

# Greyhound racing in NSW and the ACT

*This fact sheet is for general information purposes and is not legal advice. It provides a brief overview only of this area of the law. If you require legal advice relating to your particular circumstances you should contact the ADO or your solicitor.*

In 2016 NSW became the first jurisdiction in Australia to ban greyhound racing. Less than seven weeks later the ban was abandoned. The future of ACT's small racing industry remains unclear. This fact sheet looks at the current status of greyhound racing in NSW and the ACT.



## Why is greyhound racing an animal protection issue?

In June 2016 the Special Commission of Inquiry into the Greyhound Racing Industry in NSW found overwhelming evidence of systematic animal cruelty.<sup>1</sup> The Inquiry concluded that there are fundamental animal welfare issues that **cannot be remedied**. These include:

- **Overbreeding:** 50-70% of healthy greyhounds bred for racing are killed because they are considered too slow to race.<sup>2</sup> Large pits of killed greyhounds have been uncovered in support of this finding.<sup>3</sup>
- **Live Baiting:** Live baiting involves the use of live animals such as possums, piglets, and rabbits to train greyhounds.<sup>4</sup> 'Bait' animals are tied to mechanical lures and flung around tracks for greyhounds to chase and kill. While this practice has long been illegal,<sup>5</sup> the Inquiry concluded that between 10–20% of trainers still engage in live baiting.<sup>6</sup> Greyhound Racing NSW was also found to have known about the practice and to have ignored the concerns.<sup>7</sup>
- **Injuries:** Many greyhounds involved in racing sustain 'catastrophic injuries', including skull fractures and broken backs, which can lead to death on the tracks or require immediate euthanasia. The RSPCA estimates that more than 600 greyhounds are injured every month on greyhound tracks.<sup>8</sup>

## What is the current status of greyhound racing in NSW?

A legislative ban on greyhound racing was due to commence in NSW on 1 July 2017. The NSW Government has, however, announced it will not proceed with the ban.<sup>9</sup> Instead, the greyhound industry will be able to continue under a new regulatory framework,<sup>10</sup> which may include capping breeding, reducing the number of tracks and race events, funding to support rehoming greyhounds, and life bans and increased jail terms for live baiting. The final rules on the greyhound industry will be determined by a Greyhound Industry Reform Panel, chaired by former NSW Premier Morris Iemma.

<sup>1</sup> New South Wales, Special Commission of Inquiry into the Greyhound Racing Industry in NSW, *Report* (2016).

<sup>2</sup> *Ibid* 1.

<sup>3</sup> Sean Nicholls, '[At Least 99 "Underperforming" Greyhounds Killed, Buried in Mass Grave, Report Finds](#)', *Sydney Morning Herald* (online) 20 July 2016.

<sup>4</sup> *Report*, above n 1, 41.

<sup>5</sup> For example, a person who 'uses an animal as a lure or kill for the purpose of bleeding greyhounds or in connection with the trialing, training or racing of any coursing dog' is guilty of an offence under s 21(1)(d) of the *Prevention of Cruelty to Animals Act 1979* (NSW). This has been an offence since at least 1997.

<sup>6</sup> *Report*, above n 1, 57 (3.102).

<sup>7</sup> *Report*, above n 1, 72 (3.217).

<sup>8</sup> RSPCA, [Frequently Asked Questions: Greyhound Racing](#).

<sup>9</sup> Brigid Glanville and Sarah Gerath, '[NSW Premier Mike Baird Admits he "Got it Wrong" After Backflip on Greyhound Racing Ban](#)', *ABC News* (online) 11 October 2016.

<sup>10</sup> <https://www.nsw.gov.au/media-releases-premier/greyhound-racing-given-one-final-chance-under-toughest-regulations-country>.

The NSW Government's back down comes despite Inquiry Commissioner Michael McHugh's finding that if the greyhound industry were to continue, even with extensive reform, there would be a 'very real risk' that live baiting would continue.<sup>11</sup> Mike Baird had also commented that 'better regulation has been attempted, and failed, many times.'<sup>12</sup>

### What is the current status of greyhound racing in the ACT?

The incoming Labor/Greens Government has committed to withdrawing all government funding for greyhound racing, and 'actively support[ing] the transition steps required to end the operation of the greyhound racing industry, including animal welfare and training support'.<sup>13</sup> The ADO is attempting to clarify what this means in practice.

### Bans and backflips—a timeline

**16 February 2015:** ABC's Four Corners program, *Making a Killing*, revealed practices of live baiting in the greyhound industry.<sup>14</sup> In response to this, the NSW Government formed a Special Commission to investigate animal welfare issues involved in greyhound racing.<sup>15</sup>

**16 June 2016:** Inquiry Commissioner Michael McHugh handed down his report into the greyhound racing industry, revealing evidence of systematic animal cruelty. The report recommended that the industry be shut down.<sup>16</sup>

**7 July 2016:** NSW Premier Mike Baird announced a ban from 1 July 2017 on greyhound racing, claiming '[t]his is the inevitable conclusion to be drawn... to protect animals from further cruelty'.<sup>17</sup> Following the NSW Government's announcement, ACT Chief Minister Andrew Barr announced the greyhound industry would be shut down in the ACT.<sup>18</sup>

**11 August 2016:** A Bill to ban greyhound racing in NSW passed the State's Upper House, despite opposition from the NSW Labor Party.<sup>19</sup>

**24 August 2016:** At 3:46am the Bill to ban greyhound racing passed the NSW Lower House.<sup>20</sup> In the following months, Mr Baird received a backlash from opponents of the ban, including greyhound trainers, some Liberal and Nationals MPs, and the NSW Labor Party.<sup>21</sup>

**11 October 2016:** Mr Baird backflipped on his decision to shut down the greyhound industry, instead announcing that he would introduce new regulatory requirements for the industry.<sup>22</sup> Following this reversal, ACT Chief Minister Mr Barr stated that he would reconsider his pledge to ban the industry.<sup>23</sup>

**Late October 2016:** Final rules on the greyhound racing industry in NSW will be determined by an Industry/Government 'reform' Panel. Legislation to repeal the ban could be introduced in early 2017. The future of greyhound racing in the ACT remains unclear. While the new Labor-Greens government has committed to taking steps to end it, the industry has committed to continue.<sup>24</sup>

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<sup>11</sup> Report, above n 1, 86.

<sup>12</sup> 9 July 2016, <https://m.facebook.com/mikebairdMP/posts/1136598769801696>.

<sup>13</sup> [Parliamentary Agreement for the 9<sup>th</sup> Legislative Assembly for the Australian Capital Territory](#), p9.

<sup>14</sup> ABC, 'Making a Killing', *Four Corners*, 18 February 2015 (Caro Meldrum-Hanna and Sam Clark).

<sup>15</sup> <https://www.greyhoundracinginquiry.justice.nsw.gov.au/>.

<sup>16</sup> Report, above n 1, 'Recommendation 1', 22.

<sup>17</sup> NSW Government, 'Greyhound Racing to be Shut Down' (Media Release, 7 July 2016).

<sup>18</sup> Henry Belot, '[ACT Government Says it can No Longer Support Greyhound Racing After NSW Decision](#)', *The Canberra Times* (online) 8 July 2016.

<sup>19</sup> Siobhan Fogarty, '[Greyhound Racing Ban: New South Wales Upper House Passes Bill](#)', *ABC News*, 11 August 2016.

<sup>20</sup> Siobhan Fogarty, '[Greyhound Racing Ban: Nationals MPs Cross Floor as Bill Passes Parliament](#)', *ABC News* 24 Aug 2016.

<sup>21</sup> [www.abc.net.au/news/2016-10-06/nsw-premier-mike-bairds-leadership-tested-over-greyhound-ban/7910300](http://www.abc.net.au/news/2016-10-06/nsw-premier-mike-bairds-leadership-tested-over-greyhound-ban/7910300).

<sup>22</sup> Glanville and Garath, above n 6.

<sup>23</sup> Belot, above n 8.

<sup>24</sup> <http://www.canberragreyhound.com.au/>.