

14 August 2017

Draft Code of Practice for the Keeping of Racing Greyhounds Public Comment
Domestic Animals
Department of Economic Development, Jobs, Transport and Resources
475 Mickleham Rd
Attwood VIC 3049

To whom it may concern

Proposed Code of Practice for the Keeping of Racing Greyhounds

The Municipal Association of Victoria (MAV) welcomes the opportunity to provide a brief submission in response to the proposed Code of Practice for the Keeping of Racing Greyhounds (proposed code). As the statutory peak body for local government in Victoria, the MAV works to represent and advance the interests of all Victorian councils.

The MAV is primarily concerned with the enforcement options detailed in the Regulatory Impact Statement (RIS). The MAV consulted with a number of councils that engage with or know of racing greyhound establishments within their municipalities.

Councils expressed strong opposition to Option 4 of the RIS, which allocates primary responsibility for enforcement of the proposed code to local government. The MAV notes that Option 4 is not the preferred option.

Councils oppose Option 4 for the following reasons:

1. Councils do not have the expertise to undertake effective enforcement of the proposed code. Council officers do not have specialised knowledge of greyhound management and welfare, and would require extensive training and skills development on an ongoing basis.
2. Councils do not have the resources to undertake additional enforcement responsibilities, particularly since the introduction of rate capping. The State Government would need to provide additional funds to councils to undertake enforcement of the proposed code.
3. Councils provide a diverse range of community services and undertake many areas of enforcement, hence the enforcement of the proposed code could not be councils' sole focus or top priority. This may lead to less effective enforcement of the proposed code, which could result in lower levels of compliance and poorer welfare outcomes for greyhounds.

4. The attendance of both council officers and industry officers to enforce the proposed code and the local rules is an inefficient use of time and resources. Enforcement of the proposed code and local rules by a sole body would be more appropriate.

Councils expressed support for Option 3 of the RIS, which allocates primary responsibility for enforcement to the industry body Greyhound Racing Victoria (GRV). Option 3 is supported for the following reasons:

1. Enforcement of the proposed code would be most effective when undertaken by a body whose sole focus is the greyhound racing industry and is simultaneously able to enforce the local rules.
2. GRV has specialist, comprehensive knowledge of greyhound management and welfare, hence GRV officers are better placed to identify breaches of the proposed code and local rules.

Whilst the MAV supports Option 3, we have some concerns about GRV's performance of its regulatory role after the highly publicised live baiting scandal in early 2015. History shows that self-regulation by industry bodies can be problematic and prone to failures in the absence of strong oversight to ensure that organisations are acting with integrity. It is positive that GRV has reformed its governance structures and dedicated more resourcing and staffing to its animal welfare and investigations teams. However, there remains a need for independent oversight of GRV's activities to ensure that it is performing its role to an acceptable standard and that these reforms are addressing the issues within the industry.

The MAV notes that Option 3 provides for oversight of GRV by a stand-alone integrity unit of the Racing Integrity Commissioner. The MAV supports the close monitoring of GRV by the Commissioner. However, we also note that pursuant to section 37B(1)(ba) of the *Racing Act 1958*, the Commissioner is empowered to conduct audits of the internal animal welfare processes and systems of GRV "to the extent that they relate to integrity in racing". The MAV is concerned that there are animal welfare issues within the greyhound racing industry that are not directly linked to integrity in racing and that there will be no independent body monitoring GRV's management of these issues. To address this gap, the MAV suggests that GRV also be monitored by a second body or agency that is empowered to focus on animal welfare more broadly. This responsibility could possibly be allocated to the relevant division of the Department of Economic Development, Jobs, Transport and Resources, or to the office of the Chief Veterinary Officer of Victoria.

In relation to the Code itself, we are concerned that section 6.3.13 identifies the surrender of retired greyhounds to a registered pound or shelter as a suitable option on par with rehoming a dog to a suitable home or keeping a dog as a pet. Whilst the MAV supports the objectives of the proposed code and its promotion of greyhound welfare, we have significant concerns about the potential impact of the rehoming provisions on local government. Of the rehoming options provided in section 6.3.13, the option to surrender to a shelter is likely to be the most cost-friendly and convenient option for racing greyhound owners. When section 6.3.13 is read in conjunction with section 33A (1) of the *Domestic Animals Act 1994*, which requires councils to accept any dog given to them because the owner is no longer willing to care for it, councils would be required to accept all racing greyhounds presented to council pounds and shelters. This represents a potentially substantial cost shift from the greyhound racing industry to ratepayers given that in 2015-16 alone there were 5538 greyhounds retired from the industry.

The MAV strongly believes that the industry should be responsible for the rehoming of racing greyhounds. Councils are operating with increasingly limited resources and the potential for a sudden influx of racing greyhounds to council shelters and pounds would be a large burden for councils both operationally and financially. As noted in the RIS, and as demonstrated by the comprehensive training and socialisation program implemented by the Greyhound Adoption Program, retired racing greyhounds need to undergo a period of reconditioning to successfully transition from being a racing animal to a pet before becoming suitable pets. This makes them more difficult and more risky to rehome compared to other dogs. The MAV submits that the responsibility for the rehoming of retired and unwanted racing greyhounds should fall on the greyhound racing industry and that surrender to a shelter or pound should be an option of last resort only.

Finally, and on a separate note, the MAV has had preliminary discussions with GRV regarding the development of a memorandum of understanding between councils and GRV to enable better sharing of information, cooperation and collaboration. Councils are supportive of this project, as better outcomes are achieved when councils and GRV work well together.

Should you have any queries about this matter, please contact Claire Dunn, Manager Environment and Regulatory Services on (03) 9667 5533 or at cdunn@mav.asn.au.

Yours sincerely



ROB SPENCE
Chief Executive Officer