



**Submission:
Review into the Racing
Regulation Act 2004**

January 2022

1. Overview

RSPCA Tasmania believes that the government urgently needs to address serious animal welfare issues associated with racing. The review of this legislation must deliver outcomes that strengthen the role of animal welfare in the racing industry.

For many years, the RSPCA has held serious concerns about the extensive animal welfare problems associated with both horses (equine) and greyhound (canine) racing, including the lack of transparency in the industries, the lack of independent animal welfare oversight and the amount of public money being invested into the industries.

Many serious animal welfare issues are associated with canine and equine racing, and these require urgent attention. These issues include significant overbreeding, high euthanasia rates, low rehoming rates, number of injuries suffered during training and racing, poor housing conditions and a lack of socialisation and environmental enrichment.

The failure of both industries to provide transparent and accessible “cradle to grave” tracing of animals, especially after the animals have been retired, is inadequate to say the least. There needs to be an urgent and thorough review of regulations around this issue. There should be an expectation and stringent regulations in place to ensure that each individual standardbred/thoroughbred and greyhound born will become a companion pet when they leave the racing industry (whether they race or not). This necessitates fundamental cultural change within the industry.

RSPCA Tasmania is strongly opposed to the public funding of racing in Tasmania. However, as this issue has been excluded from this review, our response to the discussion paper has been focussed on the importance of embedding animal welfare principles in all aspects of the racing industry in this state.

We acknowledge that the principles outlined in the discussion paper provide an improved base for an effective racing integrity governance model.

However, we do not consider that the proposed reforms go far enough.

Animal welfare must be a primary focus in all aspects of the racing industry. There should be a specific reference to animal welfare in the overarching principles; and animal welfare must be accorded specific mention in the responsibilities of both TasRIC and Tasracing.

Tasmania’s Local Rules of Racing do not mention anything related to the welfare of racing animals, although it could appear this responsibility has been relinquished to the National Racing Standards, as Local Rule 3.1 states that *The Local Rules of Tasracing and the Australian Rules of Racing for the time being shall be read, interpreted, and construed together, and as so combined shall be known as “The Tasmanian Rules of Racing”*.

If the community is to have any confidence in the industry’s commitment to improving animal welfare outcomes, the Rules of Racing should be amended to specifically reference this as a priority.

There needs to be greater clarity as to the specific roles of TasRIC and Tasracing under the proposed new governance framework. Measures need to be taken to address the current perception that integrity and animal welfare priorities are considered secondary to commercial interests in the industry. The independence of TasRIC as the regulator needs to be more strongly demonstrated, as does the requirement for Tasracing to be transparent and accountable in all aspects of its operation.

A number of other suggested improvements are outlined below in our response to the discussion paper.

The time for leadership and modern legislation is now – and this review offers the opportunity for positive steps to achieving better welfare outcomes for animals that are used in the racing industry.

2. The current animal welfare situation in Australia

Animal welfare legislation

RSPCA's core purpose is to protect animals and advocate for better animal welfare laws.

We know that more and more people are becoming aware of the fact that animals are sentient beings and react to external stimuli – both physical and emotional.

As a result, Australians are more aware than ever before of the animal welfare issues faced in our country by animals in all environments: farming, recreational, companion, wild, captivity, and scientific research. And we know that community expectations of animal welfare within our society are changing rapidly, with people clearly expecting better welfare outcomes for all animals.

Yet our legislative environment does not reflect these expectations. This is confirmed by the fact that Australia has fallen to an embarrassing 'D' ranking in the World Animal Protection's Animal Protection Index.

https://api.worldanimalprotection.org/sites/default/files/api_2020_-_australia_0.pdf

The 2020 report ranks 50 countries on their commitment to protect animal welfare in legislation, on a scale from 'A' being the highest, to 'G' for countries showing no legislated care for animal welfare. Australia's ranking of 'D' places us behind New Zealand, Mexico and Malaysia's 'C' ratings and the United Kingdom, Sweden, and Switzerland's ratings of 'B'. No countries scored an outstanding 'A'.

A key reason for the nation's decline into a 'D' ranking related to the lack of national frameworks for animal welfare and the glacial pace at which Australia is reviewing legislative requirements for industries such as racing.

The drop in rank is also a result of the Australian Government's previous *Australian Animal Welfare Strategy* not being renewed, as well as the minimal budgets being allocated by most jurisdictions to improving animal welfare outcomes.

Australians - and Tasmanians – have every right to be disappointed by this ranking, as it certainly doesn't reflect their level of concern for animal welfare. We want to be known as a fair and compassionate country, and this ranking does not reflect community expectations.

This means that industries that use animals for human gain, including the racing industry, must increase the standard of care for these animals. Although we are seeing changes in some states across Australia, many states, including our own, are lacking in transparency and foresight to look after these animals, especially once their racing career has ended.

Recent reviews/inquiries into the racing industry

There has been increasing community concern about animal welfare standards in the racing industry in recent times. This has resulted in an increased focus on the industry across many jurisdictions. Over the past five years, there have been a number of reviews into the racing industry.

Details of some of these inquiries/reviews/reports are set out in Appendix B.

Most of the reviews have made strong recommendations as to governance standards in the industry generally; and also specifically relating to animal welfare standards. Unfortunately, there has been little progress in implementing many of these recommendations.

At present in Australia, there is no perfect state/jurisdiction model for the governance of the racing industry.

However, there is no need to reinvent the wheel – and there is much that we can learn from these reviews and subsequent recommendations. Considering the elements of different jurisdictions and adapting the best aspects of their governance and animal welfare standards would enable strengthening of Tasmania’s legislative framework and position us as the leading state in Australia in racing industry governance and animal welfare outcomes.

3. RSPCA views on the racing industry

RSPCA policies related to the racing industry

RSPCA Australia is opposed to the use of animals for any form of sport, entertainment performance, recreation, work, or training associated with such use, where injury, pain, suffering or distress is likely to be caused.

We consider that there are significant animal welfare problems inherent in the racing industry. These include problems with over-supply, housing, feeding, socialisation, training, injuries and so on.

Those in charge of the care and management of animals used in the racing industry must be aware of their responsibilities and legal obligations to ensure the welfare of the animals in their care at all times and must act accordingly.

Details of policies relevant to the racing industry are set out in Appendix C.

RSPCA Tasmania priorities related to the racing industry

Stronger regulation & greater transparency for greyhound racing

Community expectations are changing, and Tasmanians expect comprehensive regulation covering all greyhound life stages.

There needs to be greater transparency to address what is seen as an inadequate regulatory framework and lack of enforceable standards to protect the welfare of greyhounds.

The RSPCA is calling for immediate implementation of all recommendations of the 2016 Joint Select Committee on Greyhound Racing Inquiry.

Stronger regulation of horse racing

In recent years, the horse racing industry has justifiably been criticised for practices resulting in very poor animal welfare outcomes. From simple requirements like the banning of whips, to more complex ones like full lifetime traceability of racehorses, more action needs to be taken.

If the racing industry is to maintain a social licence, there needs to be stronger and more independent regulation of all aspects of the industry.

As a first step, the RSPCA is calling for the banning of whips. We also expect to see development of a life-time traceability program for all racehorses.

Phasing out public funding for racing

Following a 20 year deed signed at the sale of the TOTE in 2009, Tasmania is the only state which guarantees annual funding for the racing industry. Almost two-thirds of Tasracing's revenue now comes from Tasmanian taxpayers - more than double the subsidy provided in any other Australian state. This amounted to more than \$31 million in 2020 – or \$58.68 for every Tasmanian.

The RSPCA believes there is no case for taxpayer subsidy of the racing industry to continue beyond the expiry of the TOTE agreement in 2029. The racing industry needs to be planning for an orderly transition to self-sufficiency at that time.

More details with respect to these positions can be found in Appendix D.

4. Response to the Discussion Paper

Question 1: Are these principles suitable for an integrity model in Tasmania? What others should apply?

The principles outlined in the paper provide an improved base for an effective racing integrity governance model.

However, we do not consider these go far enough.

The final point states that ‘the integrity system must be robust with appropriate education, compliance and enforcement functions, and be easily understood by participants and the community’.

This will only be achieved when there are clear standards for transparency and accountability. These must be more than simply aspirational words – there needs to be consistent and public evidence of enforcement.

This will require funding for investigative activities to be increased. It should also have an emphasis on strong collaboration with key stakeholder groups, including the RSPCA.

Further, the RSPCA believes that the core principles should include a specific reference to animal welfare.

Page 7 of the discussion paper admits that “*Whilst the Racing Regulations Act does not include any specific welfare regulations it does through (s11(1)K) and (s11(11)) of the Act require adherence to the Rules of Racing (both national and local) which encompass welfare requirements*”.

This does not send a strong-enough message to the owners and breeders of racing animals regarding the importance of better animal welfare outcomes.

The RSPCA believes that specific welfare regulations, and penalties, must be incorporated into the Act in order to protect racing animals.

Furthermore, Tasmania’s Local Rules of Racing do not mention anything related to the welfare of racing animals, although it could appear this responsibility has been relinquished to the National Racing Standards, as Local Rule 3.1 states that *The Local Rules of Tasracing and the Australian Rules of Racing for the time being shall be read, interpreted, and construed together, and as so combined shall be known as “The Tasmanian Rules of Racing”*.

This could be seen to indicate that the state government puts animal welfare in the “too hard basket” and leaves it up to the industry that uses, and sometimes abuses these animals, to decide how they should be treated. The Rules of Racing must be guided by State legislation – and not the other way around

Page 16 of the discussion paper identifies the objectives of the new framework and these include “*safeguard the welfare of all animals involved in racing.*”

There are major concerns in the community at large as to how animals used in the racing industry are treated and cared for. Without the specific inclusion of animal welfare in legislation and the over-arching principles, the industry cannot effectively address these issues.

The end result of this failing will be the inevitable continued erosion of any social licence the industry may currently have.

Question 2: Does the creation of a TasRIC support strengthened integrity?

Question 3: Are the proposed powers and functions appropriate?

Question 4: What role should the TasRIC have in relation to bookmakers?

Question 5: What role should the TasRIC have in relation to animal welfare?

Question 6: Should stewards remain under the control of TasRIC?

It is imperative that TasRacing and the Office of Racing Integrity not only remain as two entities with completely independent roles but are clearly seen to be separate.

This is not the case at present, as the relationship between the bodies is at times opaque which creates a perception that integrity functions are subservient to commercial imperatives.

The proposed framework and the establishment of an independent Tasmanian Racing Integrity Commissioner (TasRIC) provide an excellent start to this process.

However, we believe that the independence of TasRIC needs to be further strengthened, with embedded provisions to ensure the absolute separation of integrity and commercial functions.

The TasRIC needs to be fully independent, with no ties or links to the commercial side of the industry. It needs to have clear accountability for integrity outcomes, including animal welfare.

The RSPCA has concerns with the split of responsibilities between TasRIC and TasRacing outlined in the summary of the Proposed Integrity Model (page 18 of the discussion paper).

The Framework notes that the Office of Racing Integrity (ORI) has current responsibility for animal welfare. However, there is no mention of animal welfare in the Future State Framework. This needs to be a stand-alone focus of any transparent racing industry and must be accorded specific mention in the responsibilities of both TasRIC and Tasracing.

Under current animal welfare legislation, the RSPCA has jurisdiction regarding animal welfare offences in the racing industry. However, the current practice is for personnel within ORI to investigate breaches of welfare legislation. This situation has arisen as a result of long-standing non-binding agreements between the parties which have seen the RSPCA effectively sidelined from any investigation of welfare concerns in the racing industry.

Under these agreements, ORI can invite the RSPCA to participate in an investigation. However, in the past has happened only rarely (if at all).

This leads to a perception that the industry is policing itself and - rightly or wrongly - fuels a public view that welfare issues are seen as subsidiary to commercial considerations and not accorded appropriate priority.

We believe that it is now appropriate to change this approach.

In order to reinforce the independence of the TasRIC, there needs to be a stronger role for the RSPCA in ensuring the best possible animal welfare outcomes for racing animals - and the relationship between TasRIC and the RSPCA should be one of collaboration and co-operation.

Whilst investigations should be undertaken in co-operation with TasRIC, the primary responsibility for investigating and prosecuting animal welfare issues in the racing industry should rest with the RSPCA. This will require specific funding for the RSPCA investigative activities to be increased.

TasRIC investigators would be responsible for investigating and prosecuting any breaches of racing codes.

Development of animal welfare standards should be specifically referenced in the role description for TasRIC. These standards should be developed through a consultative and collaborative process, involving representatives of animal welfare organisations including the RSPCA.

This process should also include detailed assessment and analysis of the situation in other jurisdictions, in order to benchmark the performance of the Tasmanian racing industry against other states. Documentation of performance standards and transparency in reporting to these standards should be mandatory.

TasRIC should be required to provide comprehensive reports of injuries, deaths on-track and as a result of on-track injuries, euthanasia, slaughter, retirement and rehoming data for all racing codes on its website. These reports should be at least quarterly, but ideally on a weekly basis to better reflect real-time events. The data should be consistent and reconciled to accurately reflect overall life-cycle information.

These TasRIC reports should also include details of animal welfare complaints received, investigations launched, and the investigation outcomes achieved.

Establishment of an independent Animal Welfare Advisory Panel would provide greater assurance to the wider community that the industry is taking its responsibilities seriously. Such a panel could include academics and researchers, industry practitioners, and representatives of the RSPCA and possibly other animal welfare organisations with an interest in racing integrity.

This degree of transparency will provide confidence in the commitment of the industry to meeting community expectations and ensure that racing animals are protected and dealt with humanely at all times.

Question 7: What are your views on the proposed revised functions of Tasracing?

Question 8: Should any changes be made to TasRacing governance if its functions are changed?

Question 9: What role should Tasracing have in relation to animal welfare?

Question 10: Should stewards be embedded in Tasracing?

Animal welfare must be a stand-alone focus of any transparent racing industry and must be accorded specific mention in the responsibilities of both TasRIC and Tasracing.

Mandatory requirements should be put in place to clearly identify that Tasracing has a responsibility to ensure compliance with codes of practice and animal welfare standards. This should include a requirement to report all animal welfare concerns and potential breaches of the racing codes to TasRIC.

This would include incidents both during official racing events and at on-track training sessions, as well as any concerns regarding treatment of animals in off-track environments.

Tasracing should also be required to provide comprehensive reports of stewards' inquiries and outcomes of investigations into code breaches for all racing codes on its website. These reports should be at least quarterly, but ideally on a weekly basis to better reflect real-time events.

In the past, both TasRacing and ORI have employed vets to provide expert opinions when animal welfare issues have arisen.

However, the role of these animal welfare experts (AWEs) has appeared to be subordinate to commercial imperatives, especially in TasRacing.

Furthermore, there is a strong perception that these vets are 'captured' by industry interests and are unlikely to be in a position to provide frank and fearless advice. It is therefore important for AWEs to be employed at arms' length from the industry.

In order to overcome this perception, and to improve transparency with respect to industry performance, animal welfare policies must be embedded into every aspect of both organisations.

There are a number of functions identified in the Current State summary which have not been clearly transitioned across to the proposed Future State Framework.

Management of race day operations, grading for all codes, and the roles of stewards need to be specifically identified as responsibilities of Tasracing in the new model.

The Future State Framework includes responsibility for greyhound adoption programs (GAP) and the Off-the-Track horse retirement program (OTT) as a role for Tasracing.

In our view, this is not appropriate, as it will perpetuate the perception of industry capture of these important programs. In order to ensure independence and accountability, the responsibility for both programs should sit with TasRIC.

Question 11: What improvements to TRAB powers and functions could be considered to enhance probity and integrity?

Greater visibility and transparency with respect to the functions and activities of the Tasmanian Racing Appeal Board would go a long way to ensure community confidence in the enforcement of racing rules.

Question 12: What are your views on the proposed integrity model?

Question 13: What improvements could be made to the proposed integrity model?

The principles outlined in the paper provide an improved base for an effective racing integrity governance model.

However, we do not consider these go far enough.

Animal welfare must be a primary focus in all aspects of the racing industry. There should be a specific reference to animal welfare in the overarching principles; and animal welfare must be accorded specific mention in the responsibilities of both TasRIC and Tasracing.

Tasmania's Local Rules of Racing do not mention anything related to the welfare of racing animals, although it could appear this responsibility has been relinquished to the National Racing Standards, as Local Rule 3.1 states that *The Local Rules of Tasracing and the Australian Rules of Racing for the time being shall be read, interpreted, and construed together, and as so combined shall be known as "The Tasmanian Rules of Racing"*.

If the community is to have any confidence in the industry's commitment to improving animal welfare outcomes, the Rules of Racing should be amended to specifically reference this as a priority.

Other suggested improvements have been outlined in our comments above.

6. About RSPCA Tasmania

Who we are

The Royal Society for the Prevention of Cruelty to Animals Tasmania (RSPCA) is a not-for-profit non-government organisation. We've been working to improve the lives of animals in this state since 1878.

The RSPCA is the only Tasmanian organisation named in animal welfare legislation and we enjoy the continued support of all levels of government.

The community respects our knowledge of animal welfare, which is grounded in science and based on experience. In the 143 years since the RSPCA was established in the state, we have helped hundreds of thousands of animals in need in all kinds of situations: in homes, backyards, on farms, in the wild, and at sporting arenas.

As a charity, we strive to maintain an open-door policy, so no abandoned, neglected, injured or surrendered animal is turned away or forgotten. Along with cats and dogs, the RSPCA provides assistance to a wide range of other animals, including horses, rabbits, guinea pigs, birds, goats and sheep.

During the past three years, RSPCA Tasmania has:

- Investigated over 25,000 reports of animal cruelty;
- Provided care for more than 6,670 animals; and
- Delivered information to thousands of people on animal welfare, responsible animal care and pet ownership through school, community and online education.

Our role is to act as a conduit for the community's concerns about animal welfare, to ensure those concerns are heard by our state's decision makers. So our advocacy activities are a vitally important part of our work

Animals play a central role in the lives of many people. Most Tasmanians, whether they live in suburbia, rural properties, or in regional towns, say animal welfare is important or extremely important to them.

Clearly, the majority of Tasmanians expect improved animal welfare outcomes should be a high priority for the state government.

With an ultimate goal of improving animal welfare outcomes, we acknowledge the crucial role of humans in keeping our animals safe.

So we not only serve animals in need, but also owners and carers who require guidance and support through education and assistance in relation to domestic violence, aged care, homelessness, mental health, and more.

What we do

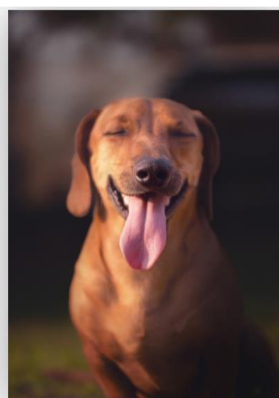
To prevent cruelty to animals by ensuring the enforcement of animal welfare laws.



Through advocacy, to promote the amendment or creation of new animal welfare legislation as necessary.



To develop and promote modern policies using scientific knowledge.



To educate the community with regard to the humane caring for animals humanely.



To engage with relevant stakeholders that enable the improvement of animal welfare.



To sustain an intelligent public opinion in regards to animal welfare.

How we work

- Our Animal Care Centre (ACC) at Devonport is dedicated to caring for, rehabilitating and rehoming animals.
- Our Adoption and Retail Centres (ARCs) in Latrobe, Launceston, and Hobart are our bases in the community. Animals are surrendered and rehomed through these centres; owners can access advice and supplies for their companion animals; and our ARC teams assist with local microchipping and education activities in their communities.
- Our Inspectorate operates under delegated powers from the state government to investigate and prosecute instances of alleged animal cruelty. Inspectors are co-located with DPIPW in Hobart, Launceston, and Devonport, and operate across the state. This team is supported by a call centre equipped to handle reports.
- Our team of dedicated volunteers assists across all our activities. They serve on our board; they care for animals in our ACC and ARCs; they organise fundraising events; and they support us in many other activities. We could not do what we do without these wonderful people.
- Our corporate office is located in Launceston. Supporting our frontline teams, a group of dedicated professionals work across many areas – including fundraising and marketing, policy and advocacy, volunteer organisation, project delivery and – last but not least – our administration team who answer the phones and keep the lights on.

Appendix A: Terms of Reference

The scope of the Review by the independent expert is to:

1. Consider submissions and feedback on the Review of the Racing Regulation Act 2004: Discussion Paper;
2. Review the Racing Regulation Act 2004 (the Act), considering best practice integrity approaches in other jurisdictions;
3. Consider the governance, powers and functions of Tasracing Pty Ltd and the Director of Racing/ORI
4. Report to the Minister for Racing with recommendations aimed at modernising the Act, including, but not limited to:
 - a. the appropriate model for separation of integrity powers and functions between the integrity body (currently the Director of Racing) and Tasracing Pty Ltd;
 - b. improvements to the governance of the integrity body and Tasracing Pty Ltd to support integrity in racing;
 - c. whether the integrity body or Tasracing Pty Ltd should deliver non-integrity functions (eg harness, thoroughbred, and greyhound race day management);
 - d. what additional integrity powers and functions may need to be included in the Act, such as those relating to animal welfare, and the respective role of the integrity body and Tasracing Pty Ltd; and
 - e. any other matters relevant to the above matters.

Appendix B: Recent reports relevant to the racing industry

- Report of the Thoroughbred Aftercare Welfare Group (2021)
<https://thoroughbredwelfareinitiative.org.au/>
- SA Joint Committee on the Statutes Amendment (Animal Welfare Reforms) (2021)
[https://www.legislation.sa.gov.au/lz?path=%2FB%2FCURRENT%2FSTATUTES%20AMENDMENT%20\(A%20ANIMAL%20WELFARE%20REFORMS\)%20BILL%202020%20HON%20TAMMY%20FRANKS%20MLC](https://www.legislation.sa.gov.au/lz?path=%2FB%2FCURRENT%2FSTATUTES%20AMENDMENT%20(A%20ANIMAL%20WELFARE%20REFORMS)%20BILL%202020%20HON%20TAMMY%20FRANKS%20MLC)
- Review of the NSW Greyhound Racing Act 2017 (2021)
<http://www.gbota.com.au/Uploads/Report%20on%20the%20Statutory%20Review%20of%20the%20Greyhound%20Racing%20Act%202017.pdf>
- NSW Select Committee on the Greyhound Welfare and Integrity Commission (2020 – report not yet handed down)
<https://www.parliament.nsw.gov.au/committees/listofcommittees/Pages/committee-details.aspx?pk=269#tab-resolution>
- Inquiry into animal cruelty in the management of retired racehorses in Queensland (2020)
<https://www.daf.qld.gov.au/business-priorities/biosecurity/animal-biosecurity-welfare/welfare-ethics/management-of-retired-racehorses>
- Senate inquiry into the feasibility of a national horse traceability register for all horses (2019)
https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Rural_and_Regional_Affairs_and_Transport/NationalHorseRegister46/Report
- National Skills Overview: Racing (2019)
<https://nationalindustryinsights.aisc.net.au/industries/racing>
- Special Commission of Inquiry into the NSW Greyhound Racing Industry (2016)
<https://apo.org.au/node/65365>
- Joint Select Committee on Greyhound Racing in Tasmania (2016)
<https://www.parliament.tas.gov.au/ctee/Joint/Reports/Final%20Report%20tabled%2014%20September%202016.pdf>
- Report of the Special Commission of Inquiry into the Greyhound Racing Industry NSW (2016)
<https://apo.org.au/node/65365>
- Inquiry into Greyhound Racing in South Australia (2016)
https://www.michellelensink.com/inquiry_into_greyhound_racing_in_south_australia
- Inquiry into Live Baiting on Greyhound Racing in Victoria (2015)
https://racingintegrity.vic.gov.au/_data/assets/pdf_file/0016/160045/2015-Own-Motion-into-Live-Baiting-in-Greyhound-Racing-in-Vic-Final-Report.pdf
- Queensland Greyhound Racing Industry Commission of Inquiry (2015)
<https://documents.parliament.qld.gov.au/TableOffice/TabledPapers/2015/5515T488.pdf>

Appendix C: RSPCA policies relevant to the racing industry

Policy C01: Animals in sport, entertainment, performance, recreation, and work – general principles

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| 1 | RSPCA Australia is opposed to the use of animals for any form of sport, entertainment performance, recreation, work, or training associated with such use, where injury, pain, suffering or distress is likely to be caused. |
| 1.2 | Those in charge of the care and management of animals used for such purposes must be aware of their responsibilities and legal obligations to ensure the welfare of the animals in their care at all times and must act accordingly. |
| 1.3 | Responsible care and management of animals used in sport, entertainment, performance, recreation or work ensures such animals have a good quality of life and involves the following: <ul style="list-style-type: none">○ applying responsible and humane animal acquisition and breeding practices to avoid oversupply and wastage.○ understanding and meeting the physiological, behavioural and social needs of the animal.○ providing housing and transport facilities that are designed and maintained to provide a clean, comfortable and safe environment (see RSPCA Policy F1).○ applying appropriate animal care and husbandry practices, including handling socialisation and environmental enrichment, that meet the animal's needs.○ following a preventative health care program with appropriate record keeping.○ ensuring veterinary care is provided when necessary.○ ensuring training methods are humane (see RSPCA Policy C2).○ ensuring animals are appropriately and reliably identified.○ retirement planning that meets ethical and welfare considerations. |

Note: Wastage refers to animals bred for a specific purpose that are discarded by the industry or owner of the animal and often subsequently killed.

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| 1.4 | RSPCA Australia recognises that good animal handling skills, i.e. the knowledge, skill, attitude and behaviour necessary to handle and train animals in a manner that does not compromise their welfare, is essential for the well-being of animals (see RSPCA Policy C7). |
| 1.5 | RSPCA Australia advocates the adoption of compulsory and enforced animal welfare standards and a registration and licensing system wherever animals are bred or used for sport, entertainment, performance, recreation or work. |

<https://kb.rspca.org.au/knowledge-base/rspca-policy-c01-animals-in-sport-entertainment-performance-recreation-and-work-general-principles/>

Policy C05: Horse Racing

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| 5.1 | RSPCA Australia considers that there are significant animal welfare problems inherent in the horse racing industry. These include problems with over-supply, housing, feeding, socialisation, training, injuries, whipping, administration of banned or unregistered substances, physical overexertion and fatigue and the fate of unwanted horses (wastage). |
| 5.2 | RSPCA Australia considers that action and a demonstrated commitment is needed by industry to recognise and effectively resolve these animal welfare problems. |
| 5.3 | RSPCA Australia considers action is needed to address over-supply and wastage rates in the horse racing industry. There should be an expectation and formal processes in place within the industry that racehorses will be provided with a suitable alternative role (e.g. recreational horse) on retirement and provisions made to ensure their welfare. |

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| 5.4 | <p>Where horse racing is conducted, RSPCA Australia advocates the following:</p> <ul style="list-style-type: none"> ○ The comprehensive regulation of horse racing by an independent body with a formal and complete separation of the integrity and regulatory functions from the commercial functions. ○ The adoption of compulsory and enforced animal welfare standards for the horse racing industry to eliminate practices that cause injury, pain, suffering or distress and ensure all racehorses have a good quality of life. ○ The adoption of formal processes to address over-supply and wastage rates. There should be an expectation within the industry that racehorses will be provided with a suitable alternative role (e.g. recreational horse) on retirement and provisions made to ensure their welfare. ○ The mandatory collection and publication of comprehensive lifecycle (birth to death records) and injury statistics and the development of a national identification and traceability register/system for racehorses. |
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Note: Horse racing includes Thoroughbred racing, Harness racing and Jumps racing.

Note: Banned or unregistered substances includes unregistered veterinary chemical products, restricted prescription medicines (whether veterinary or human medicines) that have not been properly supplied and labelled, or any other substances or products used outside of the regulatory framework.

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| 5.5 | <p>Racing of physically immature horses</p> <p>RSPCA Australia is opposed to the racing of immature horses (e.g. two-year-old races) and supports the requirement that independent veterinary certification verifying that the animal has matured satisfactorily be obtained before training for riding is permitted to commence.</p> |
| 5.6 | <p>Events</p> |
| 5.6.1 | <p>Jumps racing</p> <p>RSPCA Australia is opposed to jumps races (steeplechasing and hurdling) because of the high risk of injury and death associated with this activity.</p> |
| 5.6.2 | <p>Endurance and bush races</p> <p>Endurance races must only be held under regulated circumstances where the animals are well trained and certified healthy, fit and suitable to participate. Competing horses must be regularly checked by a suitably qualified veterinarian and withdrawn at the first sign of distress.</p> |
| 5.7 | <p>Devices and equipment</p> <p>Any device or equipment used to control or modify behaviour or performance in horse racing or associated training must be humane and not cause injury, pain, suffering or distress to the animal.</p> |
| 5.7.1 | <p>Whips</p> <p>RSPCA Australia is opposed to the use of whips on racehorses for the purpose of enhancing performance as they inflict pain and distress.</p> |
| 5.7.2 | <p>Tongue ties</p> <p>The RSPCA is opposed to the use of tongue ties on racehorses as they inflict pain and distress.</p> |
| 5.7.3 | <p>Spurs</p> <p>The RSPCA is opposed to the use of spurs on racehorses as they inflict pain and distress.</p> |
| 5.7.4 | <p>Head pole burrs</p> <p>RSPCA Australia is opposed to the use of head pole burrs in harness racing as they inflict pain and distress and involve punishment.</p> |

<https://kb.rspca.org.au/knowledge-base/rspca-policy-c05-horse-racing/>

Policy C06: Greyhound Racing

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| 6.1 | RSPCA Australia considers 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). |
| 6.2 | Until all of these problems are recognised and effectively resolved, RSPCA Australia does not support greyhound racing. |
| 6.3 | Where greyhound racing continues to be conducted, RSPCA Australia advocates the following: <ul style="list-style-type: none">○ The comprehensive regulation of greyhound racing by an independent body with a formal and complete separation of the integrity and regulatory functions from the commercial functions.○ The adoption of compulsory and enforced animal welfare standards for greyhounds at all life stages to eliminate practices that cause injury, pain, suffering or distress and ensure all greyhounds have a good quality of life.○ The adoption of formal processes to address over-supply and wastage rates. There should be an expectation and formal processes in place within the industry that greyhounds will be rehomed as a companion animal on retirement and provisions made to ensure their welfare.○ The mandatory collection and publication of comprehensive lifecycle (birth to death records) and injury statistics and the development of a national identification and traceability system for all greyhounds to ensure each greyhound born is accounted for. |
| 6.4 | Hurdle races RSPCA Australia is opposed to hurdle races for greyhounds because of the high risk of injury associated with this activity. |
| 6.5 | Live Baiting |
| 6.5.1 | RSPCA Australia is opposed to the use of live animals or animal carcasses or any part of an animal as a bait or lure for the purpose of training, baiting and blooding of greyhounds or other racing dogs. Only non-animal devices and products should be used for training purposes. |
| 6.5.2 | RSPCA Australia supports legislation that effectively prevents the use of live animals or any part of an animal as bait or a lure. Legislation to prevent live baiting or the use of animal material must be rigorously enforced. |
| 6.6 | Devices and Equipment Any device or equipment used to control or modify behaviour or performance in greyhound racing or associated training must be humane and must not cause injury, pain, suffering or distress to the animal. |
| 6.7 | Blood collection |
| 6.7.1 | Ex-racing greyhounds destined for euthanasia are regularly used as a source of blood for veterinary transfusions and other purposes. This practice has arisen due to the demand for blood and high numbers of unwanted greyhounds. |
| 6.7.2 | Blood collection must not be regarded as a justification for the euthanasia of greyhounds. To reduce euthanasia rates of greyhounds, the underlying causes of greyhound wastage must be addressed. |
| 6.7.3 | RSPCA Australia supports the expansion of alternative blood collection (that does not involve euthanasia) such as the collection of blood from suitable, healthy owned 'donor' dogs under close supervision and at appropriate intervals to ensure the welfare of the dogs. |

<https://kb.rspca.org.au/knowledge-base/rspca-policy-c06-greyhound-racing/>

Appendix D: RSPCA priorities for the Tasmanian racing industry

Racing generally

Public Funding for Racing in Tasmania

More than \$30 million a year is funnelled from Tasmanian taxpayers to support what is supposedly asport.

We understand the commitments made by the Tasmanian government under the 20-year funding arrangements put in place after the sale of the TOTE. We also note that the agreement sets the annual rate of increase in funding to the racing industry at half the rate of CPI, which is currently c2% pa. There would thus seem no justification for annual increases beyond that eg in 2020 of 6%.

It is hard to understand how such increases can be justified in a time when essential public services are facing funding freezes and even cutbacks. This of course begs the question as to why the racing industry benefits from such generous levels of government support at all.

Racing supporters claim the industry provides employment for hundreds of people, so it is more than reasonable to question why it cannot stand on its own feet. Taxpayers have every right to be concerned at the apparent lack of any plan to make the industry sustainable. They also have the right to expect improved animal welfare outcomes and increasing standards of industry accountability and transparency in return for these levels of public funding. Yet evidence would seem to indicate that poor attitudes to animal welfare remain entrenched in the racing industry.

Our world is changing – and community attitudes to acceptable behaviours are also changing. Activities involving human-animal relationships, especially when animals are used for entertainment, will have to move with these changes.

Public funding of the racing industry should sunset with the expiry of the TOTE agreement in 2029, and government should work with the racing industry to be plan for an orderly transition to self- sufficiency at that time.

Improving animal welfare outcomes in the racing industry

RSPCA believes that regulation of the racing industry should be undertaken by a truly independent body with complete separation of the integrity and regulatory functions from the commercial functions.

External stakeholders with experience in contemporary animal welfare such as the RSPCA and academics should be actively engaged in Tasracing and ORI governance structures.

Standards and policies related to the racing should be developed by ORI; but policing and enforcing these standards should be undertaken through an arms-length inspectorate independent of industry.

RSPCA Tasmania is well positioned to undertake this function. We are already contracted to deliver services to the Tasmanian government through the animal welfare inspectorate. We respond to thousands of calls a year and prosecute animal cruelty cases; we are at arm's length from the Office of Racing Integrity and Tasracing; we have experienced, trained staff; and we have a state-wide presence.

Enforcement of animal welfare policies and standards in the racing industry should be delivered by an independent body separate from the Office of Racing Integrity.

Tasracing should make animal welfare a clear priority in all aspects of its operations. Tasracing should commit to

- engagement of experts in development of welfare programs;
- transparent reporting of investment in welfare programs;
- benchmarking of performance; and
- continuous improvement targets.

Tasracing should ensure regular and publicly accessible reporting of all racing industry statistics. The government should commit to:

- ensuring quarterly reporting of all relevant industry performance metrics;

- establishing standards and identifying benchmarks for improving animal welfare outcomes to be reported in Tasracing's annual report;
- further investigating whether provisions regarding mental suffering should be incorporated in the Animal Welfare Act 1993.

Horse Racing

The RSPCA considers that there are significant animal welfare problems inherent in the horse racing industry. These include problems with over-supply, housing, feeding, socialisation, training, injuries, whipping, administration of banned or unregistered substances, physical overexertion and fatigue and the fate of unwanted horses (wastage). Action and a demonstrated commitment is needed by industry to recognise and effectively resolve these animal welfare problems.

This was recognised in the Report of the Thoroughbred Aftercare Welfare Group, released last year.

Action is needed to address over-supply and wastage rates in the horse racing industry. There should be an expectation and formal processes in place within the industry that racehorses will be provided with a suitable alternative role (eg recreational horse) on retirement and provisions made to ensure their welfare.

The RSPCA advocates the following:

- The adoption of compulsory and enforced animal welfare standards for the horse racing industry to eliminate practices that cause injury, pain, suffering or distress and ensure all racehorses have a good quality of life.
- The adoption of formal processes to address over-supply and wastage rates. There should be an expectation within the industry that racehorses will be provided with a suitable alternative role (e.g. recreational horse) on retirement and provisions made to ensure their welfare.
- The mandatory collection and publication of comprehensive lifecycle (birth to death records) and injury statistics and the development of a national identification and traceability register/system for racehorses.

Life cycle tracking

Australian community standards demand we treat horses as more than objects. At an industry level, self-regulation has manifestly failed. It's time we created a national registry to trace racehorses for their whole lives, including life beyond the racing industry.

Horse racing is a competitive industry. Some horses never win. Other horses will be injured or grow old. There will always be "too many" horses produced for racing and for the breeding part of the industry.

As long as racehorses are treated as commodities, it will make a cruel sort of sense to get rid of "surplus" animals as cheaply as possible.

The thoroughbred industry already assiduously monitors the registration of horses *into* the industry. They check whether the foal came from registered thoroughbred parents, a natural conception (male and female copulating) and the foal being born from the womb of that same mare.

The industry should apply the same diligence to the end of career treatment of racehorses and accept responsibility for humanely euthanising horses after *all* other options have been exhausted.

Owners and breeders need to plan for horses who one day may have little economic potential; they have as much right to welfare as any other creature.

The government should commit to:

- Establishment of a state horse traceability register by 31 December 2022. *(This should include mandatory collection and publication of comprehensive lifecycle records, including re-homing and euthanasia statistics.)*
- Adoption of formal processes to address over-supply and wastage rates for the horse racing industry.
- Introduction of a mandatory condition of sale requiring that when a horse leaves the racing industry that it is purchased with a clause that permits follow-up inspection, regardless of state borders or whether

the horse goes on to be a companion animal, show jumper, police mount, or any other situation. *(This is already the case in NSW and the ACT.)*

Banning Whips

While the increased penalties handed down for excessive whip use are welcome, more needs to be done to phase out the use of whips entirely.

Recently released Victorian research shows the majority (69 percent) of Victorians believe whipping horses causes pain, is inhumane, and do not believe the use of whips in horseracing is necessary or reflective of community sentiment. There is no reason to believe the situation would be any different in Tasmania.

Another recent study showed that whipping horses does not make them run faster, and debunked traditional arguments that the whip is needed for performance enhancement and to maintain racing integrity. Racing performance should not be determined by inflicting pain through whipping but rather by sound breeding, quality training and outstanding horsemanship.

We were pleased to see that the penalty for excessive whip use at the Melbourne Cup was the largest ever handed out. However, increased penalties are not enough. The ultimate outcome should be that whips are not used for the purpose of enhancing horse performance – that is, making them go faster – at all.

The whip can no longer be defended as a tool for performance enhancement. Other countries have already introduced whip-free racing. Racing Victoria has publicly stated that whip reform is a necessary and positive change. The Tasmanian racing industry should do the same.

[The government should commit to ending the use of whips in harness racing by December 2022.](#)

Greyhound racing

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

And we're not alone in this view.

Greyhound racing for gambling is legal in only 7 of the world's 195 countries, and professional greyhound racing is only legal in five American states.

[Where greyhound racing continues to be conducted, the RSPCA advocates the following:](#)

- [The adoption of compulsory and enforced animal welfare standards for greyhounds at all life stages to eliminate practices that cause injury, pain, suffering or distress and ensure all greyhounds have a good quality of life.](#)
- [The adoption of formal processes to address over-supply and wastage rates, including formal processes to ensure that greyhounds will be rehomed as companion animals on retirement and that provisions are made to ensure their welfare at all stages of their lives.](#)
- [The mandatory collection and publication of comprehensive lifecycle \(birth to death records\) and injury statistics and the development of a national identification and traceability system for all greyhounds to ensure each greyhound is accounted for.](#)

Tasmanian 2016 Joint Select Committee on Greyhound Racing Inquiry

Many of these positions were reflected in the recommendations of the Tasmanian 2016 Joint Select Committee on Greyhound Racing Inquiry.

It is disappointing that implementation of some of the recommendations from this Inquiry has been slow and, in many cases, patchy.

Comments re some specific recommendations:

- Recommendation 6: That the Government support the Office of Racing Integrity and Tasracing's stated commitment to Greyhounds Australasia's "Towards Zero Euthanasia" framework and to actively monitor progress towards this goal.

We know the government has walked back from this – and is now saying that this goal is 'unachievable' – despite the fact that this remains a stated aim in the national greyhound industry strategic plan.

- Recommendation 7: That the Office of Racing Integrity develop and maintain a comprehensive database to enable all greyhounds whelped in Tasmania, or imported, for the racing industry to be tracked at all stages of life.

Some progress – but nothing has been done to track imports or exports of greyhounds.

- Recommendation 13: That the Office of Racing Integrity be appropriately resourced in order to increase inspections of properties and strengthen its capacity to undertake effective routine swabbing.

Little progress here. No transparency about resources for inspections or for routine swabbing.

- Recommendation 14: That the Minister for Racing require the Office of Racing Integrity to review and report on the number of litters bred in Tasmania, five years from the introduction of the new breeding rules, to determine whether the breeding rules have reduced wastage rates.

We do not believe a review has been undertaken and it seems there are no plans to do this.

- Recommendation 15: That the Government commission an independent review of the Greyhound Adoption Program and other adoption services. This review is to include examination of existing funding and resources for greyhound rehoming/adoption programs as well as investigating additional mechanisms to support such programs with a view to increasing the number of greyhounds rehomed.

See notes below on GAP.

- Recommendation 16: That the Minister for Racing require the Office of Racing Integrity and Tasracing to review and report on the new grading schedule annually to determine whether it is reducing wastage rates.

We do not believe a review has been undertaken and it seems there are no plans to do this.

- Recommendation 17: That the Government further investigate whether provisions regarding mental suffering should be incorporated in the Animal Welfare Act 1993.

There has been no substantive progress with respect to implementation of this recommendation.

- Recommendation 18: That mandatory education and training on contemporary animal welfare standards and the provisions of the Animal Welfare Act 1993 be required for all licensed participants within the greyhound industry.

There has been little substantive progress with respect to implementation of this recommendation. Tasracing has been working with TAFE to develop training courses but does not seem to be committed to making this training mandatory.

- Recommendation 22: That the Office of Racing Integrity progress the registration and unannounced inspections of all private training facilities as a matter of priority.

As best we can tell, there is no information publicly available to demonstrate action on this recommendation.

- Recommendation 26: That continued government funding of the greyhound racing industry be conditional on upholding contemporary animal welfare outcomes.

As best we can tell, there has been no action to progress this recommendation.

- Recommendation 30: That the Government establish standards and identify benchmarks for improving animal welfare outcomes to be reported in Tasracing's annual report.

Tasracing does report some data in its annual reports, but this simply records what has happened. As best we can tell, there has been no action to develop objective benchmarks.

Greyhound Adoption Programs

The Tasmanian Greyhound Adoption Program (GAP) is a non-profit program with the aim of finding homes for

greyhounds if they don't make the grade as racers, or when they retire from racing.

- The program is operated by Tasracing with considerable funding from the state government. In 2015/16, the program received \$265,000. In 2020/21, this had risen to \$728,000. This is in addition to the cost of purchasing the Mangalore site from which the GAP operates. Yet there is no publicly available information as to how this funding is used.

[The government should commit to making public the annual financial reports of the GAP.](#)

- There also needs to be greater transparency around both the operation of the program and the actual metrics of the industry itself.

There is little readily accessible data about the number and life cycle of dogs in the industry. From the limited information available in the public arena, it is hard to identify how many dogs are registered but not currently racing, how many retire each year, and how many are not deemed suitable for racing.

Without comprehensive and consistent information, it is not possible to develop a clear picture of the number of greyhounds in the Tasmanian racing industry and therefore understand the number of greyhounds that might be eligible for GAP and whether or not the program is meeting either its targets or community expectations.

Experienced shelter managers also have many questions about the credibility of the GAP as a rehoming program, because it has some very peculiar processes. Dogs that are still racing are listed on the site, even though they are clearly unavailable for rehoming. This takes up places for dogs that could be rehomed after rehabilitation from illness or injury. Dogs are awaiting assessment for too long, with no clarity around either the basis of the assessment or the qualifications or experience of those undertaking the assessments. There are still many dogs dying from illness or injury or being euthanised for behavioural reasons.

We've been advised by some greyhound owners that they have been unable to place dogs in the program. Yet there seem to be very few dogs making it through the program to adoption. Over the past few months, there have often been as few as two dogs available.

And rehoming these dogs seems to be inordinately expensive in comparison to the costs incurred for adoption programs in other reputable organisations – even taking into account the special needs of transitioning and socialising these dogs.

[Why is there no information publicly available as to the agreed KPIs for the GAP, and how it is performing?](#)

- Only four organisations other than the Tasracing GAP have been accredited to rehome greyhounds: RSPCA Tasmania, Dogs Home of Tasmania; Brightside Sanctuary; and Greyt Life Pet Prep. There is no transparency as to the basis on which adoption programs are accredited and no requirement for public reporting of participation and outcome statistics.

[The government should require annual reporting of participation and outcome statistic for all greyhound adoption programs.](#)

- ORI initially rejected the application for GAP accreditation and questioned the capability of personnel and the robustness of our program – which is actually the same program successfully delivered by the RSPCA in a number of mainland states.

Yet, at the same time, Greyt Life Pet Prep was accredited. This is a sole trader operation that Susan Gittus, the previous discredited manager of the Tasracing GAP, has run since before her employment by GAP.

[The standards for accreditation of greyhound programs should be made public.](#)

While the Tasracing GAP is fully funded by the state government, the other programs receive no public funding.

[All greyhound adoption programs should receive some government funding to ensure any shortfall in adoption fees is met.](#)

There is no information publicly available as to the number of dogs passing through these programs. Without this information, it is not possible to assess overall industry rehoming statistics.

All greyhound adoption programs should be required to provide quarterly reports of the number dogs in their programs and which have been adopted.

- The close ties between industry and the GAP simply don't pass the pub test. The government should demonstrate its commitment to ensuring independence of the GAP program.

If the GAP is to have any credibility, it must be run at arm's length from the industry, ideally by an organisation experienced in contemporary animal welfare, with a state-wide presence, and a network of volunteers and foster carers.

RSPCA Tasmania is well positioned to undertake this function. We are already contracted to deliver services to the Tasmanian government through the animal welfare Inspectorate. We respond to thousands of calls a year and prosecute animal cruelty cases; we are at arm's length from the Office of Racing Integrity and Tasracing; we have experienced, trained staff; and we have a state-wide network of experienced foster carers, with a foster care/volunteer manager overseeing this program.



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Corporate Office: Level 4, Queen Victoria Tower, 7 High Street, East Launceston 7250

Devonport Animal Care Centre: 108 Tarleton Road, Spreyton, 7310

Latrobe Adoption & Retail Centre: 3/135 Gilbert Street, Latrobe 7307

Launceston Adoption & Retail Centre: 3/207 Invermay Road, Invermay 7248

Hobart Adoption & Retail Centre: 55-57 Albert Road, Moonah 7009

Animal Cruelty Hotline: 1300 139 947; reportit@rspcatas.org.au

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