

TRANSCRIPT

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

Inquiry into the legislative and regulatory framework relating to restricted breed dogs

Melbourne — 18 November 2015

Members

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Witnesses

Dr Sonja Kassenboehmer, President,

Ms Jennifer Davis, Vice-President, and

Dr John Haisken-DeNew, Secretary, Greyhound Equality Society.

The CHAIR — I will begin by declaring open the Standing Committee on the Economy and Infrastructure public hearing, and welcome our witnesses this morning and members who are present in the gallery. I remind you that the committee is hearing evidence in relation to the restricted breed dog inquiry and that today's evidence is being recorded.

All evidence taken at this hearing is protected by parliamentary privilege. Therefore you are protected against any action for what you say in here today, but if you go outside and repeat the same things, those comments may not be protected by the same privilege. At this point I will ask you to introduce yourselves and state your positions at your organisation and then ask you to begin with your presentation. I will hand over to whomever would like to begin.

Dr KASSENBOEHMER — Thank you very much. I am Sonja Kassenboehmer, I am the president of Greyhound Equality Society.

Dr HAISKEN-DeNEW — My name is Dr John Haisken-DeNew. I am the secretary of the Greyhound Equality Society.

Ms DAVIS — I am Jennifer Davis. I am the vice-president of the Greyhound Equality Society.

The CHAIR — Very good. Over to you.

Dr KASSENBOEHMER — Thank you very much for giving us the opportunity to bring the breed-specific legislation in regard to pet greyhounds to your attention. In Victoria greyhounds are subject to breed-specific legislation. This legislation is outlined in section 27 of the Domestic Animals Act 1994, which requires all greyhounds in Victoria to be leashed in all public places and muzzled in public, unless an exemption has been obtained. In 1999 a muzzle exemption was granted to GAP, which is the Greyhound Adoption Program. This is the officially sponsored greyhound adoption program by Greyhound Racing Victoria. This exemption was published in the Victorian *Government Gazette* in 1999. It was also stated that greyhounds had to wear an identifiable green collar if they passed this exemption.

At the time this was quite a pragmatic and efficient way to make sure that all pet greyhounds were muzzle free. However, since then, more and more adoption groups have formed to deal with the increased demand of adopting and rehoming pet greyhounds, and this demand is still increasing. Therefore it is time that this law should be reviewed to reflect these changed circumstances.

There are also other reasons why this law should be reviewed. It has adverse consequences for pet greyhounds and their owners and for the welfare of greyhounds transitioning from the racing industry. There are inconsistencies with other jurisdictions with greyhound racing, most of which do not require muzzling in public. In fact to the best of our knowledge Australia is the only country apart from Northern Ireland where pet greyhounds have to be muzzled.

Furthermore, even within Australia, between the Australian states, there are differences. In some states greyhounds have to be muzzled. In some states pet greyhounds do not have to be muzzled, such as in the Northern Territory or in some parts, or actually most parts, of Queensland. Then, furthermore, this green collar test, the green collar exemption, also varies between states. Some states, such as Victoria, require a four or five-day kennel stay, and some states do not require a kennel stay. Furthermore, currently government and the racing industry are looking for ways to reduce the killing of unprofitable greyhounds. Changing this law would be a simple policy change that can be implemented now to help address the problem, because clearly the muzzle puts a lot of people off from adopting a greyhound. Therefore we recommend a removal of section 27 from the Domestic Animals Act.

Just a couple of words who we are. We are a group of concerned pet greyhound enthusiasts from across Australia. We specifically formed Greyhound Equality Society because there were increased wishes from within the greyhound community to address these inequities imposed on greyhounds through outdated legislation here in Australia, and in particular here in Victoria. We provide evidence-based information on the current laws and issues regarding greyhounds in Australia and worldwide, and we have a wide public following on social media. Currently we have over 3400 followers on Facebook, and this number is rapidly increasing.

Our submission received official support by the main greyhound rescue groups, in Victoria: Greyhound Rescue Victoria and Amazing Greys. The submission also received a letter of support by emeritus Professor Jock McLean. He is a well-known veterinary surgeon who has been involved with greyhounds since the 1960s. His Honour Gordon Lewis was a main contributor to our submission, and also independently from us he advocates for a change of this law.

Furthermore, there was also quite a lot of support by the public for our submission. In total approximately 50 per cent of the submissions received related to the greyhounds, and all of them except one called for a removal of the muzzle requirement for pet greyhounds; 104 submissions explicitly endorsed our submission; and, additionally, 184 submissions endorsed our submission in substance. There were also submissions from vets, a vet nurse, vet assistant and dog trainer.

Notably also there were several submissions by animal welfare groups which supported our submission in substance, such as the RSPCA Victoria; Animals Australia; Animal Liberation Queensland; the Veterinary Institute for Animal Ethics; the oldest greyhound rescue organisation in Victoria, Greyhound Safety Net; Friends of the Hound, a rescue organisation in Queensland; Dr Des Fegan, a prominent and very well-known greyhound racing industry vet; and Dr Amy Marder, who is a well-known American veterinarian who has developed quite a famous temperament test for animal shelters. This is the only test that is scientifically validated to date.

Now I would like to go a bit more into detail why we believe the current legislation fails to address community safety. First of all, we could trace this muzzle law for greyhounds back to the 1884 Dog Bill. Clearly at this time I am not going to read out what it says exactly; you can all read it in our submission. But clearly it shows that it was never intended for pet greyhounds, as essentially in 1884 pet greyhounds did not exist. At that time greyhounds were mainly used for coursing after live quarry, and since then obviously this has become illegal. So this law is superfluous, but it is somehow still being carried on and on, and appears in several similar versions in the law since then.

Another point of interest is that historical documents show that the original intention of the 1999 muzzle exemption awarded to GAP was to remove the muzzle law for all pet greyhounds and also that actually this change was really embraced by everybody, which also showed in the media release of the racing minister in 1999, which said:

It will improve the public attitude towards this fun family dog.

But as I have already mentioned, now there are more and more greyhound rescue groups other than GAP, and so, because GAP arguably cater only to less than 10 per cent of the dogs whelped each year, and a large percentage is now adopted out to other rescue organisations, all these dogs now have to wear a muzzle.

Furthermore, the greyhound really is known worldwide as a non-aggressive breed. It has a great reputation as a family pet. GAP on their website, for example, describe the greyhound as one of the most easygoing dogs, very lazy, docile, boasts a placid nature, cooperative, adaptable and affectionate. As I said, Australia, in particular Victoria, has one of the most stringent regulations with pet greyhounds worldwide. However, there is no evidence that in any of these jurisdictions nationally or internationally where pet greyhounds do not have to wear a muzzle that they pose a danger to the community or that they are involved in increased dog attacks or attacks on humans.

This view is also supported by the RSPCA Australia, which specifically recently released an information paper on the muzzle law and also said that they oppose this law. In this paper they also state that:

RSPCA Australia has not identified any evidence of increased safety risks or incidents/issues arising from the absence of compulsory muzzling of pet greyhounds in public places in other countries.

We also believe that there are some problems with this green collar, because it is just a specific example of breed-specific legislation, and it just creates a false sense of security and undermines owner responsibility. The American Veterinary Society of Animal Behaviour, for example, says specifically on BSL:

... such legislation ... is ineffective, and can lead to a false sense of community safety as well as welfare concerns for dogs identified (often incorrectly) as belonging to specific breeds.

Therefore we think a one-off test of whether a greyhound is safe or unsafe is no substitute for the owner's ongoing monitoring and training, which responsible dog ownership involves.

Furthermore, the muzzle hinders dog rehabilitation, because it denies the ability to learn appropriate dog-to-dog socialisation, which is particularly important for dogs to just transition from the racing industry and now transition into life as pets. Furthermore, not all greyhounds have been adequately habituated and desensitised to wearing a muzzle. There is also enough already in the current laws to ensure that greyhounds have to be under the effective control of their owners, even if under this law the muzzle could be removed. The current Victorian law requires that all pet dogs must be on leash, or if there is an off-leash area, local council laws clearly state that the dogs are required to be under the effective control of their owners, and of course that still holds for pet greyhounds. Racing greyhounds would still need to wear a muzzle as they would fall under the Greyhounds Australasia rules, which outline the control of a greyhound registered with GRV for the purpose of racing in public. Therefore further regulations are superfluous.

I already touched upon animal welfare concerns. The current muzzle law leads to unnecessary barriers in greyhound adoption rates and thereby increases euthanasia rates for healthy dogs that have finished their racing careers. Clearly the muzzling law is a clear disincentive for the public to adopt retired racing greyhounds, and this is what the rescue organisations have reported back to us when rehoming these dogs. Greyhounds adopted through GAP have been granted an exemption. As I already mentioned, this only constitutes a small proportion of the total greyhounds and more are adopted out through rescue organisations other than GAP. These now all have to be muzzled.

In conclusion, a removal of the muzzle requirement for pet greyhounds would greatly improve retired or unwanted greyhounds' chances of finding homes as family pets. This is in the interest of the government and the industry, which are currently looking for ways to reduce the killing of unprofitable greyhounds. There is no indication that a removal of this law would lead to increased community protection concerns as greyhounds would still continue to be governed by the laws that govern all pet dogs and support community safety, and racing greyhounds would still be required to wear a muzzle in public under Greyhounds Australasia rules. Again, other jurisdictions provide clear evidence that muzzles can be removed safely, such as parts of Queensland. Changing this law offers multiple benefits with minimal risks, and resources spent on breed-specific legislation and exemptions could be more effectively spent on owner-education for greyhound adopters. This is in the interests of the racing industry and the government, which are currently looking for ways to reduce the high euthanasia rates for greyhounds. Thank you.

The CHAIR — Excellent. Thank you for your presentation.

Ms HARTLAND — I will start by asking for just a few facts and figures. How many greyhounds are there in the community now that have been adopted — a rough figure?

Dr KASSENBOEHMER — I wish I could tell you an exact figure for this year, but there is absolutely no documentation, so I really cannot tell.

Ms HARTLAND — How many dogs are there in the racing industry — any idea?

Dr KASSENBOEHMER — Around 20 000 are whelped each year.

Dr HAISKEN-DeNEW — Every year.

Ms HARTLAND — What age, roughly, do they stop racing?

Dr KASSENBOEHMER — Around the age of four.

Ms HARTLAND — So there are a lot of dogs.

Dr KASSENBOEHMER — Yes.

Ms HARTLAND — When they change from being a racing dog into hopefully a family pet, what is that process, because they have had to use the muzzle while they are racing? Do they go through some kind of training or re-education? How does that work?

Dr KASSENBOEHMER — The current legislation does not require retraining; it just says it needs a green collar and it has to be adopted out by the Greyhound Adoption Program from Greyhound Racing Victoria. But the Greyhound Adoption Program, as well as all the other rescue groups, of course, as with any rescue group, temperament test dogs. They have all put the dogs in foster homes. They spend time in foster homes, and then they get a chance to assess the personality of the dog and whether the dog can be matched with kids or should not be matched with kids.

Ms HARTLAND — Do you have a rough percentage of how many dogs a year are euthanased?

Dr KASSENBOEHMER — I think the figures currently say that — —

Dr HAIKEN-DeNEW — From the industry itself.

Dr KASSENBOEHMER — From the industry itself — out of 20 000 greyhounds whelped this year around 18 000 go missing.

Ms DAVIS — These are the figures that were released by Greyhounds Australasia just recently.

Dr KASSENBOEHMER — There is a slight variation in the figures. Some say 17 000, some 16 000; we do not know exactly.

Dr HAIKEN-DeNEW — But the vast majority.

Ms DAVIS — It is something the public has wanted to know for a long time.

Dr KASSENBOEHMER — Because unfortunately there is no record-keeping.

Ms TIERNEY — What is the normal practice? At the end of a greyhound's racing life the owner takes the dog to a vet to be euthanased?

Dr KASSENBOEHMER — Yes. I do not know whether that is normal practice, but that is how many of us would have received the greyhound, because the greyhound was at the vet's to be euthanased and the vet nurse would say 'This is a healthy dog. I know a greyhound rescue organisation', and then rehome the dog.

Ms DAVIS — Then it is up to the trainer whether they surrender the dog to a rescue group.

Ms TIERNEY — Do many of the dogs carry significant injury as a result of being in the racing industry?

Dr KASSENBOEHMER — Yes, there are a lot of injuries. I do not have the numbers, how many, and which injuries specifically, but yes, a lot are injured and therefore retire because of injuries.

Dr HAIKEN-DeNEW — The main reasons to retire are simply that the dog is just not fast enough because of age and because of previous injury. There are many perfectly healthy dogs that are just too old and therefore not fast enough to be competitive in a race, and there are obviously many dogs that have previous injuries that stop them from being fast enough. Those dogs that are rehomed are like a broad spectrum of those who are perfectly healthy and those that have previous injuries. These are the kinds of dogs we would see being rehomed.

Ms HARTLAND — Is there also a problem with just too many greyhounds being bred for the industry?

Dr KASSENBOEHMER — Yes.

Ms DAVIS — Absolutely, and that is what the industry and all the inquiries are looking into at the moment, which is a very welcome move.

Ms HARTLAND — And that has come out of the issues around greyhounds being blooded and the greyhounds that were — —

Ms DAVIS — Exactly. I guess it just opened a can of worms.

Ms HARTLAND — About the industry in general.

Ms DAVIS — Every aspect of the industry was then scrutinised, and this is the result, which is good news for the greyhound.

The CHAIR — You are obviously advocating for pet greyhounds to be unmuzzled. Do you have a view on racing greyhounds and whether or not they need to continue to be muzzled? Is there a view that the society has in that respect?

Ms DAVIS — A racing greyhound should be muzzled to prevent injury to the other dogs while they are racing. GES is not against muzzling dogs. If a dog needs to be muzzled, even when it becomes a pet, then the dog should be muzzled. We are just saying that it is not necessary to muzzle the entire breed.

Dr HAISKEN-DeNEW — I think all of our testimony here today is focusing on pet greyhounds. It is not about the industry, it is about dogs that have already left the industry and are intended to become pets.

Ms HARTLAND — Am I right in saying also that pet greyhounds are quite lazy and if they could lie on the couch all day, that is what they would do?

Dr KASSENBOEHMER — Yes.

Dr HAISKEN-DeNEW — Correct.

Ms DAVIS — It is all greyhounds — —

Dr HAISKEN-DeNEW — If it is zero to 100, it is just to the couch.

Ms HARTLAND — So they actually make quite good pets for small children and older people?

Dr HAISKEN-DeNEW — Yes.

Ms DAVIS — They do, yes.

Dr KASSENBOEHMER — They do, with the restriction that obviously they are big dogs. Some can be very happy and run around, so they could knock over kids, so some dogs are not suitable to rehome with kids.

Ms DAVIS — They are really no different to any other large dog. They are known for their laziness. They are not endurance dogs, so they do not require a lot of exercise. You are not going to see greyhounds going on 10-kilometre jogs with their owners. They will be happy to go around the block, wanting to come home.

Dr HAISKEN-DeNEW — That is actually the critical part that the rescue organisations provide. There is an assessment given by the rescue organisations. After having placed the dog in a home for six weeks they can really figure out the characteristics of the dog and match that to the home situation. Really I think the idea is that you do not want a boisterous dog together with small children, but there are lots of situations in which that would be great. Maybe an older children or a no-children situation would be perfect situations. It is all about the matching process.

The CHAIR — Currently obviously greyhounds need to be muzzled and on a lead in public places. Councils have off-leash areas for dogs. Does the law currently apply that greyhounds need to be on lead at all times, even in those off-leash areas?

Dr HAISKEN-DeNEW — That is correct. There are a few specialised, what we call slipping tracks, which are effectively enclosed areas that are intended only for greyhounds in which they run, say, 250 metres straight ahead. It is all fenced in. These are private solutions. So in a regular off-leash park, greyhounds are still on lead.

Ms HARTLAND — How many greyhounds would you, or the various agencies, rehouse a year in Victoria, do you think?

Ms DAVIS — It really varies. The private rescue groups are very forthcoming with their figures, so we know that Greyhound Rescue Victoria, for example, I think — and I cannot quote it on this — have rehomed I think around about 100. Is that correct?

Dr KASSENBOEHMER — I am not exactly sure.

Ms DAVIS — We are not sure, and unfortunately we do not have those figures with us.

Dr KASSENBOEHMER — But it is in their submission; they also put in a submission — —

Ms HARTLAND — But it is quite a small number, then, in comparison?

Dr KASSENBOEHMER — Compared to the 20 000.

Ms DAVIS — Exactly.

Dr KASSENBOEHMER — But the 20 000 that are bred each year is across Australia; it is not in Victoria.

Ms DAVIS — Yes, not just Victoria.

Dr HAIKEN-DeNEW — That is right. There are very few that are coming out of the industry. There are a number of organisations — the Greyhound Safety Net, Amazing Greys, Greyhound Rescue Victoria — that would take these dogs that would not be coming through the industry gap program.

Ms DAVIS — All of those organisations have submitted to this inquiry, and those figures will be in those submissions.

Dr HAIKEN-DeNEW — That is right.

Dr KASSENBOEHMER — I would guess that all of these numbers combined are probably comparable to the number of greyhounds adopted by the greyhound adoption program by Greyhound Racing Victoria.

Ms TIERNEY — As you are probably well and truly aware, there is a lot of misinformation in the media around dogs generally and the issue of safety and dogs. I think a lot of the debate within the community is very uninformed as well in a general sense, so I am going to have to ask this question: if section 27 was removed, how do we address the so-called risk of greyhound attacks on small animals?

Dr KASSENBOEHMER — First of all, I think there is no increased risk. At least from all the other countries and jurisdictions we have not heard anything that now, suddenly, greyhounds have killed the whole population of rabbits in the country — furthermore, there are other hunting dogs as well, obviously. They currently are not required to wear muzzles — so the English pointers, the Weimaraners, the Vizslas; they all should have a similar prey drive to the greyhound, and there is no problem.

Ms DAVIS — Those sorts of breeds — some of those have also been trained to chase in the hunting-type environment. They are not subject to the muzzling requirements that greyhounds are. Also, regardless of whether a greyhound is wearing a green collar or not, they can still possess a prey drive. Also there is just no evidence in any of the countries and some areas here in Australia where greyhounds are permitted off leash that there have been any problems with that. There is no evidence.

Dr KASSENBOEHMER — But also a thing to keep in mind is that in most places all dogs have to be on leash anyhow — the local law says that. When I go out of the door with my greyhound and I walk her, she has to be on leash; it is the law.

Dr HAIKEN-DeNEW — I think the thing to focus on is the evidence that is available. We really appreciate on the side of the lawmaker the considerations going into changing laws and to being safe. The thing is that even within the jurisdiction of Australia, there is absolutely no evidence to show — in places like Queensland, where this is de facto already the case, there is no increase in attacks of greyhounds on other dogs or on people. This is just simply not the case. I think that that gives us a lot of confidence in moving to removing that section and really having no detrimental effects whatsoever.

Ms TIERNEY — I think the *Four Corners* program that many of us saw and the dreadful practices that were occurring has probably also created a by-product within certain parts of our community that think that because that practice is happening, then the chase element is grounded in and therefore I think there is an unintended negative consequence to what your group and others are attempting to do. How do you think your organisation and organisations like yourselves can try to counter that?

Dr HAIKEN-DeNEW — I think one of the things that became quickly apparent to us when we got our greyhound was the very high prey drive that our greyhound had. We had about nine months of family life with our greyhound before we took our greyhound to be tested for this green collar. In those nine months, through the socialisation in the family home, we could see a dramatic decrease in what we would say is prey drive and racing behaviour. Just simply being in the family home in those first nine months dramatically reduced any kind of prey drive.

I think it is very likely that our dog was also introduced to the racing industry through live baiting and things. I have no way of knowing that, but given her behaviour, I would say that is probably the case. She has improved dramatically. What I am thinking is that simply through the socialisation in the family home and retraining that a lot can be done. I am really not worried about these kinds of effects happening. The industry has said, 'Look, the live baiting was a few exceptions and a few bad eggs in the basket', and let us just believe the industry that that in fact was a few isolated incidents, and the industry is dealing with that right now. I am thinking that if that has been weeded out, then the dogs that are coming online next year and the year after, they should be perfectly fine, because these illegal acts have not been taking place.

Ms DAVIS — The fact that the industry is stamping out live baiting for a welfare issue, the next generation of greyhounds should not have been trained in that way. But the fact of the matter is we do not know how many dogs have been trained in that manner. Nobody knows. But the fact that the industry seems to be committed in stopping the practice is good news.

Dr KASSENBOEHMER — But also I should add that prey drive is not a flaw in the dog's personality. Dogs should never not be rehomed because of prey drive, because it is completely manageable.

Ms TIERNEY — That leads to my next question. John, given your experience and your family's experience, are there some recommendations or suggestions that you might have that could be used in a family context to deal with the situation that you had?

Dr HAIKEN-DeNEW — Yes, I would say. The motto of our group is educate, not legislate. I think that specifically our dog's behaviour has been changed dramatically, and the behaviour of many greyhounds that I have seen, the vast majority has been improved simply through dog training. We have had massive successes in dog training. We were told at the beginning, 'You can't train a greyhound, they won't do anything'. Our greyhound is very easily trainable. They are trained and re-educated, and they are very happy to do this. Even our dog that was very industry-oriented, wanting to win — and prey drive — and she is a wonderful family pet now. We have seen this across the board with all the other greyhounds. Any greyhound that we have been introduced to, this has sort of been the focus, of taking the dog to dog training and allowing the dog to learn, relearn and know what is an appropriate social behaviour, and they do this.

Dr KASSENBOEHMER — Also it is about redirecting as well. The dog — you have to imagine when they are in the racing industry they are really purely trained on this one specific issue, and they do not have any stimulation apart from that. But once it is in a family environment it has all kinds of stimulation. It wants to be patted all the time, it gets attention through that. The prey drive automatically just really goes down. In a family environment or at home prey drive plays no role anyhow.

Dr HAIKEN-DeNEW — No role whatsoever.

Dr KASSENBOEHMER — Because there is not a rabbit running through my house.

Ms TIERNEY — In the lounge room.

Dr KASSENBOEHMER — Yes. But even if the prey drive would be high and it cannot really be decreased, because it is still an instinct obviously, it is perfectly manageable.

Ms HARTLAND — That was very helpful.

The CHAIR — Indeed, yes. Thank you very much for your testimony today and coming along. I think it has certainly opened our eyes to a law that has been in place for a very long time, so we are looking forward to opportunities to review it. I will just remind you that you will be provided with a transcript of today's evidence for proofreading, which will then be placed onto the committee's website. I once again thank you for your attendance today and for your testimony.

Witnesses withdrew.