip numbers where applicable, breed, and year of birth. However, the database does not have a mandatory data field indicating whether a greyhound was, or is, used for racing. There is also no specific registration requirement under the Dog Control Act or the Racing Act for greyhounds that race, nor is there any tracking of greyhounds at the end of their racing careers. The petitioner says that more than 10,000 ex-racing dogs are unaccounted for. We are concerned about these apparent anomalies, and consider that better tracking of greyhounds involved in the racing industry is needed. The New Zealand Greyhound Racing Association has recently amended its rules of racing to require litters to be registered with the association, dogs to be registered with the local council, and detailed information to be provided when greyhounds are de-registered from the association. The organisation has also undertaken to share its registration data with local authorities, the Department of Internal Affairs, and animal welfare groups. We are encouraged by these developments.

Recommendation

We recommend to the Government that it ask the Department of Internal Affairs to establish and maintain a database of greyhounds, tracking their identity and their location from registration until death.

Welfare of greyhounds

Mr Cross's petition focuses on injuries to and outcomes for greyhounds in the New Zealand racing industry. The Animal Welfare Act 1999 establishes a duty of care for owners and people in charge of animals, requiring them to meet the animal's physical, health, and behavioural needs. Failure to do this is an offence under the Act, carrying substantial penalties, as is ill treatment of an animal, and failure to alleviate pain or distress.

The petitioner also considers that there is prolific breeding of greyhounds for the racing industry and that this situation needs to be controlled.

Codes of welfare under the Act set detailed minimum standards and recommend best practice for people caring for animals. The Animal Welfare (Dogs) Code of Welfare 2010, and the Animal Welfare (Transport within New Zealand) Code of Welfare 2011, include the welfare of greyhounds. The dogs' code applies to people using dogs for sport, and it includes requirements concerning ill health and injury, training, and euthanasia. Although the code does not refer specifically to racing greyhounds, the National Animal Welfare Advisory Committee is considering the development of standards for the use of animals in entertainment, and this may result in some generic standards to cover the use of animals in racing.

The transport code is also relevant for racing greyhounds, in setting minimum standards of care and management when transporting animals. Failure to meet a minimum standard in a code can be the basis for a prosecution for an offence under the Animal Welfare Act. The petitioner is critical of the transportation of greyhounds over long distances, particularly when they are injured.

The Ministry for Primary Industries encourages people to report any animal welfare issues or complaints to their local branch of the SPCA, or to the Ministry's animal welfare hotline. The Ministry has previously responded to concerns raised by Aaron Cross about the welfare of greyhounds through its ministerial process, but told us that it has received no complaints about racing greyhounds constituting breaches under the Animal Welfare Act, and has not carried out any monitoring of the industry. All reported complaints involving non-compliance with the Act and codes of welfare are investigated. The SPCA has not had any recent prosecutions in relation to greyhounds, although they have investigated complaints, at least one of which the industry was helpful in resolving.

The National Animal Welfare Advisory Committee considers there are two welfare issues relevant to this petition: euthanasia of animals considered to be of limited usefulness to racing, and the risk of injury to animals incurred in racing. It says these issues are of worldwide concern for horse and greyhound racing industries, and there is evidence that the ethical position of some societies is becoming opposed to racing animals. However, it also points out that greyhound racing has a long and legitimate history as a widely accepted use of animals, and the industry appears to be taking serious steps to reduce the welfare costs of its activities.

NZGRA's objective is to have no healthy dogs euthanased; they consider that the solution lies in reducing injuries and providing more options for dogs retired from racing.

Recommendations

We recommend to the Government that it ask the National Animal Welfare Advisory Committee to

- consider developing standards for the use of animals, in particular greyhounds, in racing
- consider developing guidelines on the breeding of greyhounds
- consider reviewing the Animal Welfare (Dogs) Code of Welfare 2010, with a view to specifying the circumstances in which animals can be euthanased.

Animal Welfare Amendment Bill

This bill proposes changes to the Animal Welfare Act to improve its enforceability, clarity, and transparency. Currently the codes of welfare are not directly enforceable, although a breach of a code can be used as evidence to support a prosecution under the Act. The bill would provide enforceable regulations alongside the codes of welfare. Failure to comply with a regulation would be an offence punishable by prosecution or instant fine. The regulations are likely to be developed using existing standards in the codes of welfare, possibly converting some minimum standards in the dogs' code of welfare into enforceable regulations.

The bill would allow animal welfare inspectors to issue compliance orders, requiring a person to take action to comply with the animal welfare law. This and other new enforcement tools, like infringement offences, would give inspectors more ways of dealing with offending that was not serious enough to warrant a prosecution. The public and affected parties will be consulted as the regulations are developed.

We wrote to the Primary Production Committee asking that it consider recommending amendments to the Animal Welfare Act to include provisions on the welfare of racing greyhounds. We understand that the committee is considering our request.

NZGRA Welfare Review

In July 2013 NZGRA provided us with the findings of a review it commissioned into the greyhound racing industry. The accountancy firm WHK (now Crowe Horwath) undertook the review, examining the welfare of racing greyhounds, the lifecycle of racing greyhounds, the tracking of greyhounds, and the responsibilities of owners, trainers and clubs. It developed detailed recommendations for

- research on track safety, and better injury reporting
- breeding education programmes
- improving the welfare of greyhounds by formalising, enforcing and monitoring NZGRA's welfare standards, employing a welfare officer, establishing formal agreements between NZGRA and the SPCA and the National Animal Welfare Advisory Committee, and communicating with other greyhound racing jurisdictions
- better enforcement of the rules regarding retirement of greyhounds, and a review of these rules and the funding needed to achieve better retirement outcomes
- better tracking of greyhounds
- a review of the service agreement between the NZGRA and the Racing Integrity Unit, and alternative racing programs to accommodate more dogs.

The review's report notes that a number of welfare actions have been initiated by NZGRA, but says that the board has not been as proactive as it should. A lack of monitoring and enforcement of welfare rules has led to non-compliance. It suggests that the NZGRA, as the industry body, should lead a cultural change within the industry so that welfare considerations outweigh competitive or commercial consequences.

The NZGRA has informed us that it has accepted all of the review's recommendations, and the rule changes were passed at the industry's annual general meeting in October. The Association has also advised that it will soon be appointing an animal welfare officer.

Recommendation

We recommend to the Government that it ask the New Zealand Racing Board to review the New Zealand Greyhound Racing Association's implementation of the recommendations arising from the welfare review of the greyhound racing industry by August 2014.

3 Conclusion

We have carefully considered the issues raised by the petitioner, and have heard and received evidence from a number of organisations. As racing greyhounds is legal in this country, we have chosen not to enter into the moral debate about the merits of greyhound racing in itself. However, we have been made aware that there are some welfare concerns within the greyhound racing industry that need addressing, and we have made a number of recommendations for improvement. In particular, possible amendments to the Animal Welfare Act present an opportunity to consider provisions for racing greyhounds, and we have written to the Primary Production Committee in this regard. Meanwhile the New Zealand Greyhound Racing Association has informed us that it is implementing the recommendations of the NZGRA welfare review. We encourage the New Zealand Racing Board to review this work by August 2014. We will also review this situation within 12 months.

Appendix

Committee procedure

The petition was referred to us on 21 February 2013. We received submissions from the petitioner, the New Zealand Greyhound Racing Association, the Department of Internal Affairs, the Ministry for Primary Industries, and the National Animal Welfare Advisory Committee. We heard evidence from the petitioner, and the New Zealand Greyhound Racing Association.

Committee members

Hon Ruth Dyson (Chairperson)
Chris Auchinvole
Kanwaljit Singh Bakshi
Hon Trevor Mallard
Mojo Mathers
Eric Roy