

**SUBMISSION TO:**  
**DRAFT RACING**  
**REGULATION**  
**INTEGRITY BILL**

Prepared by:  
**RSPCA Tasmania**



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# 1. OVERVIEW

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The RSPCA has serious concerns about the extensive animal welfare problems associated with both horse (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.

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.

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.

We believe that a robust and contemporary integrity framework is essential in ensuring improved animal welfare outcomes.

These principles must underpin such a framework:

- All participants in the industry have an obligation to support and meet both animal welfare and integrity objectives;
- Industry governance must be effective and the processes that underpin probity and integrity should be simple, efficient and transparent;
- The industry's integrity system must be robust with education, compliance, and enforcement functions that are funded appropriately,
- Commercial and regulatory functions should be clearly separate; and
- The system must be easily understood by participants and the community.

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 enables strengthening of Tasmania's legislative framework and could position us as the leading state in Australia in racing industry governance and animal welfare outcomes.

We therefore welcome the fact that the principles outlined in the Bill provide an improved base for an effective racing integrity governance model in this state.

The draft Bill delivers greater transparency and accountability for an industry that has been bedevilled by secrecy and lack of accountability.

It is important not to lose sight of the fact that the Tasmanian racing industry is only made feasible through taxpayer subsidy. Industry participants don't pay for the industry, Tasmanian taxpayers do. Ensuring the community can have confidence and trust in the integrity of the industry should this be accorded much higher priority than concerns about the industry participants having confidence.

The draft Bill is not perfect, and there is much yet to be done to ensure improved animal welfare outcomes. Having said that, we believe this draft Bill is a step in the right direction.

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

## 2. THE ROLE OF THE RSPCA IN THE RACING INDUSTRY

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One aspect that is of crucial importance to the future viability of the industry is the appearance of a conflict of interest between the enforcement of animal welfare legislation within the industry and the profitability of racing.

Whilst the formal separation of the operational and regulatory functions of the racing industry was achieved through previous legislation with these responsibilities delegated to Tasracing and ORI respectively (noting that this will be redistributed following this Bill), there is still confusion as to roles and responsibilities among the general public.

This has largely been based upon the inadequate funding of ORI with the public perceiving the lack of action due to resource constraints as mere complacency (or, worse still, complicity) on the part of ORI.

The independence and credibility accorded to the RSPCA Inspectorate has developed over many years. to audit welfare practices within the industry as a practical way of engendering a culture of best practice.

Recognition of the RSPCA Inspectorate as key regulators and enforcers of matters relating to animal welfare in the racing industry would provide confidence to the public that welfare is being accorded the highest priority by the industry. Addressing the perceptions of conflict and lack of transparency that come from the current situation of self-regulation will eventually enable the industry to overcome the assumption that the fox is in charge of the henhouse. This will without question be of benefit to the long-term viability of the Tasmanian racing industry.

The RSPCA presently possesses the human and physical capital required to enforce animal welfare legislation. Our organisation's marginal cost for further enforcement is minor compared with those of an enforcement body that has less experience. Therefore, it appears most efficient and effective for the RSPCA Tasmania to be designated as the enforcers of animal welfare within the Tasmanian racing industry given that a system of proportional funding is put in place.

However, the organisation will not accept any further Inspectorate involvement in regulatory and enforcement activities in the racing industry unless the increased duties are met with a corresponding increase in funding.

To be clear, the RSPCA is open to taking on an increased regulatory role in the racing industry, but it is paramount that funding is provided in proportion to the expected level of responsibility.

### 3. COMMENTS ON THE BILL

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The RSPCA is strongly opposed to the ongoing public funding of racing in Tasmania. However, as this issue is outside the scope of this Bill, our response is focussed on the importance of embedding animal welfare principles in all aspects of the racing industry in this state.

We recognise and welcome the underlying principle in this Bill of the separation of regulatory and commercial functions. Development and enforcement of regulatory functions should be the purview of TasRIC. As an independent body, TasRIC can then hold TasRacing to account for implementation of regulatory systems and processes. The TasRacing governance model should be based on best practice governance structures implemented for entities focussed on marketing and promotion.

Our prime interests with respect to the draft Bill relate to the establishment of the office of the Tasmanian Racing Integrity Commissioner (TasRIC) and the Integrity and Animal Welfare Advisory Committee (IaAWAC).

The draft Bill provides a clear delineation of the roles of the TasRIC and Tasracing and reinforces the independence of TasRIC as the regulator. The establishment of the IaAWAC enhances this regulatory role and will go a long way to addressing the current perception that integrity and animal welfare priorities are considered secondary to commercial interests in the industry.

The RSPCA welcomes these initiatives as according animal welfare much escalated importance within the racing industry, and we look forward to making a contribution as part of this revised structure.

We must stress, however, that the efficacy of this model will ultimately be dependent on it being adequately and appropriately resourced.

#### 3.1 PART 2 – Tasmanian Racing Integrity Commissioner

Overall, we are supportive of the provisions relating to the Commissioner.

The following comments are provided as suggestions to improve clarity or functionality.

##### ***Functions of the Commissioner***

Under this Part 9, the Commissioner is vested with a variety of functions. Comments as to how these functions could be expanded for the betterment of animal welfare and integrity within the industry are provided below:

##### ***(a) to oversee integrity in racing and the welfare of animals that are or have been involved in racing***

Emphasis must be placed upon the latter half of this function as it is critical to the effectiveness of the Commissioner. It will be important to ensure that the scope of this brief extends from cradle to grave – whether or not animals have raced.

A consistent problem to emerge in our research on the issue of greyhound traceability across Australia has been the failure of legislation to provide powers for the relevant racing authority's jurisdiction to extend post-retirement of a given animal, with the issue exacerbated for animals retired to non-industry participants.

Even for the most advanced traceability systems in Australia, such as that seen in NSW, whilst the traceability of animals within industry proves relatively robust until retirement, this ends when the animal leaves the industry as the racing authority possesses no/limited powers to require non-racing participants to comply with welfare requirements.

For example, the NSW Greyhound Welfare and Integrity Commissioner (GWIC) requires all greyhounds to be 'checked in' or in 'contact' with the commission every six months for racing greyhounds and every twelve months for retired and pre-racing greyhounds.

However, there is a lack of clarity as to how this operates for greyhounds that are retired to non-industry participants.

This is not acceptable. Accordingly, we expect that the Integrity Commission will ensure development of life-cycle tracking systems for both greyhounds and horses is prioritised.

*(d) to advise the Minister on integrity in racing, animal welfare and related matters and make appropriate policy proposals for the development of racing*

The RSPCA requests further clarification as to what constitutes 'appropriate policy'. Further, to what extent is consultation with the RIC and IAWAC required?

*(g) to facilitate cooperation, in relation to animal welfare initiatives, between Tasracing, the department responsible for the administration of the Animal Welfare Act 1993, the department responsible for the administration of the Biosecurity Act 2019, and the RSPCA*

Does the ability of the Commissioner to facilitate cooperation for animal welfare initiatives extend beyond the racing industry? The present wording of the bill is potentially expansive in the powers granted.

*(j) to make standards that provide for any matter relating or incidental to the conduct of racing (including but not limited to standards relating to integrity in the racing industry and animal welfare) and to provide advice and make recommendations in relation to the implementation of, and compliance with, those standards.*

The important role of the laAWAC needs to be referenced here to ensure that the Commissioner engages with the Committee regard to the drafting of the aforementioned standards and recommendations as to implementation and compliance.

*(s) if appropriate, refer matters to a public authority, the Commissioner of Police, the DPP, or any other person that the Commissioner considers appropriate*

We suggest this clause be amended to include a power for the Commissioner to refer matters relating to animal welfare directly to the RSPCA if appropriate.

*(t) to conduct own motion investigations and inquiries, including into integrity in racing, animal welfare and systemic issues in racing*

A definition of 'systemic issues in racing' should be provided within s3 of the bill.

### ***Recommendations by the Commissioner***

Section 11 of the Act provides for the Commissioner to make recommendations to Tasracing on a variety of matters. As per s11(2), the Commissioner is granted power to request updates as to the implementation of recommendations and explanations for a failure to do so. In our view, laAWAC should be granted similar powers.

The role of the Committee is to advise on animal welfare and integrity issues.

A consistent theme to emerge in our role as animal welfare enforcers across the state is the lack of communication between agencies and organisations working in the same field – and presumably to the same end. Therefore, it is imperative that formal channels of communication and information sharing be developed across all relevant agencies and organisations, and that a formal means of requesting information be provided to the laAWAC.

### ***Procedure on completion of investigation***

As per Section 18(2)(c), the Commissioner is restricted in the disclosure of information as gathered during an investigation as per s 18(1) if it would cause 'unreasonable damage to a person's reputation'.

If the social licence of racing is in question, how is the impact to a person's reputation to be assessed? What is would be classed as 'unreasonable damage' if an investigation finds charges or complaints proven?

For example, with the recent drone footage of various Tasmanian greyhound trainer properties, the impact to their reputation was substantial despite a lack of any evident breaches of the Rules of Racing or the *Animal Welfare Act 1993* (Tas). However, the standard of care evident in these instances it would be difficult to justify

that this information caused ‘unreasonable damage’ to the reputations of those involved – even though no charges have as yet been laid.

The bar for community expectations continues to lift, and information around non-compliance or even below-expectation practices by racing participants will grow increasingly more upsetting to the Tasmanian community as the social licence of the industry is degraded. What presently would be permitted for disclosure under s 18 may prove in breach of s 18(2)(c) in a decade.

We suggest that this disclosure limitation be reconsidered.

### ***Disclosure of information by Commissioner***

Information sharing provides greater efficiency in the enforcement of our state’s *Animal Welfare Act 1993*.

RSPCA Tasmania acts as an enforcement agency of government with respect to the Animal Welfare Act 1993 and will be required to work closely with the Commission in many matters.

We therefore request our organisation be specifically included in the list as per s19(2).

### ***Annual Report by the Commissioner***

The Commissioner is required under s25 to provide an report to the Minister each year.

We suggest that there be a further requirement for the Commissioner to provide the annual report to the laAWAC prior to finalisation.

This is not a request for veto powers, but rather for an opportunity for the laAWAC to consider the substance of the report. This would enable the Commissioner to take into account any comments from the Committee in final preparation of the annual report.

## **3.2 PART 3 – Integrity and Animal Welfare Committee**

Overall, we are supportive of the provisions relating to the Committee.

The following comments are provided as suggestions to improve clarity or functionality.

### ***Membership of the Committee***

There appears to be a typo in s31(3)(d). It should more properly read ‘an owner or breeder of race horses or greyhounds’ or perhaps even distinguish between owners of thoroughbred and standardbred race horses.

Similarly, we assume that the extent of financial or proprietary interest in s31(3)(e) should specifically relate to racehorses.

### ***Functions of the Committee***

We assume that the functions set out in s32 are to be undertaken in conjunction with the Commissioner ie that the laAWAC will make recommendations to Tasracing or undertake other functions through the Commissioner as chair of the Committee.

### ***Schedule 2 - Membership of the laAWAC***

Part 2(1)(b) makes it clear that the holders of a full-time office under an Act are not disqualified from also being a member of the Committee. Yet there is no provision according a similar exemption to someone who is not a government employee ie the RSPCA representative. For the sake of clarity, it is suggested that this disparity be addressed.

### ***Expert Advice***

It is noted that under Schedule 3 s4, the Racing Integrity Committee is granted the ability to request expert advice. It is suggested that this same power be extended to the Advisory Committee .

### 3.3 Other Parts of the Bill

#### ***Tasracing to prepare and submit annual integrity plan to Commissioner for endorsement***

Under s35, Tasracing is required to submit an annual integrity plan to the Commissioner for endorsement.

We suggest that there be a further requirement for the Commissioner to provide the annual integrity plan to the laAWAC prior to finalisation.

This is not a request for equal powers such as those that are granted to the Commissioner as per s35(4), but rather for a requirement that the report be submitted to the Advisory Committee. This would enable the Commissioner to take into account any comments from the Committee in considering final endorsement of the report.

#### ***Appointment of Tasracing Integrity Director***

Under s42(2), the appointment of the Tasracing Integrity Director is subject to the approval of the Racing Integrity Committee and the Commissioner.

Given the fundamental role this Director plays in ensuring integrity across the industry, we suggest that the laAWAC also be given a chance to comment on this appointment. Note that this would be merely a requirement to consult, as opposed to a requirement to attain approval.

#### ***Tasmanian Racing Appeals Board***

Part 6 of the draft Bill deals with the Tasmanian Racing Appeals Board (TRAB).

The Tasmanian Civil and Administrative Tribunal (Consequential Amendments) Act 2021 expanded the scope of the Tasmanian Civil and Administrative Tribunal (TasCAT) to consolidate appeals processes across a range of pieces of legislation.

To demonstrate clear independence from industry, we are of the view that TRAB should be disbanded and established as a TasCAT stream. Moving appeals to TasCAT would contribute to greater transparency within the industry. In our view, this arms-length distancing would remove (or at least mitigate) current perceptions of the fox being in charge of the henhouse.

It would also allow for administrative support to be provided by TasCAT, rather than a body (ORI or TasRIC) that will often be a party to an appeal.

Should that not be the outcome, the appeal process needs to be streamlined and the use of current technology be made available in hearings.

Currently, the only avenue for appeal of a TRAB decision is to the Supreme Court of Tasmania. This is a very expensive and time consuming pathway. Replacing this with a further right of appeal to TasCAT would simplify the process.

#### ***Consultation with racing industry***

As per the list under s50 of those that must be consulted by the TRAB, it is suggested that the IAWAC and RSPCA Tasmania should be consulted at the same frequency as those bodies listed at (a)-(d).

#### ***Applications for registration or renewal of registration of club, or for suspension or cancellation of a club's registration, or for winding up of a club***

It is suggested that there be a requirement for the Commissioner to be advised of the outcome of decisions under s65, s67, and s75.

#### ***Winding-up of clubs***

There should be a requirement for the asset distribution process in the winding up process of a club s75(5)(b) to have a specific portion of any remaining funds to be redirected into animal welfare initiatives within the industry.



Further, the RSPCA holds reservations regarding the ability for s75(11)(b) to be abused for the sake of preserving industry credibility and social licence.

If a club fails to meet its obligations, then Tasracing as the operational regulation of the industry has a conflict of interest between exposing the actions of the club and ensuring the profitability of the industry. At the very least, there should be a provision requiring the RIC to be consulted over destruction of any document or article which may be related to adverse integrity implications.

### **Warning-off notices**

It is suggested that warnings issued by the relevant authority under s81 be shared with the RSPCA Tasmania and with the laAWAC, as per s81(7), for the sake of uniform information and enforcement.

### **Regulation of Bookmakers**

Part 9 of the draft Bill proposes that TasRIC should be responsible for administering, licensing and regulating the operations of Tasmanian on-course bookmakers.

We disagree.

Oversight of bookmakers requires dealing with the increasing sophistication of their operations through the use of technology and the fact that because of this they operate across State and National boundaries. For example, their business models can attract money laundering. Issues can also arise from ownership of racing animals and using financial or other enticements to stop them from performing.

There is thus a need for the body having responsibility for oversight of their operations in Tasmania to have direct linkages to the ACMA and the Federal and Tasmanian police forces. In a state as small as Tasmania, this would appear to be a role ideally suited to the Tasmanian Liquor and Gaming Commission.

However, in the interests of transparency and accountability, bookmakers should also have to provide relevant information to the TasRIC. This would also facilitate TasRIC reporting on the industry's wider impact including economic contribution and the financial welfare of gamblers.

### **Enforcement**

Part 11 of the draft Bill deals with enforcement.

RSPCA inspectors are Authorised Officers under the *Animal Welfare Act 1993*, as are inspectors employed by the Department of Natural Resources and Environment.

This fact needs to be recognised under s132, which should prohibit attempts to bribe authorised officers appointed under *Animal Welfare Act 1993*.

Similarly their standing needs to be acknowledged along with police officers and stewards in s133 and s134.

Authorised Officers under the *Animal Welfare Act 1993* need to be included in the protection from liability provisions in s143.

## 4. About RSPCA Tasmania

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### Who we are

The Royal Society for the Prevention of Cruelty to Animals Tasmania (RSPCA) is a not-for-profit non-government organisation. We have been working to improve the welfare of animals within our state since 1878.

We are the only Tasmanian organisation to be explicitly named in animal welfare legislation and our long history of effective cooperation has allowed us to work with all manner of stakeholders towards the benefit of animals.

As a not-for-profit 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.

In a 2023 survey from Kantar commissioned by the RSPCA Tasmania, 82% of those aware of our work report that they feel positive about us, with only 4% feeling negative. Our efforts within animal welfare advocacy have been well recognised by the community, with 84% of people believing that we care, and 78% agreeing that we are effective in our efforts. Further, 77% reported a high level of trust towards our organisation. This metric stands as a testament to our dedicated commitment to building relationships with the community and ensuring we are improving Tasmania's level of animal welfare towards contemporary community expectations.

In our Kantar Brand Perception Survey, the majority of negative comments related to a lack of response following cruelty reports. Our inspectors work tirelessly to answer reports, and whilst all reports are responded to, the time frame this occurs in could be drastically reduced through further funding.

### What we do

Our key services for the Tasmanian community have been recognised as pet adoption, investigation and prosecution of animal cruelty and neglect, and educating owners on caring for their pets. Further, our services have become an integral part of Tasmania's animal welfare with 75% of the Tasmanian public aware of our investigation and prosecution services and roughly the same amount of people stating they were using our services or would do so in future.

However, we don't 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.

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.

### Our priorities

Our strategic priorities are built on the pillars of Animals, Sustainability, and Our People.

Within that framework we aim to:

- Constantly push for economic efficiency to maximise the use of our resources.
- Achieve the best welfare outcome for every animal in our care – through adopting socially conscious sheltering principles, improving the capability of our facilities, and increasing adoptions and foster care arrangements.
- Reduce animal cruelty and neglect – through advocacy that delivers legislative change, and community education that improves awareness and welfare outcomes.
- Reduce the number of surrendered and homeless animals – through increased desexing and microchipping programs and providing support to people in difficult circumstances.
- Support our people to do their great work – by building an exceptional workplace culture, and a dedicated network of foster carers, volunteers, and animal specialists.

### 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 and Launceston 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 Community Outreach Centre in Hobart is the base for our activities in the south of the state and provides a central location for many animal welfare organisations to come together.
- 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.

### 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 c3.5% pa. There would thus seem no justification for annual increases beyond that eg in 2020 of 6%. Nor should the government be providing significant funding for capital investment (such as the new Devonport track complex), or ongoing maintenance of assets (eg the GAP facility).

It is hard to understand how such levels of funding 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.

## Appendix B: RSPCA policies relevant to the racing industry

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

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"><li>○ applying responsible and humane animal acquisition and breeding practices to avoid oversupply and wastage.</li><li>○ understanding and meeting the physiological, behavioural and social needs of the animal.</li><li>○ providing housing and transport facilities that are designed and maintained to provide a clean, comfortable and safe environment (see <a href="#">RSPCA Policy F1</a>).</li><li>○ applying appropriate animal care and husbandry practices, including handling socialisation and environmental enrichment, that meet the animal's needs.</li><li>○ following a preventative health care program with appropriate record keeping.</li><li>○ ensuring veterinary care is provided when necessary.</li><li>○ ensuring training methods are humane (see <a href="#">RSPCA Policy C2</a>).</li><li>○ ensuring animals are appropriately and reliably identified.</li><li>○ retirement planning that meets ethical and welfare considerations.</li></ul>

**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.*

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 <a href="#">RSPCA Policy C7</a> ).
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

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.
<b>5.4</b>	<p>Where horse racing is conducted, RSPCA Australia advocates the following:</p> <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ 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.</li> <li>○ 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.</li> <li>○ 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.</li> </ul>
<p><b>Note: Horse racing includes Thoroughbred racing, Harness racing and Jumps racing.</b></p> <p><b>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.</b></p>	
<b>5.5</b>	<p><b>Racing of physically immature horses</b></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>
<b>5.6</b>	<b>Events</b>
<b>5.6.1</b>	<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>
<b>5.6.2</b>	<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>
<b>5.7</b>	<p><b>Devices and equipment</b></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>
<b>5.7.1</b>	<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>
<b>5.7.2</b>	<p>Tongue ties</p> <p>The RSPCA is opposed to the use of tongue ties on racehorses as they inflict pain and distress.</p>
<b>5.7.3</b>	<p>Spurs</p> <p>The RSPCA is opposed to the use of spurs on racehorses as they inflict pain and distress.</p>
<b>5.7.4</b>	<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> <p><a href="https://kb.rspca.org.au/knowledge-base/rspca-policy-c05-horse-racing/">https://kb.rspca.org.au/knowledge-base/rspca-policy-c05-horse-racing/</a></p>

## Policy C06: Greyhound Racing

<b>6.1</b>	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).
<b>6.2</b>	Until all of these problems are recognised and effectively resolved, RSPCA Australia does not support greyhound racing.
<b>6.3</b>	Where greyhound racing continues to be conducted, RSPCA Australia advocates the following: <ul style="list-style-type: none"><li>○ 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.</li><li>○ 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.</li><li>○ 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.</li><li>○ 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.</li></ul>
<b>6.4</b>	<b>Hurdle races</b> RSPCA Australia is opposed to hurdle races for greyhounds because of the high risk of injury associated with this activity.
<b>6.5</b>	<b>Live Baiting</b>
<b>6.5.1</b>	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.
<b>6.5.2</b>	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.
<b>6.6</b>	<b>Devices and Equipment</b> 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.
<b>6.7</b>	<b>Blood collection</b>
<b>6.7.1</b>	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.
<b>6.7.2</b>	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.
<b>6.7.3</b>	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/>



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